

City of St. Charles, Illinois

Ordinance No. 2008-M-36

**Ordinance Amending Title 8 "Health and Safety"
Chapter 8.24 "Garbage and Refuse" of the St. Charles
Municipal Code**

**Adopted by the
City Council
of the
City of St. Charles
June 2, 2008**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, June 6, 2008**

Nancy Garrison
City Clerk



(SEAL)

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ORDINANCE NO. 2008-M- 36

CITY OF ST. CHARLES, ILLINOIS

AN ORDINANCE AMENDING TITLE 8 "HEALTH AND SAFETY", CHAPTER 8.24
"GARBAGE AND REFUSE" OF THE ST. CHARLES MUNICIPAL CODE

WHEREAS, the City of St. Charles (the "City") is a home rule municipality duly organized and existing pursuant to the Illinois Constitution of 1970 and the laws of the State of Illinois; and,

WHEREAS, the City has established certain requirements pertaining to garbage, refuse and the disposal thereof, pursuant to the City's statutory and home rule authorities; and,

WHEREAS, the City finds that it is necessary and desirable to amend said requirements regarding certain geographical areas in order to protect the public health, safety and welfare; and,

WHEREAS, the City finds that said amendments pertain to the government and affairs of the City, and is otherwise in the public interest.

NOW THEREFORE, BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows

SECTION ONE: Recitals. The foregoing recitals are hereby adopted as part of this Ordinance.

SECTION TWO: Title 8 "Health and Safety", Chapter 8.24 "Garbage and Refuse", Section 026 "Non-residential collection" of the St. Charles Municipal Code is hereby deleted in its entirety and in lieu thereof the following language shall be substituted:

"8.24.026 Non-residential collection.

A. General requirements. All owners and occupiers of non-residential structures in the City shall collect and dispose accumulations of garbage and refuse, recyclable material and compostable material regularly and systematically, at least once every

fourteen days, by a refuse collector licensed by the City pursuant to Chapter 5.32.011 of the St. Charles Municipal Code. Containers to be used for the collection of garbage and refuse from non-residential premises shall be tightly covered metal or other non-corrodible, watertight containers. All hotels, motels, restaurants, industrial categories, hospitals, food take-out and catering kitchens, food stands, schools, churches, convents, grocery and meat markets, and all other establishments having disposable garbage, refuse and recyclables shall store such garbage, refuse and recyclables in containers with covers of suitable size until the designated pickup days. Mobile garbage and refuse containers required to be left at curbside shall be placed at curbside no earlier than 5:00 p.m. on the day preceding the day on which collection is scheduled, and shall be removed from curbside no later than 5:00 p.m. on the day of collection.

B. Grease. Property owners and tenants in the service area shown in Exhibit C and generally described as Lot 3 and Lot 13 in Phase 2 of First Street Redevelopment Subdivision, and including Lots 1, 2, and 5, in Block 39 of the Original Town of St. Charles, and including Lots 3 and 4 in said Block 39 lying north of the northerly line of said Lot 13, and including Lot 6 in said Block 39 lying west of the westerly line of said Lot 13, except those portions of said Lots 1 and 4 dedicated for right of way purposes, in the City of St. Charles, Kane County Illinois, shall deposit all grease in approved containers designated by the City. Property owners and tenants shall pay to the City the scavenger's pickup fee in accordance with terms and conditions of the City contract with the licensed scavenger. Deposit of grease materials on the ground or in unapproved containers is expressly prohibited.

C. Refuse. Property owners and tenants in the service area shown in Exhibit D and generally described as Lots 1, 2, 3, 4 and 5, in Block 39 of the Original Town of St. Charles; except the southerly 12 feet of the easterly 21 feet of said Lot 2; and except the southerly 22 feet of said Lot 4; and except that portion of said Lot 3 described as follows: Commencing at the southwest corner of said Lot 3, thence easterly along the south line of said Lot 3, 22 feet for a Point of Beginning; thence northerly parallel with the west line of said Lot 3, 28 feet; thence easterly parallel with the said south line, 22 feet; thence southerly parallel with the said west line, 8 feet; thence easterly parallel with the said south line, 22 feet to the east line of said Lot 3, thence southerly along the said east line, 22 feet to the southeast corner of said Lot 3; thence westerly along the said south line to the Point of Beginning; and except those portions of said Lots 1 and 4 dedicated for right of way purposes, in the City of St. Charles, Kane County Illinois, shall deposit all garbage, refuse, and recyclables in approved containers designated by the City. Property owners and tenants shall pay to the City the scavenger's pickup fee in accordance with terms and conditions of the City contract with the licensed scavenger. Deposit of garbage, refuse or recyclable materials on the ground or in unapproved containers is expressly prohibited. In addition, the following sections shall apply to all non-residential premises: Section 8.24.010 ("Definitions"); Section 8.24.050 ("Uncovered garbage"); Section 8.24.055 ("Depositing garbage and refuse on another's property"); Section 8.24.060 ("Wind-blown dust, ashes or trash"); Section 8.24.070 ("Deposit on streets"); Section

8.24.080 ("Consent of owner"); Section 8.24.090 ("Title of wastes"); Section 8.24.099 ("Enforcement"); Section 8.24.100 ("Penalty for violation of Chapter 8.24")."

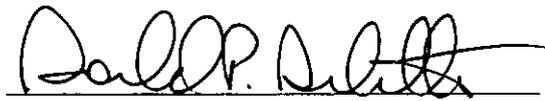
SECTION THREE: That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION FOUR: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

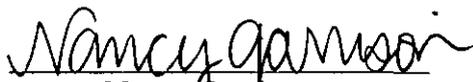
PRESENTED to the City Council of the City of St. Charles, Illinois, this 2nd day of June, 2008.

PASSED by the City Council of the City of St. Charles, Illinois, this 2nd day of June, 2008.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 2nd day of June, 2008.


Donald P. DeWitte, Mayor

ATTEST:


Nancy Garrison
City Clerk

COUNCIL VOTE:

Ayes: 10

Nays: -

Absent: -

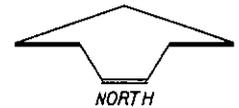
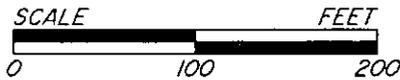
APPROVED AS TO FORM:

City Attorney



DATE: _____

EXHIBIT "C" - 8.24.026



DATE: MAY 2, 2008

State of Illinois)
) ss.
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on June 2, 2008, the Corporate Authorities of such municipality passed and approved Ordinance No. 2008-M-36, entitled

"Ordinance Amending Title 8 "Health and Safety"
Chapter 8.24 "Garbage and Refuse" of the St. Charles
Municipal Code,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2008-M-36, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on June 6, 2008, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 2 day of June 2008.

(S E A L)



Nancy Garrison
Municipal Clerk