

CHAPTER 50: GARBAGE, REFUSE AND DUMPSTERS

Section

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§50.01 OWNER'S RESPONSIBILITY TO DISPOSE OF GARBAGE.

The owner, occupant or lessee of any premises in the Village shall remove from his premises or otherwise dispose of, all garbage, ashes, rubbish, and refuse, and shall keep the premises free and clear of any accumulation of any such refuse. ('77 Code, § 12.06(a)) Penalty, see §10.99

§50.02 CONTAINER SPECIFICATIONS.

Pending disposal of garbage from any premises, the garbage shall be deposited in watertight containers with close fitting covers. Pending disposal from any premises, cans, bottles, metalware and similar inorganic household rubbish shall be deposited in rigid containers. All garbage and refuse shall be so stored as not to invite insects or rodents or be unsightly or a nuisance. ('77 Code, § 12.06(b)) Penalty, see §10.99

§50.03 BURNING OF GARBAGE AND REFUSE.

No person shall burn out of doors any garbage, rubbish or refuse. Wood and charcoal fires are permitted except construction debris may not be burned. Leaves, branches, and sticks may be burned during the hours 10:00 a.m. through 6:00 p.m. from April 1 through May 31 and from October 15 through November 30 of each year, provided, however, burning shall be prohibited on any October 31 No fire is permitted which may endanger any structure, tree or garden or be a nuisance. ('77 Code, § 12.06(c); Amd. Ord. 2012-07, Passed 03/19/12; Amd Ord. 2024-29, Passed 10-17-24) Penalty, see §10.99

§50.04 DEPOSIT OF GARBAGE ON PROPERTY OTHER THAN DUMP SITE PROHIBITED.

No person shall deposit any garbage, rubbish or refuse on any street or public place, or on any public or private property not his own except at any dump site which may be authorized by the Board of Trustees. ('77 Code, § 12.06(d)) Penalty, see § 10.99

§50.05 VILLAGE DESIGNATED GARBAGE COLLECTOR.

The Village shall have the power to grant from time to time an exclusive contract with a garbage collector for weekly collection of refuse and recyclable products with the Village. No owner of property shall use a garbage collector other than that designated by the Village during the term of such exclusive contract.

- (a) Violation by Non-Village Designated Garbage Collector. No person or corporation, other than the person or corporation to which the Village has granted an exclusive contract with the Village, shall remove any garbage, rubbish or refuse from any property within the Village. Any person or corporation who shall fail to comply with any of the requirements hereof shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 per offense and responsibility for reasonable attorneys' fees of the Village incurred to cure the violation. Each incident in which a person or corporation removes any garbage, rubbish or refuse shall be deemed a separate offense.

- (b) Violation by Property Owner. Any property owner who shall fail to comply with any of the requirements hereof shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 per offense and responsibility for reasonable attorneys' fees of the Village incurred to cure the violation. Each incident in which a property owner shall cause a non-Village designated garbage collector to service his property shall be deemed a separate offense.
- (c) Non-Village Designated Garbage Collector. A non-Village designated garbage collector shall mean a garbage collector without a grant of exclusive contract with the Village.

(Ord. passed 10-21-96; Amd. Ord. 2012-07, Passed 03/19/12)

§50.06 DUMPSTERS ON PRIVATE PROPERTY FOR NON-CONSTRUCTION USE.

- (A) For the purposes of this Section, the following definition shall apply:

Dumpster: a large metal or plastic bin for refuse designed to be hoisted onto a specially equipped truck for emptying, hauling away or on wheels to be towed away.

- (B) In the absence of a valid building permit, a dumpster permit shall be obtained from the Building and Zoning Official by a property owner prior to placement of any dumpster on private property. The property owner shall submit an application for the permit and shall pay a permit fee of \$50.00 per dumpster per instance. The property owner shall provide such information deemed necessary by the Building and Zoning Official for the issuance of the dumpster permit.

Exception:

Dumpsters on commercial property that are used exclusively for day-to-day garbage collection shall be exempt from the permit requirement of this Section.

- (C) A Dumpster placed on private property pursuant to a permit issued under this Section must adhere to the following restrictions:

1. Only one (1) dumpster is permitted per zoning lot.
2. Maximum Duration: The use of any dumpster on private property shall be limited to two (2) separate instances per calendar year, each not to exceed fifteen (15) consecutive days per instance. Unless an extension is granted by the Village Administrator.
3. Location: A dumpster shall be kept on a solid improved surface and must be stored entirely on private property.
4. Encroachment Prohibited: A dumpsters shall not encroach into any easement, public sidewalk or right of way.
5. Waste not to overflow: Debris or any other waste or items placed in a dumpster shall not exceed the top or sides of the dumpster. A dumpster that is overflowing or has garbage exposed so that debris is blown from the dumpster is deemed to be a nuisance.
6. Stacking Prohibited: A dumpster shall not be stacked on top of any other dumpster, container, or structure.

- (D) Any person who shall violate any provision of this Section shall be guilty of a petty offense punishable by a fine of not less than Two Hundred Dollars (\$200.00) and not more than Seven Hundred Fifty Dollars (\$750.00) for each offense and shall be responsible for the Village's cost

of prosecution, including but not limited to the Village's attorney fees, court costs, expert witness costs, and other costs and expenses incurred by the Village related thereto. Each day that a violation continues shall be deemed a separate offense.
(Amd. Ord. 2022-13, Passed 05/19/2022)