

**CITY OF LE ROY  
McLEAN COUNTY, ILLINOIS**

**ORDINANCE NO. 15-05-03-40**

**AN ORDINANCE AMENDING THE CITY CODE REGARDING  
ELECTRONIC AND BULK WASTE DISPOSAL**

**WHEREAS**, the City of Le Roy is an Illinois non-home rule municipality organized and operating under the Illinois Municipal Code; and

**WHEREAS**, the City desires to amend the City Code to establish certain guidelines and restrictions for the disposal of bulk refuse and electronic waste; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Le Roy, McLean County, Illinois, as follows:

**Section 1. Recitals.** The Council hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

**Section 2. Amendment to Section 4-2-2-1.** Section 4-2-2-1, entitled "Definitions" of Chapter 2, entitled "Garbage and Refuse" of Title 4 of the City of Le Roy Code of Ordinances is hereby amended to add a new definition of "electronic waste," as follows:

**ELECTRONIC WASTE: Electronic waste banned from Illinois landfills, including but not limited to such items as: TVs, DVD and MP3 players, cell phones, computers, monitors, printers, scanners, laptops, fax machines, game consoles, etc.**

**Section 3. Amendment to Subsection 4-2-2-3A.** Subsection A of Section 4-2-2-3, entitled "Collection of Refuse" of Chapter 2, entitled "Garbage and Refuse" of Title 4 of the City of Le Roy Code of Ordinances is hereby amended as follows:

- A. Collection From Residential Buildings And Commercial Buildings Qualifying As Residential Buildings:
1. Street Frontage Collection: Except as hereinafter provided, all city refuse collection shall be made from the street in front of residential buildings and commercial buildings qualifying for treatment as residential buildings.
  2. Alley Collection: No refuse shall be collected from alleys other than alleys that conform to the following standards: a) alley shall have a public right of way not less than 16.5 feet in width; b) alleys shall contain a gravel base not less than ten feet (10') wide the entire length of the alley; c) on each side of the graveled portion of the alley, there shall be a strip not less than two feet (2') in width which is free of any and all obstructions including, without limitation: 1) plants and shrubs; 2) trees; 3) garages, including overhangs; and 4) utility poles.

3. Collection Schedule And Limitations:
  - a. Refuse shall be collected once a week according to a collection schedule established by the contractor, which schedule shall provide for routine pick up as well as holiday schedules.
  - b. No more than five (5) approved refuse containers, the contents of each meeting all requirements herein set forth, the contents of which do not contain bulk refuse or building waste (as to collection services rendered under this subsection A only), shall be picked up in each weekly collection.
  - c. Bulk refuse shall be collected according to the collection schedule established by the contractor, which schedule shall provide for regular pick-ups, or through the City's bulk item drop-off/curbside pick-up program. Bulk refuse shall not be placed along the streets or alleys unless the customer has scheduled curbside pick-up.

**Section 4. Amendment to Subsection 4-2-2-5B.** Subsection B of Section 4-2-2-5, entitled "Preparation and Placement of Refuse" of Chapter 2, entitled "Garbage and Refuse" of Title 4 of the City of Le Roy Code of Ordinances is hereby amended as follows:

- B. Preparation Of Garbage And Refuse:
  1. Garbage To Be Drained: All garbage shall be thoroughly drained of all liquids.
  2. Newspapers And Empty Boxes: All newspapers and empty boxes not placed in approved refuse containers shall be tied securely into bundles not weighing more than fifty (50) pounds.
  3. Bulk Refuse: Bulk refuse shall be prepared so as not to be a hazard. Doors must be removed from refrigerators and other large appliances.
  4. Sharp Objects: All sharp objects constituting rubbish or construction or demolition waste shall be blunted as much as may be reasonably possible.
  5. Ashes: Ashes shall be extinguished so that no hot coal or fire remains. No ashes shall be mixed with garbage, rubbish, construction or demolition waste or brush.
  6. Electronic Waste: Electronic waste shall not be placed for pick-up in any refuse container or along streets or alleys for regular or bulk refuse collection, and must be disposed of at

**the city's e-waste recycling event or other appropriate disposal site or event approved for electronic waste disposal.**

**Section 5. Amendment to Subsection 4-2-2-6.** 4-2-2-6, entitled "Violations" of Chapter 2, entitled "Garbage and Refuse" of Title 4 of the City of Le Roy Code of Ordinances is hereby amended as follows:

**4-2-2-6: VIOLATIONS:**

- A. Improper Refuse Preparation: A person commits the offense of improper refuse preparation if he prepares refuse other than in compliance with section 4-2-2-5 of this chapter.
- B. Improper Refuse Packaging: A person commits the offense of improper refuse packaging if he deposits refuse in containers or leaves refuse or containers thereof in a condition other than allowed in this section 4-2-2.
- C. Improper Storage Or Placement Of Refuse: A person commits the offense of improper refuse storage or placement for collection if he stores, deposits or leaves refuse containers in a place other than in compliance with sections 4-2-2-2 and 4-2-2-5 and subsection 4-2-2-3A of this chapter.
- D. Interference With Refuse Collection: A person commits the offense of interference with refuse collection if he obstructs, interferes with or hampers any refuse collector in the process of collecting refuse.
- E. Disturbing Refuse Of Another: It shall be unlawful for any person, other than a refuse collector employed or licensed by the city, to remove, disturb or damage any refuse or refuse receptacle properly set out for collection; provided, however, any person may remove refuse set out for collection on the property owned, rented, leased or on which the person otherwise has a legal interest.
- F. Damage To Refuse Containers: A person commits the offense of damage to refuse containers if he: 1) damages, defaces or renders fit for condemnation any refuse container other than his own; 2) allows any animal he owns to render fit for condemnation, tear or rip any collectible refuse container not his own.
- G. Abuse To Refuse Receptacles: Refuse collectors shall not damage, deface or physically abuse any refuse receptacle.
- H. Accumulation Of Refuse: A person commits the offense of accumulation of refuse if he permits to remain longer than one week on the exterior of his property, **including along any streets or alleys**, any item which: 1) constitutes "refuse" "**bulk refuse,**" "**electronic waste,**" or "building waste" as defined in this section 4-2-2; 2) is nonfunctional; or 3) has no apparent value. A separate offense shall be deemed to be committed each day the violation continues.

- I. Accumulation Or Burning Of Leaves, Brush, Tree Limbs Or Other Refuse: No person shall rake or store leaves on any street pavement, including any gutter, nor shall any person burn or cause to be burned leaves, brush, tree limbs or any other refuse upon the paved portion of any city street or public parking area, city parking area or alley<sup>7</sup>. (Ord. 193, 1-16-1984)
- J. Improper Disposal of Electronic Waste: A person commits the offense of improper disposal of electronic waste if he places electronic waste in any refuse container or along streets or alleys for regular refuse collection. Electronic waste must be disposed of through an approved electronic waste disposal site or event, such as the city's E-waste recycling event.**

**Section 6. Amendment to Section 4-2.** Chapter 2, entitled "Garbage and Refuse" of Title 4 of the City of Le Roy Code of Ordinances is hereby amended to add a new Section 4-2-2-7, as follows:

**4-2-2-7: REMEDIES AND PENALTIES**

- A. Upon discovery of a violation outlined in section 4-2-2-6, the city, by any duly authorized agent, shall serve or cause to be served a notice of violation upon the owner or occupant of any premises on which there is a violation and shall demand that the violation be remedied, including removal of any refuse collected, disposed of, or stored in violation of this section, within seventy two (72) hours of the notice.**
- B. In the event any violation is not completely abated within seventy two (72) hours, the city may proceed to abate the violation, including removal of the refuse. The owner or occupant shall be responsible for all costs of such abatement including all legal and administrative fees. The minimum charge for such abatement shall be two hundred dollars (\$200.00). Neither the City or any of its agents shall be liable for any damage to property that results in the enforcement of this section.**
- C. In addition to the above remedies, any person found to have committed a violation shall be fined not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues shall be considered a separate violation.**
- D. The remedies and penalties provided for in this section 4-2-2-7 are in addition to and are not exclusive of any other remedies or penalties available under law or equity.**

**Section 7. Conflict.** All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

**Section 8. Effective Date.** This Ordinance shall be in full force and effect following its passage and approval as required by law.