

CHAPTER 16

GARBAGE

ARTICLE I - GENERAL REGULATIONS

16-1-1 **DEFINITIONS.** As used in this Code, the following definitions shall apply:

"GARBAGE" shall mean wastes resulting from the handling, preparation, cooking and consumption of food; wastes from the handling, storage, and sale of produce.

"RUBBISH" shall mean combustible trash, including, but not limited to paper, cartons, boxes, barrels, wood, excelsior, wood furniture, bedding; non-combustible trash, including, but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste; street rubbish, including, but not limited to street sweepings, dirt, catch-basin dirt, contents of litter receptacles, provided, however, that refuse shall not include earth and wastes from building operations, nor shall it include solid wastes resulting from industrial processes and manufacturing operations such as food processing wastes, boiler house cinders, lumber, scraps and shavings.

"YARD WASTE" shall mean material such as tree branches, yard trimmings, leaves and grass.

16-1-2 **LICENSE REQUIRED; FEE.** No person shall engage in the business as a residential or commercial collector of garbage and rubbish unless having first made application and secured a license.

16-1-3 **APPLICATION.** Applications for such license shall be made in writing to the City Clerk and shall state thereon the name of the applicant, the intended place of business and the proposed area for the disposal of garbage, the number of vehicles to be operated and the scheduled of rates to be charged. Each vehicle operated shall have a license.

16-1-4 **INSURANCE TO BE CARRIED.** No license shall be issued until the applicant has furnished proof of good moral character and has furnished evidence that the applicant is covered by public liability insurance in a sum of not less than **Twenty-Five Thousand Dollars (\$25,000.00)** for any **one (1) person** and **Fifty Thousand Dollars (\$50,000.00)** for any **one (1) accident** and property damage insurance in an amount not less than **Ten Thousand Dollars (\$10,000.00)**.

16-1-5 **LICENSE AND INSPECTION FEES.** The annual license fee, payable in advance, shall be the sum of **Two Hundred Fifty Dollars (\$250.00)** for each licensee authorized to engage in the business of collection of garbage within the City. All vehicles operated by each licensee within the corporate limits of the City shall be inspected at least annually and there shall be a fee of **Ten Dollars (\$10.00)** for the annual inspection of each vehicle so operated. **(Ord. No. 07-12; 05-29-07)**

16-1-6 **EQUIPMENT.** No truck or other vehicle shall be used for the collection of garbage and the disposal thereof under the provisions of this Article unless the load carrying portion thereof is constructed of steel or other similar metal, or if constructed of wood, the bed and side walls to a height of **two (2) feet** shall be lined with metal, and so constructed as to prevent leakage of liquid or solid matter and the escape of all disagreeable odors arising from the garbage; and the load carrying portion of the truck or vehicle shall be kept tightly closed at all times except when being actually filled or unloaded.

16-1-7 **CITY APPROVAL OF EQUIPMENT.** At all times, the equipment used and the disposal area shall be subject to the approval of the City Council or its designated agent. **(Ord. No. 460; 07-25-72)**

16-1-8 **DISPOSAL AREAS.** No person, persons, firm or corporation shall be issued a license to engage in the collection of garbage within the corporate limits of the City until they have submitted satisfactory proof that they have available space or areas for the disposal of all garbage so collected, such space or areas to be located a distance of at least **five hundred (500) yards** outside the corporate limits of the City.

16-1-9 **PARKED GARBAGE TRUCK.** No truck carrying garbage or rubbish, or both, shall be parked or be permitted to stand anywhere in the City, except as provided in **Section 16-1-14**, any longer than is necessary to pick up containers providing that the standing of such vehicle was made necessary by mechanical trouble, traffic conditions, accident or obedience to the direction of policemen or traffic signals shall not be considered a violation of this Chapter.

16-1-10 **TRUCK WASTEWATERS.** A garbage truck or other equipment shall not be washed on City streets or public property, and will not be washed where the wastewaters will cause any offensive odors to adjoining property owners.

16-1-11 **WINDBLOWN GARBAGE UNLAWFUL.** It shall be unlawful to place garbage or rubbish in such a manner as to allow the same to be blown by the wind onto the property of other residents or on public property.

16-1-12 **GARBAGE FALLING FROM TRUCK.** It shall be unlawful to deposit or permit to fall from any vehicle, any garbage, refuse or ashes on any public street or alley in the City; provided that this Chapter shall not be construed to prohibit placing garbage, refuse, or ashes in a container complying with the provisions of this Chapter preparatory to having such material collected and disposed of in the manner provided herein.

16-1-13 **GARBAGE ON PREMISES UNLAWFUL.** The fact that garbage or rubbish remains on an occupant's premises in the City in violation of this Chapter shall be prima facie evidence that the occupant of such premises is responsible for the violations of the Chapter occurring.

16-1-14 **LOCATION FOR EQUIPMENT.** A licensee shall designate the location on which his equipment will be parked while not in use and the equipment shall not be parked within the City limits, unless the designated location shall not create, in the opinion of the City Council, any nuisance for adjoining property owners.

16-1-15 **INDUSTRY, CONSTRUCTION, ETC.** Nothing in this Chapter shall be deemed to prevent or regulate the hauling of rubbish or refuse from industrial processes, from construction projects or other matter not normally collected on a regular schedule and haulers of rubbish not normally collected in regular collections shall be excused from the requirements of obtaining a collector's license as provided in this Chapter.

16-1-16 **REVOCATION OF PERMIT.** If the licensee fails to perform any services according to his application and rate schedule, the Mayor may revoke the permit.

(See 65 ILCS Sec. 5/11-19-1, et seq.)

ARTICLE II – RECYCLING PROGRAM

16-2-1 HISTORY. Gibson City did have a recycling program several years ago, but it was discontinued because of expense and trash in the downtown area. Our new proposal addresses both of these issues and brings new ideas to the table for consideration.

We believe that a recycling program is important for many reasons and that a “new and improved” recycling program would have good support from much of our community.

16-2-2 GOAL. To implement a recycling program that is cost effective, neat and clean and that addresses the needs of the community.

16-2-3 PROPOSAL. Establish a governing body (Recycling Board) including a chairman and **four (4)** regular members to be appointed by the Mayor and approved by the City Council. Members would have a **three (3) year** term and would not be compensated. The Recycling Board would be responsible for the day-to-day activities of the recycling program and would report (via a council member liaison) to regular Council meetings as necessary. Mayor and Council will have final authority on all recycling program activities.

Proposed location for the recycling program is in the Jordan Industrial Park on the current City owned property leased by Ameren. Ameren’s lease will expire on **November 1, 2005** and it is their intentions not to renew the lease. Proposed area is rocked, fenced and has **two (2) gates**.

Proposed hours for recycling would be **8:00 A.M.** to **11:30 A.M.** with gates closed at Noon on the **first (1st)** and **third (3rd) Saturday** of each month and would be totally manned by volunteers. At least **two (2) volunteers** to be present during all collection hours.

Ridgeview Recycling will be out initial provider and they will take (recycle) #1 - #3 plastic, glass, newspaper, cardboard, rice paper (like cereal boxes), office paper, aluminum, and tin. **They will not take windowpanes, construction paper or wrapping paper.**

Due to the expense of the program, annual passes will be sold to Gibson City residents (residents within the City limits) for **Fifteen Dollars (\$15.00)** and senior citizens (60 and older) for **Ten Dollars (\$10.00)**. Non-resident passes to be sold for **Twenty Dollars (\$20.00)** and **Fifteen Dollars (\$15.00)** for non-resident senior citizens. Best efforts would be made to sell as many passes as possible to Gibson City residents and non-residents to cover most or all of expenses incurred. All monies collected would be given to the City of Gibson to pay for costs. Recycling Board may

also wish to work with Gibson City non-profit organization(s) such as the PTA, 4H, Boy Scouts, etc. to maximize pass sales (tbd). Passes to be color-coded annually and have the name of the pass holder listed on them.

Cot to the City of Gibson would be **Six Hundred Dollars (\$600.00)** per month less pass revenues.

Examples:

1. Cost - \$7200.00 per year
Less 250 x \$15.00 - \$3750.00
Balance – (\$3450.00)
2. Cost - \$7200.00 per year
Less 350 x \$15.00 - \$5250.00
Balance – (\$1950.00)
3. Cost - \$7200.00 per year
Less 450 x \$15.00 - \$6750.00
Balance – (\$450.00)
2. Cost - \$7200.00 per year
Less 550 x \$15.00 - \$8250.00
Balance – \$1050.00

(Ord. No. 05-12; 08-08-05)