

**AN ORDINANCE GOVERNING THE STORAGE, COLLECTION,
TRANSPORTATION, AND DISPOSAL OF SOLID WASTES AND OTHER REFUSE**

SECTION I - PURPOSE

- 1.1 This ordinance shall govern the storage, collection, transportation and disposal of solid wastes and other refuse within the legal geographical limits of Vermilion County as provided by law. The purpose of this ordinance is to eliminate vectors and nuisances and prevent the transmission of disease organisms resulting from the improper and inadequate handling of solid waste and other refuse by regulating the storage, collection, transportation and disposal of solid waste.

SECTION II -DEFINITIONS

- 2.1 For the purpose of this ordinance, the following definitions shall apply:
- 2.1A Antique vehicle shall mean a motor vehicle that is more than 25 years of age or a bonafide replica thereof.
- 2.1B Collecting agent shall mean the person, firm or corporation engaged in the business of collecting and/or transporting solid waste and other refuse for a fee.
- 2.1.C Commercial premises shall mean all ~~grocery stores~~ retail establishments, service stations, office buildings, food processing plants, industrial plants, trailer parks, motels and all other places refuse is or may be created or accumulate.
- 2.1 D Commercial vehicles shall mean vehicles owned, operated or leased by a

collecting agent for collecting and or transporting of solid waste or other refuse.

- 2.1 E Composting shall mean the biological process by which microorganisms decompose the organic fraction of waste producing a humus-like material that may be used as a soil conditioner.
- 2.1 F Derelict vehicles shall mean any inoperable, unregistered, discarded motor vehicle, regardless of title, having lost its character as a substantial property and left unattended without justification on the owner's land contrary to public policy as expressed in Chap. 95.5, Section 4-301 of the Illinois Revised Statutes.
- 2.1 G Domestic premises shall mean all premises used for dwelling purposes including single family dwellings and multiple family dwellings.
- 2.1 H Health Administrator shall mean the Administrator of the Vermilion County Health Department or his authorized representative(s).
- 2.1 I Landscape waste shall mean all accumulation of grass, shrubbery, cuttings, leaves, tree limbs and other natural material accumulated as the result of the care and maintenance of lawns, shrubbery, vines and trees exterior vegetation.
- 2.1 J Other refuse shall be interpreted to mean bottles, tin cans, broken

glass, crockery, household garbage, plastic containers, scrap metal, vehicle parts, derelict vehicles, printed matter, paper, discarded clothing, furniture and appliances, ashes, debris from fire damage, materials resulting from the construction, remodeling, repair or demolition of structures such as wood, wall coverings, plaster, drywall, plumbing fixtures, roofing shingles and other roof coverings, electrical wiring, and any other material which has been discarded, abandoned or otherwise disposed of improperly. This does not include earth, sand, brick, stone, plaster or other substances that may accumulate during the construction of a building.

- 2.1 K Person shall mean any individual, group of individuals, association trust, partnership, corporation, person doing business under an assumed name, or other entity.
- 2.1 L Property owner shall mean the person in whose name legal title to the real estate is recorded.
- 2.1 M Recycling shall mean any process by which materials that would otherwise become solid waste or other refuse including but not limited to metals, glass, paper, leaves and plastic, are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.
- 2.1 N Resident shall mean any person or persons who may be either the property owner or a tenant living in a domestic premise.
- 2.1 O Solid waste shall mean garbage and all wastes resulting from the handling, preparation, processing or cooking of food including vegetables and

animal offal, carcasses of small dead animals, except sewage, and other water carried waste.

SECTION III-DOMESTIC PREMISES; CONTAINERS AND ACCUMULATION OF SOLID WASTE AND REFUSE

- 3.1 It shall be the responsibility of each resident and/or property owner to provide an adequate number of approved containers to hold all solid waste and other refuse for a period of up to 14 days.
- 3.2 Containers for domestic premises shall be water tight and provided with a tight-fitting lid. Containers shall have a capacity of not less than ten nor more than 55 gallons. An approved commercial portable container service may be used.
- 3.3 It shall be unlawful for solid waste and other refuse to accumulate on any premises for a period of longer than 14 days.
- 3.4 Material accumulated on any premises for the sole purpose of recycling shall not be mixed with solid waste or other refuse and shall be stored in a manner that does not pose a threat to public health.
- 3.5 Landscape waste accumulated on any premises for the sole purpose of composting shall not be mixed with solid waste or other refuse. Composting shall be done in a manner that does not pose a treat to public health.
- 3.6 Derelict vehicles, when they pose a threat to public health, shall not be allowed to remain on private property or commercial premises for a period of longer than 30 days. Antique automobiles shall be excluded and

salvage yards holding valid licenses from the Secretary of State's office shall be excluded.

- 3.7 It shall be the responsibility of each resident and/or property owner to either employ an approved collecting agent to remove solid waste and other refuse or remove it from the premises ~~him-then~~ self and deposit it in an Illinois Environmental Protection Agency approved and licensed disposal site.

SECTION IV-COMMERCIAL ESTABLISHMENTS: CONTAINERS AND ACCUMULATIONS OF SOLID WASTE AND REFUSE

- 4.1 It shall be the responsibility of the owner or occupant of every commercial establishment to provide an adequate number of approved containers to hold all solid waste and other refuse between collections.
- 4.2 Approved containers shall be the same for domestic premises (Section 3.2).
- 4.3 It shall be unlawful for the owner or occupant of any commercial establishment to allow solid waste and other refuse to accumulate on the premises for more than 7 days.

SECTION V- CLEANING OF CONTAINERS

- 5.1 It shall be the responsibility of the owner of any solid waste or other refuse container to clean and maintain it in a sanitary condition.

SECTION VI-VEHICLES TO BE USED FOR COLLECTION AND TRANSPORTATION OF SOLID WASTE AND OTHER REFUSE

- 6.1 General - The collection and transportation of solid waste and other refuse

shall be carried out in a sanitary manner which does not endanger the public health or create a public nuisance.

- 6.2 All commercial vehicles except those vehicles owned or leased by a municipality and operated by municipal employees that transport solid waste shall be licensed. An annual fee shall be established by the Vermilion County Board. The license fee for commercial vehicles that transport solid waste shall be effective January 1 through December 31 of each calendar year.
- 6.3 Vehicle Identification - The name under which the business is conducted, and the address shall be painted with legible letters at least 3 inches high on the side of each vehicle.
- 6.4 Vehicle Construction - the collection of solid waste by commercial agents shall be in commercial vehicles with leakproof bodies and preferably completely covered with metal. If a commercial vehicle is designed with a loading hopper, the loading hopper shall be of such size that a fifty-five (55) gallon drum can be upended therein and shall be so designed as to prevent leaking during loading operations.
- 6.5 Upon receipt of a complaint regarding a vehicle used in transporting or collecting solid waste or other refuse, such vehicle shall be made available, at a reasonable time, for inspection by a representative of the Vermilion County Health Department.

- 6.6 The Vermilion County Health Department reserves the right to revoke an existing license or to refuse the renewal of any commercial vehicle's license belonging to a company that has an ongoing violation of any part of this ordinance.

SECTION VII-PERFORMANCE STANDARDS FOR SOLID WASTE AND REFUSE COLLECTORS

- 7.1 All equipment used for the commercial collection of solid waste and other refuse must be designed for the sanitary and healthful transportation of such refuse and garbage.
- 7.2 Equipment shall be maintained so that it is operating properly and safely so that no solid waste or other refuse can blow or fall off the vehicle.
- 7.3 It shall be the responsibility of the owner or operator of any vehicle carrying solid waste or other refuse to retrieve any solid waste or other refuse that falls or blows off his vehicle.
- 7.4 Overnight parking of loaded solid waste and other refuse collection vehicles on public or private property so as to create an unsanitary condition or a public nuisance is prohibited.

SECTION VII-DEAD ANIMALS

- 8.1 No person shall place or deposit or permit to be placed or deposited the carcass of a dead animal in any street, alley, road, open excavation abandoned well or cistern, ditch, stream or body of water or onto the surface of the ground or in any other manner deemed improper by the

“Illinois Dead Animal Disposal Act,” Chapter 225, Section 610 of the Illinois Compiled Statutes [225 ILCS 610].

- 8.2 The owner of the animal, when ownership can be determined, or the owner or occupant of the land on which the carcass of a dead animal is found shall promptly provide for its proper removal and disposal. The proper removal and disposal of the dead animal shall be consistent with the “Illinois Dead Animal Disposal Act,” Chapter 225, Section 610 of the Illinois Compiled Statutes [225 ILCS 610].

SECTION IX -PROPER DISPOSAL OF SOLID WASTE AND OTHER REFUSE

- 9.1 It shall be unlawful for any person, in person or by his agent or employee to discharge or deposit or allow to accumulate in any place within the boundaries of Vermilion County, Illinois any solid wastes or refuse except in those places and in a manner approved by the Illinois Environmental Protection Agency. Substances accumulated during the building or demolition of any building or structure or part thereof shall be disposed of in a place and manner consistent with the Illinois Environmental Protection Agency rules and regulations.

SECTION X -SOLID WASTE AND OTHER REFUSE CREATED BY FIRE DAMAGE, NEGLECT AND/OR DETERIORATION OF STRUCTURES.

- 10.1 It shall be the responsibility of the property owner to remove all solid waste and other refuse created by fire damage.
- 10.2 Any structure including but not limited to houses, apartments, barns, trailers, and mobile homes determined to be damaged to the extent it may

become a health hazard, shall be demolished and removed by the property owner within 30 days after the completion of any investigation by police, fire officials, insurance companies, state's attorney or state fire marshal.

- 10.3 It shall be the responsibility of the property owner to appropriately demolish and remove buildings that have been rendered uninhabitable by neglect or deterioration

SECTION XI-ENFORCEMENT

- 11.1 This rule and ordinance shall be enforced by the Administrator and his authorized representatives.
- 11.2 No person shall violate any provision of this ordinance or abatement orders made in pursuance thereof, obstruct or interfere with the execution of an abatement order, or willfully neglect to obey an abatement order.

SECTION XII-PENALTIES

- 12.1 A violation of any of the provisions of this ordinance, excluding Section 8 where penalties are otherwise provided by law, is a petty offense punishable by a fine of not less than \$25.00 nor more than \$500.00 for each offense as provided by law. Each day the violation continues shall constitute a separate offense. Offenders may also be ordered to abate the violation by demolishing uninhabitable buildings and by removing building remains, solid waste and other refuse to a state-licensed landfill or scrapyards.

SECTION XIII-UNCONSTITUTIONALITY OF CLAUSE

- 13.1 Should an section, paragraph, sentence, clause or phrase of this ordinance

be declared unconstitutional or invalid for any reasons, the remainder of said ordinance shall not be affected thereby.

SECTION XIV-DATE OF EFFECT

14.1 These rules and ordinances shall be in full force throughout the County of Vermilion, Illinois from and after their passage and approval by the Vermilion County Board as provided by law; and, at that time, all Ordinances in conflict with this Ordinance are hereby repealed.

County Clerk Cathy Julian
Ordinance # 19-0404