

ORDINANCE NO. 9293-76

AN ORDINANCE AMENDING AN ORDINANCE NO. 9293-71, AN ORDINANCE AMENDING CHAPTERS TEN AND FOURTEEN OF THE CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS, REGULATING THE COLLECTION AND DISPOSAL OF SOLID WASTE, THE LICENSING OF HAULERS, AND RECYCLING

WHEREAS, the City Council of the City of Urbana, Illinois, finds it desirable to clarify certain provisions of Ordinance No. 9293-71.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That Section 10-100 (A) and (B) of Chapter 10, "Garbage and Refuse" of the Code of Ordinances, City of Urbana, Illinois, is hereby amended to read as follows:

(A) All Acceptable Waste (except as otherwise exempted herein) generated within the corporate limits of the City of Urbana shall be transported to and deposited at the Transfer Facility or a solid waste disposal facility designated by the Director of Public Works, and approved by Resolution of the City Council, by either the Generator of such Acceptable Waste or the Commercial Hauler who collects Acceptable Waste from the Generator of such waste.

(B) No Acceptable Waste (except as otherwise exempted herein) generated within the City shall be disposed of by any Generator, Hauler, other unit of local government, or school district within the City's jurisdiction at any facility or location other than the Transfer Facility or a solid waste disposal facility designated by the Director of Public Works and approved by Resolution of the City Council. This includes Acceptable Waste collected within the City, but commingled with Acceptable Waste collected outside the City's jurisdiction. Any Generator of Acceptable Waste who authorizes the removal of Acceptable Waste by a Hauler licensed by the City shall be presumed to have properly disposed of such Acceptable Waste. Both the Generator and the Hauler shall be responsible for removing Excluded Waste and Unacceptable Waste from Acceptable Waste prior to delivering Acceptable Waste to the Transfer Facility.

Section 2. That Section 12 of Ordinance No. 9293-71 is hereby amended to delete:

By Resolution approved on or before May 3, 1993, by a majority of the Aldermen and Alderwomen then holding office, the City Council may suspend the force and effect of the revisions to Section 10-100 in this Ordinance. Such Resolution shall only be duly adopted if all Haulers licensed to collect Acceptable Waste within the City have provided to the City certified copies of contracts which guarantee tipping at an IEPA licensed landfill at a guaranteed maximum price for a period of at least five years. Such Resolution shall also only be duly adopted if it contains a determination that the total estimated cost to the City and its waste generators for transportation, tipping, and for contract and self insurance against associated liabilities is less under such contracts than if the City were to enter into one or more contracts with IEPA licensed landfills for delivery of all the Municipal Waste generated within the jurisdiction of the City. While such suspension is in force, no Hauler shall be licensed to collect Acceptable Waste within the City without presenting a certified copy of a contract which guarantees tipping at an IEPA licensed landfill at a guaranteed maximum price for a period of at least five years. Whenever such suspension is in effect, the City Council may by Resolution provide five years' notice of its intent to revoke such suspension. No licensed Haulers shall accept any obligations or liabilities connected with delivery of Acceptable Waste for a period exceeding five years except at the risk of the contracting parties in the event that suspension of Section 10-100 be revoked or fail to occur under the terms of this Ordinance.

Section 3. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the Members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 15<sup>th</sup> day of February, 1993.

PASSED by the City Council on this 15<sup>th</sup> day of February, 1993.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 23<sup>rd</sup> day of February, 1993.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Ruth S. Brookens, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 15th day of February, 1993, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9293-76, entitled "AN ORDINANCE AMENDING AN ORDINANCE NO. 9293-71, AN ORDINANCE AMENDING CHAPTERS TEN AND FOURTEEN OF THE CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS, REGULATING THE COLLECTION AND DISPOSAL OF SOLID WASTE, THE LICENSING OF HAULERS, AND RECYCLING" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9293-76 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 24th day of February, 1993, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this 15<sup>th</sup> day of March, 1993.



Ruth S. Brookens  
CITY CLERK