

RESOLUTION NO. 9394-R15
A RESOLUTION REGARDING
SOLID WASTE MANAGEMENT

WHEREAS, the Illinois General Assembly determined in the passing of the Local Solid Waste Disposal Act that it was the purpose of said Act and the policy of this State to protect the public health and welfare and the quality of the environment by providing local governments with the ability to properly dispose of solid waste within their jurisdictions by preparing and implementing, either individually or jointly, solid waste management plans for the disposal of solid waste and, to the extent technically and economically feasible, to efficiently use products or by-products generated during the disposal process; and

WHEREAS, the Local Solid Waste Disposal Act (415 ILCS 10/4, et. seq.) states that any action taken pursuant to that Act by one or more units of local government, acting individually or jointly, shall be deemed to be State action for purposes of the application of federal antitrust law, and no such action shall be prohibited by virtue of any anti-competitive effect it may produce; and

WHEREAS, the Local Solid Waste Disposal Act (415 ILCS 10/6, et. seq.) states that units of local government may provide by ordinance, license, contract, or other means that the methods of disposal of solid waste shall be the exclusive methods of disposal to be allowed within their jurisdictions; and,

WHEREAS, the General Assembly determined in the passing of the Illinois Solid Waste Management Act (415 ILCS 20/2, et. seq.) that it was the purpose of said Act to reduce reliance on land disposal of solid waste, to encourage and promote alternative means of managing solid waste, and to assist local governments with solid waste planning and management. In furtherance of those aims, while recognizing that landfills will continue to be necessary, this Act establishes the following waste management hierarchy, in descending order of preference, as State policy:

- (1) volume reduction at the source;
- (2) recycling and reuse;
- (3) combustion with energy recovery;
- (4) combustion for volume reduction;
- (5) disposal in landfill facilities; and

WHEREAS, the Illinois General Assembly has determined in the passing of the Solid Waste Planning and Recycling Act (415 ILCS 15/2 et. seq.) that it is the purpose of said Act to provide incentives for decreased generation of municipal waste, to require certain counties to develop comprehensive waste management plans that place substantial emphasis on recycling and other alternative to landfills, to encourage municipal recycling and source reduction, to promote composting of yard waste; and that parts of this State have inadequate and rapidly diminishing disposal capacity for municipal waste; that counties should have the primary responsibility to plan for the management of municipal waste within their boundaries to insure

the timely development of needed waste management facilities and programs; that waste reduction and recycling are preferable to the disposal of municipal waste; that removing certain materials from the municipal waste stream will decrease the flow of waste to sanitary landfills aid in the conservation and recovery of valuable resources, conserve energy in the manufacturing process, increase the supply of reusable materials for the State's industries; and,

WHEREAS, The Intergovernmental Solid Waste Disposal Association (ISWDA), a municipal joint action agency, was formed in 1986 to address intergovernmental efforts in the planning, acquisition and development of solid waste programs and disposal facilities and that the ISWDA did prepare a solid waste management plan, pursuant to the requirement of ILCS 15/2 et. seq., which was adopted as the Champaign County Solid Waste Management Plan on February 19, 1991 in Champaign County Resolution No. 3077; and,

WHEREAS, the City of Champaign has withdrawn from its membership of the ISWDA and that Champaign County has submitted an agreement to the City of Urbana to dissolve the ISWDA, which would terminate local intergovernmental efforts, hence the adopted Champaign County Solid Waste Management Plan is therefore obsolete and will not be implemented; and

WHEREAS, the City of Urbana is a home rule unit of government; and

WHEREAS, the City has adopted Resolution No. 9192-R39, as amended, entitled, "A Resolution Approving the City of Urbana Solid Waste Goals and Objective;" and

WHEREAS, the City is desirous of achieving optimum scale of economies together with optimum service levels so as to minimize the cost of solid waste management programs and services to each individual citizen; and

WHEREAS, the City desires to achieve cost savings to citizens for solid waste collection and disposal services through a competitive selection process; and

WHEREAS, the City has prepared reports which have found that a comprehensive program to provide solid waste collection services of garbage, yard waste, and recyclable materials would be in the best interests of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE URBANA CITY COUNCIL THAT:

The City of Urbana must unilaterally proceed to plan and develop appropriate services, programs and facilities which may be needed to fulfill federal, state and local obligations and mandates for solid waste management responsibilities as provided herein:

1. That a solid waste management plan be prepared and submitted for Council approval no later than June 1, 1994. The plan would be prepared to address the goals and objectives of the Illinois Solid Waste Planning and Recycling Act.
2. That an interim solid waste management plan be developed and submitted for Council approval by January 31, 1994.

3. That requests for proposals or invitations for bids for residential recyclables and yardwaste handling, disposal of residential refuse, and at least three franchises for collection of residential refuse be issued no later than one month after Council approval of an interim solid waste management plan for contracts, if any, to be secured prior to July 1, 1994.

This Resolution is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 13th day of December, 1993.

A circular seal of the City of Urbana, Illinois, featuring a central figure and the text "THE CITY OF URBANA, ILLINOIS" around the perimeter.
Phyllis D. Clark
Phyllis D. Clark, City Clerk
by Sharon Menges, Deputy Clerk

APPROVED by the Mayor this 22nd day of December, 1993.

Tod Satterthwaite
Tod Satterthwaite, Mayor