

CITY OF PEKIN

ORDINANCE NO. 2966-20/21

AMENDING SOLID WASTE COLLECTION PROVISIONS OF THE CITY CODE

PASSED BY THE CITY COUNCIL
OF THE CITY OF PEKIN
THE 26TH DAY OF APRIL 2021

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE CITY
COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS,
THIS 26TH DAY OF APRIL 2021

ORDINANCE NO. 2966-20/21

Amending Solid Waste Collection Provisions of the City Code

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City of Pekin, as a home rule municipality, may exercise power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and

WHEREAS, the City of Pekin provides residential solid waste collection service to City residents; and

WHEREAS, the Solid Waste Department has recommended revisions to the City Code to increase the efficiency of solid waste collection and bring the Code up to date with current market conditions and practices; and

WHEREAS, the City Council of the City of Pekin finds it is in the best interest of the City and its residents to amend the City Code as set forth below.

NOW, THEREFORE, BE IT ORDANIED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS:

Section 1. Chapter 3, Article I, Division 2 of the Pekin City Code is hereby amended as follows:

Sec. 3-1-2-1. City to collect.

(a) The City shall be the sole provider of residential solid waste collection for the collecting of garbage, yard waste, recyclables, and refuse matter. Solid waste collection shall be under the supervision of the Superintendent of Streets and Solid Waste. For purposes of this Division, "residential" shall refer to all single-family residences, and multi-family residences consisting of 4 units or less.

(b) All garbage shall be placed at the curb by 6:00 a.m. the day of collection. Days of collection are established and available from the Street Department Office or on the City website. The schedule will change during those weeks in which an observed holiday occurs. Holidays observed by the City are:

- (1) New Year's Day.
- (2) Memorial Day.
- (3) 4th of July.
- (4) Labor Day.
- (5) Veterans Day.
- (6) Thanksgiving Day.
- (7) Christmas Day.

Holidays that occur on a Saturday or Sunday will be observed either Friday or Monday.

(c) Receptacles placed for pick-up shall be placed at or near the alley lot line (if permitted by the City) or curblin where the pick-up occurs. Receptacles placed at the curblin may be so placed for a period not to exceed 24 hours.

Sec. 3-1-2-2. Garbage collection fee schedule.

(a) A monthly fee for solid waste collection services shall be charged according to the following schedule:

(1) May 1, 2021: \$20.00

(b) With approval of the Council, a monthly fee equaling 150 percent of the fee charged residents shall be charged to extra territorial customers who request garbage service. Said service shall be available where it is economically feasible for the City, solely within the discretion of the City.

(c) Residents 65 years of age or older and residents with disabilities may request walk-up collection of solid waste, recycling or yard waste. An additional fee of \$8.00 per month will be charged for this service.

Sec. 3-1-2-3. Receptacles required.

(a) *Owner responsible for garbage, waste storage on property.* It shall be the duty of every owner or his agent or occupant of any house, building, flat or apartment or tenement in the City where people reside, board or lodge, or where animal or vegetable matter is prepared or served, and at all times, to maintain in good order and repair a covered receptacle for garbage and waste matter. All items shall be in an approved container for collection.

(b) *Collection of bulk items.* Bulk items will be collected in accordance with the following procedures:

(1) Residents must schedule pick-up of bulk items at least two weeks in advance of the desired pick up date by contacting the City Solid Waste Department.

(2) An additional fee of \$10.00 will be charged for each bulk item collected, which will be added to the resident's monthly invoice.

(b) *Approved containers.* Approved containers shall include:

(1) *Carts.* Wheeled carts which have been specifically approved by the City for use with the collection vehicles. Acceptable sizes are 96-gallon for garbage and 64-gallon for recycling. Carts must have a lid and a lift-bar.

(2) *Yard waste.* Yard waste may be disposed of in paper yard waste bags, or in carts not exceeding 35 gallons, except that yard waste may be disposed of in a 64- or 96-gallon cart so long as such cart has a lift bar and is properly marked as containing yard waste. Yard waste material such as limbs, branches or wood which cannot be properly placed in a container for collection must be tied securely in bundles not to exceed four feet in length; provided that fresh Christmas trees will be collected regardless of size

Yard waste collection shall be from April 1st through December 15th of each year. Christmas trees may be collected at any time with regular household waste.

(3) *Weight.* No yard waste bag or bundle shall exceed 50 pounds in weight. Carts shall not exceed the weight limit stated on the cart.

(c) *Prices for the purchase of wheeled carts.* The City shall offer for purchase by residents wheeled carts compatible with the City's waste collection vehicles for the following prices:

(1) 96-gallon cart: \$60.00

(2) 64-gallon cart: \$40.00

Such prices include assembly of the cart and delivery to the purchaser's residence, as well as a 10-year warranty.

Sec. 3-1-2-4. Prohibited acts.

(a) *Deposits.* Solid waste shall be disposed of only as set forth in this section.

(1) No garbage, refuse, or waste material of any kind shall be deposited in any street, alley or public way, except as is provided in this Division.

(2) It shall be unlawful to deposit or leave any refuse or material in such a place or condition that it can be blown by the wind so as to be scattered or cause clouds of dust or particles, and it shall be unlawful to permit the escape of soot, ashes or other solid products or results of combustion so as to be wind-blown or scattered.

(3) It shall be unlawful for any person to dump or deposit, or cause to be dumped or deposited any grass, leaves, branches or any other things in the roadway or gutter of any public street in the City.

(4) Garbage, refuse, waste material, and recyclable materials shall be deposited only in approved containers. Containers shall not be overfilled such that the lid cannot fully close. No waste may be placed on top of the closed lid.

(b) *Storing combustible refuse.* It shall be unlawful to permit or store any combustible refuse in such a way as to create a fire hazard or to store or throw away any refuse of any kind in any alley, street or other public way in the City.

(c) *Prohibited materials.* The following materials will not be accepted for collection pursuant to this Division:

(1) Building or construction materials, provided that carpet will be accepted if it is rolled up in bundles of not more than 4 feet in length and not more than 50 pounds in weight.

(2) Bulk items, which shall be defined as any item too large to fit inside a 96-gallon cart or any item exceeding 50 pounds in weight, including, but not limited to, furniture, mattresses, and appliances.

(3) Household appliances and electronics.

(4) Animal remains, and animal waste unless placed within a separate bag or container prior to being placed in the disposal cart.

(5) Hazardous waste, batteries, motor oil, and other materials that cannot be disposed of at the disposal facility.

(6) Paint cans, unless the paint is completely dried out prior to being placed for disposal.

(d) The City reserves the right to refuse collection of any materials placed for disposal in violation of this Section.

Sec. 3-1-2-5. Penalty.

Any person found to be in violation of any provision of this Division shall be subject to a fine of not less than \$100.00 and not more than \$750.00 for each offense. Each day that a violation continues shall constitute a separate offense.

Section 2. Chapter 3, Article I, Division 2 of the Pekin City Code is hereby amended by the addition of a new Section 3-1-2-6 as follows:

Sec. 3-1-2-6. Semi-Annual Clean-up. The City shall hold two clean-up events per calendar year, one in the spring and one in the fall, in which residents may dispose of bulk items and other items and materials not eligible for general collection under this Division. The Superintendent of Streets and Solid Waste shall have the authority and power to schedule these semi-annual clean-up events, and to make rules and regulations regarding items that may be collected during those events. The scheduled dates and rules and regulations shall be made public at least one month in advance of the event.

Section 3. Chapter 5, Article 6, Division 2, Section 2-3 of the Pekin City Code is hereby amended as follows:

Sec. 5-6-2-2-3. Litter containers.

(a) *Number and capacity of litter containers.* Every dwelling and building, residential or otherwise, must have litter containers of sufficient number and capacity to accommodate and contain all litter generated and accumulated by occupants of the dwelling or business building.

(b) *Responsibility for maintenance of litter containers.*

(1) The occupant or occupants of any single-family dwelling unit must supply and maintain, at all times, a ratproof and watertight container for all litter.

(2) In multiple family dwellings of less than five such units, the owner must supply and maintain, at all times, a ratproof and watertight container for all litter.

(3) In multiple family dwellings consisting of five or more individual dwellings units and in nonresidential buildings, the owner must provide a dumpster for all litter that is ratproof and watertight. However, if this requirement cannot be met because the nature or size of the property does not permit the placement or removal of a dumpster, the owner may petition the Code Enforcement Officer or his designee for an exception; provided, that such exception can be granted without substantial detriment to the public good and without impairing the general purpose and intent of this Subdivision.

(c) *Use of litter containers.*

(1) It shall be the responsibility of every occupant of a single-family dwelling to keep containers, whether they be garbage cans, dumpsters or other containers, tightly covered or sealed, except when momentarily opened to receive or remove litter.

(2) In multifamily dwellings and commercial establishments, the owner or his agent must keep containers, whether they be garbage cans, dumpsters or other containers, tightly covered or sealed at all times, except when momentarily opened to receive or remove litter.

(d) *Type and placement of litter containers.*

(1) This Subsection applies solely to single-family dwellings and multiple family dwellings of less than five units.

(2) All litter containers must be stored:

- a. Inside an enclosed structure;
- b. In the rear yard; or
- c. In the side yard.

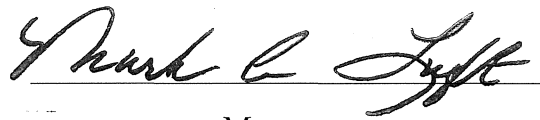
(3) All litter containers placed for pick up must be compatible with the City's waste collection vehicles and their lifter systems, and must meet the specification set forth in Chapter 3, Article I, Division 2 of this Code.

(e) *Disturbing containers.* It shall be unlawful for any person, other than the owner, occupant, tenant or members of their families, or any container for garbage, rubbish, refuse, ashes or wastes, or to remove, displace, injure, deface, destroy, uncover or in any scavenger employed or licensed by the City, or the owner's agent, employees or servants to deposit any article, substance or thing in manner disturb such container or any litter that is placed on curblin or alley lot line for collection.

Section 4. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.


Section 5. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this 26th day of April, 2021.



Mayor

ATTEST:



City Clerk

CERTIFICATE

THE UNDERSIGNED CERTIFIES THAT SHE IS THE CITY CLERK FOR THE CITY OF PEKIN, ILLINOIS, AND THAT THE CITY COUNCIL AT A REGULARLY CONSTITUTED MEETING OF SAID CITY COUNCIL OF THE CITY OF PEKIN ON THE 26TH DAY OF APRIL, 2021 ADOPTED ORDINANCE NO. 2966-20/21 A TRUE AND CORRECT COPY OF WHICH IS CONTAINED IN THIS PAMPHLET.

GIVEN UNDER MY HAND AND SEAL THIS 26th DAY OF April, 2021.

(SEAL)

Sue E. McMillan
SUE E. MCMILLAN
CITY CLERK