

**ORDINANCE NO. 2019-01-10-0304**

**VILLAGE OF MAPLETON, ILLINOIS**

**ORDINANCE ADDING CHAPTER 18, GARBAGE,  
TO THE MAPLETON VILLAGE CODE**

**WHEREAS**, Section 11-19-1 of the Illinois Municipal Code (65 ILCS 5/11-19-1) authorizes municipalities to make contracts relating to the collection and final disposition of garbage, refuse and ashes; and

**WHEREAS**, Section 11-19-4 of the Illinois Municipal Code (65 ILCS 5/11-19-4) authorizes municipalities to establish systems for the collection and disposal of garbage, refuse and ashes, and to finance the establishment and maintenance of such systems by services charges to be collected from persons, firms and corporations receiving service; and

**WHEREAS**, Section 11-19-5 of the Illinois Municipal Code (65 ILCS 5/11-19-5) authorizes municipalities to provide methods for the disposition of garbage, refuse and ashes, and further authorizes municipalities to provide that such methods shall be the exclusive method for the disposition of garbage, refuse and ashes to be allowed within the municipality; and

**WHEREAS**, the Village Board of the Village of Mapleton has determined that the best interests of the Village and its residents will be served by the establishment of a system and method for the collection and disposition of garbage, refuse and ashes, and the collection of service charges for such collection and disposition, as set forth in this Ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF THE VILLAGE OF MAPLETON, PEORIA COUNTY, ILLINOIS AS FOLLOWS:**

Section 1: The Village Board hereby finds as fact the recitals set forth above.

Section 2: The following new Chapter 18, Garbage, shall be added to the Mapleton Village Code, immediately after Chapter 17:

**18-1. System for Collection and Disposal of Residential Waste Established.**

The sole and exclusive method for the collection and disposal of Residential Waste from Single Family Dwellings located within the Village shall be the collection and disposal of Residential Waste by a contractor selected by the Village to collect and dispose of Residential Waste from all Single-Family Dwellings located within the Village. The contractor shall have the authority to provide reasonable rules and regulations for the collection of Residential Waste.

**18-2. Definitions.**

- “Garbage” means waste resulting from the handling, processing, preparation, cooking and consumption of food,

and wastes from the handling, processing, storage and sale of produce.

- “Residential Waste” means Garbage and the casual or occasional refuse, rubbish or debris which may be generated from a private household.
- “Single Family Dwelling” means single family homes and duplexes.

#### 18-3. Service Charges for Collection and Disposal of Residential Waste.

- A. There shall be and there is hereby established a service charge for the collection and disposal of Residential Waste in the amount of \$11.25 per month to be imposed on all Single-Family Dwellings within the Village.
- B. Said service charge for the collection and disposal of Residential Waste shall be payable monthly. The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service to such premises and the service is furnished to the premises by the Village only upon the condition that the owner of the premises, occupant thereof and user of the service are jointly and severally liable therefore to the Village. Bills for service shall be sent out by the Village treasurer on the 1<sup>st</sup> day of the month succeeding the period for which the service is billed. All bills shall be collected in the same manner as set forth in Chapter 14 of the Village Code for the collection of water bills, and penalties shall be imposed for delinquent bills in the same manner as penalties for delinquent water bills are imposed pursuant to said Chapter 14.
- C. Upon garbage service application from a resident, a \$25.00 security deposit will be required. Security deposit will be returned to resident after 2 years of timely payments. Security deposit will be retained for the life of the account after three (3) late payments.

#### 18-4. Prohibited Acts.

- A. It shall be unlawful, and shall constitute a nuisance, for any person to burn or bury Residential Waste within the Village, to permit Residential Waste to accumulate in any manner so as to create a nuisance and to attract flies, vermin or rats, or to permit any Residential Waste to accumulate for more than seven (7) days.
- B. No Residential Waste of any kind shall be deposited in any street, alley or public way, excepting Residential Waste placed for pickup by the contractor selected by the Village for the collection and disposal of garbage, which shall be wrapped in tightly closed and tied plastic bags or placed in a tote and maintained in good order and in an inconspicuous place so as



not to create a nuisance to neighbors; and no such Residential Waste shall be placed that it can be blown or scattered by the wind.

- C. It shall be unlawful for any person to knowingly deposit Residential Waste on his or her own property or on the property of another without consent of the owner, or to deposit Residential Waste on the property of a public entity without the consent of the public entity; for purposes of this subsection, "property" shall include both real and personal property.
- D. No Residential Waste of any kind shall be deposited in such a manner so that it can be blown or scattered by the wind.
- E. Whenever any Residential Waste has been deposited in violation of any ordinance prohibiting said deposit, the person whose name appears as an addressee on said waste shall be prima facie responsible for such violation and subject to the penalty therefor.

Section 3: This ordinance amends and restates all provisions of all ordinances relating to the collection and disposal of garbage and the charges for such collection and disposal. All provisions of any other ordinance of the Village relating to the collection and disposal of garbage and charges for such collection and disposal which are inconsistent with the provisions of this ordinance, including without limitation Ordinances No. 2017-0509-01 and 2017-0629-02, are hereby repealed.

Section 4: This ordinance shall be effective on the date of its passage and publication as provided by law.

PASSED AND APPROVED THIS 10th DAY OF JANUARY 2019.

Ayes: 5  
Nays: 0  
Absent: 1

VILLAGE OF MAPLETON, ILLINOIS

By: Carl Anthony Bishop  
Carl Anthony Bishop, President



Attest: Patricia S. Briggs  
Patricia S. Briggs, Village Clerk