

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

**ORDINANCE NO. 05-04-03-40**

**AN ORDINANCE AMENDING TITLE 4 PUBLIC HEALTH AND SAFETY,  
CHAPTER 2 GARBAGE AND REFUSE LANDFILL CLOSURE FEES OF THE  
MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 2003 (AS  
AMENDED)**

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS

**25<sup>TH</sup> DAY OF APRIL, 2005**

PRESENTED:       **APRIL 25, 2005**

PASSED:         **APRIL 25, 2005**

APPROVED:       **APRIL 25, 2005**

RECORDED:       **APRIL 25, 2005**

PUBLISHED:      **APRIL 25, 2005**

In Pamphlet Form

Voting "Aye" 7

Voting "Nay" 0

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The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)

  
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City Clerk of City Of LeRoy

Dated: APRIL 25, 2005

**City of Le Roy  
County of McLean, State of Illinois**

**ORDINANCE # 05-04-03-40**

**AN ORDINANCE AMENDING TITLE 4 PUBLIC HEALTH AND SAFETY,  
CHAPTER 2 GARBAGE AND REFUSE LANDFILL CLOSURE FEES OF THE  
MUNICIPAL CODE OF THE CITY OF LE ROY,  
ILLINOIS, 2003(AS AMENDED)**

**WHEREAS**, the Mayor and City Council of the City of Le Roy, McLean County, Illinois, an Illinois Municipal Corporation, have determined it is in the best interest of the City of Le Roy, and of its residents to amend Chapter 2 of Title 4, Garbage and Refuse by adding Section 3 Landfill, of the Municipal Code of the City of Le Roy, Illinois, 2003 (as amended), and

**WHEREAS**, the City of Le Roy is required to formally close their inactive municipal landfill per Illinois Environmental Protection Agency requirements, and

~~**WHEREAS**, the City of Le Roy must incur over \$250,000 in expense to close the municipal landfill and meet Illinois Environmental Protection Agency mandates,~~

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Le Roy, Illinois in lawful meeting assembled, as follows:

**Section 1.** New Section 3 of Chapter 2, Garbage and Refuse, of the Municipal Code of the City of Le Roy, Illinois, 2003 (as amended) is hereby adopted in words and figures as follows:

**3.01 Closure Requirements:** The anticipated expense to close the landfill will include the following Illinois Environmental Protection Agency mandates: A. A clay cap/cover of the entire landfill at a cost of approximately \$92,000; B. A five year monitoring program that will cost approximately \$35,000 per year. The total estimated cost to complete this project is \$267,000.

**3.02 Landfill Closure Fee.** All utility customers of the City of Le Roy will be required to pay a \$3.00 dollar per month fee. The fee will begin on the first bill prepared after the 1<sup>st</sup> day of May, 2005 and will continue 60 consecutive months (5years).

**Section 2.** All ordinances, or parts thereof, and all resolutions, or parts thereof, in conflict with this ordinance shall be and the same are hereby repealed to the extent of such conflict, and this ordinance shall be in full force and effect as set forth hereafter.

**Section 3.** Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or any liability incurred, or any cause or causes of action acquired or existing, under this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 4.** This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Jerry Henson, and seconded by Butch Cook, by roll call vote on the 25<sup>th</sup> day of April 2005 as follows:

Aldermen elected 8

Aldermen Present 7

Voting Aye:

George Cook Jr., Theresa O'Hare, John Haney, Jerry Henson, Gary Koerner, Dave McClelland, T. A. Whitsitt

Voting Nay:

None

Absent:

Dawn Thompson

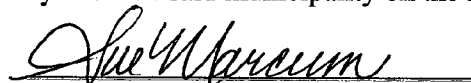
Abstain:

None

Other:

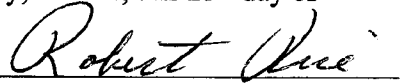
None

and deposited and filed in the office of the City Clerk in said municipality on the 25<sup>th</sup> day of June 2005.



Sue Marcum, City Clerk of the City of Le Roy  
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 25<sup>th</sup> day of April, 2005.



Robert Rice, Mayor of the City of Le Roy,  
Mc Lean County, Illinois

ATTEST: (SEAL)



Sue Marcum, City Clerk of the City of Le Roy  
Mc Lean County, Illinois

STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF MCLEAN     )

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE AMENDING TITLE 4 PUBLIC HEALTH AND SAFETY,  
~~CHAPTER 2 GARBAGE AND REFUSE LANDFILL CLOSURE FEES OF THE~~  
MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 2003 (AS  
AMENDED)**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 25<sup>th</sup> Day of April, 2005, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 25<sup>th</sup> day of April, 2005.

(SEAL)

  
City Clerk

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **April 25, 2005**, the Corporate Authorities of such municipality passed and approved Ordinance No. **05-04-03-40** entitled:

**AN ORDINANCE AMENDING TITLE 4 PUBLIC HEALTH AND SAFETY,  
CHAPTER 2 GARBAGE AND REFUSE LANDFILL CLOSURE FEES OF THE  
MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 2003 (AS  
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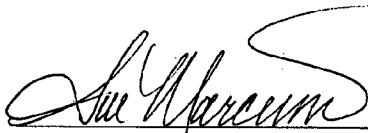
which provided by its terms that it should be published in pamphlet form.

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The pamphlet form of Ordinance No. **05-04-03-40**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **April 25<sup>th</sup>, 2005** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 25th day of April, 2005.

(SEAL)

  
Municipal Clerk