

**CHAPTER 13
SCAVENGERS, RECYCLABLES AND REFUSE**

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13.01 DEFINITIONS

In addition to the definitions found in Appendix A of this Code, the following term used in this Chapter 13 is defined as follows:

Scavenger: Any person, firm, partnership, association, joint stock company, joint venture, public or private corporation conducting any of the enumerated activities of collection and disposal of waste materials for set fees or payments.

13.02 LICENSE REQUIRED

It shall be unlawful for any person to engage in the business of scavenger or the collection or disposal of residential, commercial or industrial garbage, refuse or waste without having first obtained a Scavenger License from the City.

13.03 APPLICATION FOR LICENSE

A. APPLICATION: Application for a Scavenger License shall be made to the City and referred to the City Council. A Scavenger License shall be issued upon order of the City Council.

B. APPLICATION REQUIREMENTS: The following information shall be submitted with the application:

1. Applicant's residential and business name and address and the names and addresses of its owners and officers;
2. The location of the disposal facilities to be used by the licensee. This location shall be a site approved by the IEPA, or its successor.
3. The location where scavenger vehicles will be parked when not in use.
4. Certificates of insurance to be issued by a company approved by the City and which is authorized to issue insurance in the State, showing that the applicant has public liability insurance of not less than \$1,000,000 covering the business activities within the City. The licensee shall also have insurance coverage on motor vehicles and property damage in an amount acceptable to the City. The certificate shall show the date of expiration, which shall not expire during the term of the Scavenger License. Upon cancellation or expiration without renewal of the insurance, a City issued Scavenger License shall be void.

13.04 LICENSE TERM, FEE *Amended, Ord. 01-2-6*

The annual license fee for residential and commercial scavenging shall be \$350. The license period shall be from May 1 to the following April 30.

13.05 COLLECTION OF RECYCLABLES

A. **PICKUP REQUIREMENTS:** It shall be a prerequisite to obtaining a Scavenger License that the applicant agrees to pick up and deliver to an appropriate recycling facility the following recyclable materials: aluminum, corrugated cardboard, glass bottles and containers, newsprint and plastic milk containers. In addition, the licensed scavenger shall pick up and deliver to an appropriate facility branches, tree cuttings, leaves and lawn rakings.

B. **NONPROFIT ORGANIZATIONS:** Upon approval by the City Council, any not-for-profit organization or tax exempt charitable institution may pick up one or more of the categories of recyclable materials. However, City Council approval will be conditioned upon the activity's impact on the business of licensed scavengers within the City; the City Council may impose restrictions it deems reasonable, including times and dates, of said approval.

13.06 CONDITIONS OF LICENSE

A. **VEHICLES:**

1. **Spilling Loads:** It shall be unlawful for any person owning or controlling any vehicle for the purpose of carrying, carting, hauling or transporting garbage, refuse, waste or recyclables to cause any of the substances to dump, fall, scatter, spill or leak on any public way or other place. The scavenger shall use exclusively enclosed leakproof packer-type disposal truck bodies for the collection of all residential, commercial and industrial garbage. For the collection or all other refuse and rubbish, the scavenger shall have equipment to be used when necessary, tarpaulins or substantial tight covers designed to prevent the scattering of the refuse and rubbish from the container or truck.
2. **Cleanliness of Vehicles:** All scavenger vehicles shall be cleaned and disinfected when not in use so that the vehicles do not become offensive or in violation of federal, state or local laws.

B. **PARKING; TEMPORARY STORAGE OF WASTE:** Except in an emergency, it shall be unlawful to park a scavenger truck containing any garbage, refuse or other waste overnight, or for an unnecessary length of time during daylight hours within the City limits. In the event the contents of a storage container becomes frozen and unmovable it shall be permissible to store said container in an enclosed building up to 48 hours. The scavenger must notify the Superintendent of Streets and Chief of Police immediately of any emergency.

C. **RESIDENTIAL PICKUP HOURS:** Except in an emergency, residential pickup shall be limited to the hours between 6 a.m. and 3:30 p.m. Monday through Saturday.

13.07 LICENSE REVOCATION

In the event a licensed scavenger firm violates any provisions of this Chapter 13 or any federal, state or local laws, the City shall have the right, in addition to enforcing criminal penalties against the firm,

to revoke the Scavenger License. In such case no consideration for a refund in part or whole of the license fee shall be given.

13.08 DUTIES OF CUSTOMERS

A. LOCATION FOR PICK-UP: All refuse, compostable yard waste and recyclable material shall be placed immediately behind the curbside. When a conflict arises concerning a specific location the City shall have the exclusive right to determine the final pickup point for the property in question.

B. PREPARING MATERIALS: It is the responsibility of the customer to properly bag, bundle and tag all refuse, recyclables and compostable yard waste.

C. RECEPTACLES REQUIRED: It shall be the duty of every owner, or his agent, or the occupant of any house, dwelling or other building in the City wherein people reside or lodge, or where animal or vegetable food is prepared or served, and at all times, to maintain in good order and repair a separate receptacle to be used for the purpose of depositing garbage and other similar refuse. Such receptacle shall be watertight, made or constructed of metal or plastic and shall be equipped with a close fitting cover.

D. DEPOSIT ON STREETS AND PROPERTY: It shall be unlawful for any person to deposit garbage or other similar refuse in any street, alley or public way. It shall be unlawful for any person to deposit garbage or other similar refuse upon any private property, unless such garbage or other similar refuse shall be placed in a receptacle as hereinabove described, and it shall be unlawful to place such receptacle upon any street, alley or public way.

E. LITTERING: It shall be unlawful for any person to deposit, place or locate garbage or other similar refuse in any manner so that the same could be blown about or scattered by wind or accessible to animals.

F. BURNING: It shall be unlawful for any person to burn or cause to be burned any garbage or similar refuse within the corporate limits of the City.

G. STORAGE OF RECEPTACLES: The storage of receptacles shall be in such a manner so as to be no closer to the streets or public ways than the building setback lines as required under the Zoning Code.