

**AN ORDINANCE UPDATING THE CITY'S SOLID WASTE REGULATIONS
AND COMMENCING A STUDY OF COMMERCIAL RECYCLING**

WHEREAS, the City of Rolling Meadows, as a home rule unit of local government as provided by Article VII, Section 6(a) of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City desires to update its licensing requirements for third-party solid waste and recycling contractors ("**Scavengers**") in order to impose additional minimum requirements as to their equipment, operations, and financial responsibility; and

WHEREAS, consistent with the Greenest Region Compact 2 (GRC2) Framework adopted by Resolution No. 17-R-42, the City desires to support sustainability efforts by businesses, improve recycling participation in the City, and further divert waste from landfills; and

WHEREAS, consistent with these goals, the City desires to begin a study of commercial recycling participation by businesses within the City as required by State law in order to evaluate if an exclusive franchisee should be responsible for providing solid waste disposal and recycling services to multi-family residential and commercial locations within the City; and

WHEREAS, the City desires to update the licensing fees applicable to Scavengers, which the City has determined will be commensurate with the best interests of the City and will reasonably approximate the City's costs and expenses in administering its regulations; and

WHEREAS, the City desires to update and clarify other sections of its solid waste regulations to improve their administration and ease of use as well as to reflect current practices; and

WHEREAS, the Corporate Authorities of the City of Rolling Meadows have therefore determined that it is in the best interest of the City and its residents to amend the Municipal Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois:

Section 1: The recitals set forth above are incorporated herein by reference as the findings of the Corporate Authorities.

Section 2: Article V, entitled "Scavengers", of Chapter 86, entitled "Secondhand Goods," of the Rolling Meadows Municipal Code, is hereby amended to adopt a comprehensively revised Article V as set forth in **Exhibit A** attached to and, by this reference, made a part of this Ordinance.

Section 3: Chapter 90, entitled "Solid Waste," of the Rolling Meadows Municipal Code is hereby amended to adopt a comprehensively revised Chapter 90 as set forth in **Exhibit B** attached to and, by this reference, made a part of this Ordinance.

Section 4: Section XII, entitled "Business licenses," of Appendix B, entitled "Schedule of Rates, Fees, Fines and Penalties" of the Rolling Meadows Municipal Code is hereby amended as follows:

Business License Category	Annual Fee	New Business
Specific Use Fees		
<u>Mobile Businesses (Food Trucks, Peddler, etc. Scavenger, Refuse and Recycling Services) per vehicle</u>	\$100.00	\$50.00
<u>Scavengers (Waste Haulers)</u>	<u>\$1,000 per year plus \$10 per account per six months</u>	<u>N/A</u>

Section 5: If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

Section 6: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

[Signature page follows.]

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook

County, Illinois this 19th day of December, 2023.

AYES: Budmats, O'Brien, Vinezeano, Boucher, Koehler, McHale

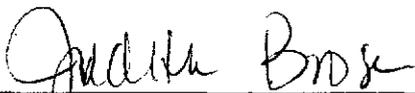
NAYS: 0

ABSENT: Reyez



Lara Sanoica, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

Published this 21st day of December, 2023.



Judith Brose, Deputy City Clerk

EXHIBIT A
Comprehensively Amended Article V of Chapter 86

ARTICLE V.
SCAVENGER (WASTE HAULER) LICENSES

Sec 86-126. Definitions.

The terms used in this Article have the same meaning attributed to them in Chapter 90 of this Code, being the City's Solid Waste regulations.

Scavenger means a person providing Scavenger Services within the City.

Scavenger Services means the collection, transportation, and disposal of refuse, excluding construction and demolition waste.

Sec. 86-127. License Required.

- A. No person or legal entity may engage in the business of scavenger or may provide any scavenger services within the corporate limits of the City except upon issuance by the City of a valid scavenger license pursuant to the procedures and requirements of this Article.
 - 1. *Exemption:* No license is required to collect recyclable materials from single-family residences within the City pursuant to a City franchise or contract. However, a scavenger engaged in such services is still subject to the regulations provided in Section 86-129.
- B. Scavenger licenses shall be issued by the City's License Officer and subject to the general provisions of Chapter 22 of this Code, being the City's business licensing regulations.
- C. The annual and per account fees for scavenger licenses is set forth in Appendix B to this Code and is subject to the provisions of Chapter 22 concerning payment. The per account fee provided in Appendix B is due no later than the last day of January and July of each year. Where the City requires a semi-annual report of recycling participation under Section 86-131, the fee shall be remitted concurrent with the report.
- D. All scavenger licensees must comply with the regulations and restrictions set forth in this Article. Conducting the business of scavenger in violation of this Article may result in suspension or revocation of the scavenger's license pursuant to Chapter 22 in addition to any other penalty provided by law.

Sec. 86-128. License Application.

In addition to the requirements of Chapter 22 for business license applications, applicants for a scavenger license shall further provide:

- A. The name and address of the applicant and of all directors, partners, registered agents, and shareholders of the applicant business.
- B. The location of the applicant's main office and garage or fleet yard.
- C. A copy of any licenses or permits required by the State of Illinois or any other regulatory agency that licenses or permits waste collection and disposal.

- D. The number and kind of vehicles to be used by the applicant in collection, transportation and disposal of refuse from customers within the City, as well as the year, make, model, and registration number of each individual vehicle.
- E. A policy or certificate of insurance, issued by a company acceptable to the City, demonstrating that the applicant has procured all insurance required by pursuant to this Chapter for the full term of the license, and providing that such insurance may not be cancelled except upon ten days prior written notice to the License Officer.
- F. A hold harmless agreement providing the indemnity required by this Chapter in a form acceptable to the City Attorney.

Sec. 86-129. Operations of Scavengers.

In addition to all other duties and obligations imposed by this Code upon scavengers, every scavenger has the following duties and obligations:

A. Equipment.

- 1. Each scavenger must collect all refuse in fully enclosed, leak-proof trucks.
- 2. Open body trucks, dump trucks, and similar equipment may be used only for special collections of large bulky items such as discarded furniture, fixtures, and household appliances or loads consisting of other dry refuse provided such loads are completely protected and securely covered by tarpaulins or other such covers in such a manner as to prevent such refuse from being spilled or scattered.
- 3. All truck bodies must be maintained in good repair and clean condition and must be completely emptied at the end of each day of use and flushed thoroughly at the end of each day of use, weather permitting.

B. Insurance. Each scavenger must obtain and maintain, at a minimum, the following insurance coverages at all times that they are conducting scavenger services within the City:

- 1. **Workers' Compensation Insurance** with a company authorized under the laws of the State of Illinois a policy to protect itself against liability under the Workers' Compensation & Occupation Diseases Statutes of the State of Illinois;
- 2. **Automobile Liability Insurance** under a comprehensive policy to insure each vehicle used with limits of not less than \$1,000,000.00 each person and \$1,000,000.00 each accident bodily injury liability and \$1,000,000.00 each accident for property damage liability;
- 3. **General Liability** under a comprehensive liability policy for its operations other than vehicular operations with limits of at least \$1,000,000.00 each person and \$1,000,000.00 each accident bodily injury liability, \$1,000,000.00 each accident for property damage liability; and

4. Any additional insurance requirements set forth in a franchise or agreement with the City.
- C. **Indemnification.** As a condition of the issuance of a scavenger license, each scavenger will indemnify and save harmless the City against any and all damages to property or injury to or death of any person or persons, including property and employees, agents, or invitees of the City, and shall defend, indemnify and save harmless the City from any and all claims, demands, suits, actions, or proceedings of any kind or nature, including Workers' Compensation claims, or by anyone whatsoever, in any way resulting from or arising out of the scavenger's collection of refuse from City customers in connection with the license issued pursuant to this Code, including operations of sub-contractors and actions or omissions of employees or agents of the scavenger or its sub-contractors. Without limiting the foregoing, each scavenger shall also indemnify and save harmless the City to the extent required pursuant to any City franchise or agreement.
- D. **Care and Performance.** Each scavenger shall undertake to perform all collection and disposal services rendered hereunder in a neat, orderly and efficient manner, to use care and diligence in the performance of its services, and to provide neat, orderly and courteous employees and personnel on its crews. Under no circumstances may a scavenger scatter or allow to be scattered any refuse presented for the scavenger's collection.
- E. **Disposal.** Every day, scavengers shall transport all refuse collected for disposal to designated and approved disposal facilities and shall ultimately deposit the same at a proper lawful site designated and maintained for such purpose under the laws of the State of Illinois.
- F. **Collection of Recyclable Materials Required.** Each scavenger shall offer collection of recyclable materials to each of its customers. Recyclable materials collected by a scavenger shall not be deposited into a landfill or incinerator unless all reasonable efforts have been made by the scavenger to recycle the material.
- G. **Compliance with the Requirements of Law.** Each scavenger shall conduct its activities within the City in full compliance with all applicable statutes, laws, ordinances, and regulations.

Sec. 86-130. Agreements to Deliver Multifamily Waste.

- A. The city manager is authorized to enter into agreements, approved as to form by the city attorney and authorized for use by the city council through the adoption of a resolution, with licensed scavengers to provide for the delivery of waste generated from multifamily complexes and other system waste located within the corporate limits of the city to facilities operated by the Solid Waste Agency of Northern Cook County, consistent with the city's obligations under the March 25, 1992 Project Use Agreement between the City of Rolling Meadows and the Solid Waste Agency of Northern Cook County. The agreement shall specify the minimum amount of waste to be delivered by each multifamily complex in the city limits.

- B. As a condition of receiving a scavenger's license in the city, applicants must enter into agreements with the city, as provided in subsection (a) of this section to deliver all system waste, as defined in chapter 90, Solid waste to facilities operated by the Solid Waste Agency of Northern Cook County, pursuant to the city's obligations under the March 25, 1992 Project Use Agreement between the City of Rolling Meadows and the Solid Waste Agency of Northern Cook County.

Sec. 86-131. Semi-Annual Reporting and Fee.

- A. **36-Month Study Period.** Pursuant to 65 ILCS 5/11-19-1, starting on January 1, 2024 and for a period of 36 consecutive months (the "**Study Period**"), each licensed scavenger must report the recycling participation rate of its customers within the City semi-annually as set forth in this Section.
- B. **Report Data.** Every six months from the commencement date of the Study Period, each licensed scavenger must submit the following information to the City no later than the last day of the month following the six-month reporting period. For example, no later than July 31, 2024, scavengers must report their activities between January 1 and June 30, 2024. The report must include the following information in a form acceptable to the City:
1. **Recycling Participation Rates.**
 - i. The number of non-residential locations within the City that are serviced by the scavenger.
 - ii. The number of non-residential locations within the City that are receiving recyclable materials collection from the scavenger.
 - iii. An estimate of the amount, in tons, of refuse excluding recyclable materials collected by the scavenger within the City.
 - iv. An estimate of the amount, in tons, of recyclable materials collected by the scavenger within the City.
 2. **Account List.** For reports due in January each year, the report must be accompanied by a current, machine-readable list of the locations in the City served by the scavenger including: the name of the account holder, the street address where service is provided, and the sizes and types of service received.
- C. **Notice to Scavengers.** The License Officer is directed to provide written notice to all licensed scavengers (i) that the City intends to issue a request for proposals for an exclusive franchise to collect waste from non-residential locations; and (ii) of the reporting and licensing requirements of this Section.

- D. **Website Publication.** Within 15 days after the last day for scavengers to submit their reports, the City will publish on its website, for each scavenger and in the aggregate, the number of non-residential locations that are within the City and the number of locations receiving recyclable materials collection services. No individual scavenger will be identified in the City's published reports.
- E. **Reporting After Study Period.** Beginning at the conclusion of the 36-month reporting period after the report due in January 2027, and upon written request of the City, each licensed scavenger shall report to the City as set forth in this Section for every 6-month period thereafter for as long as the City chooses to receive such data.

Sec. 86-132. Enforcement and Penalties.

Any person found to be in violation of any provision of this Article shall be subject to the general penalty provided in Appendix B to this Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

EXHIBIT B
Comprehensively Amended Chapter 90

CHAPTER 90: SOLID WASTE

ARTICLE I.
IN GENERAL

Sec. 90-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apartment house means a dwelling containing two or more dwelling units designed with more than one dwelling unit connecting to a common corridor or entranceway, originally constructed for such purpose, and not including converted dwellings or attached row dwellings (party wall type) and defined in this section.

Building means a structure enclosed within exterior walls, party walls or firewalls built, erected and framed of component structural parts; designed for the housing, shelter, enclosure and support of individuals, animals or property of any kind. When separated by firewalls or party walls or from the ground up and without openings, each portion of such building shall be deemed a separate building.

Cart(s), Residential Recycling means a 35-gallon, 65-gallon, or other container supplied by a City contractor to residences who meet the requirements of Article III, Section 90-71(a) of this Chapter.

Cart(s), Residential Refuse means a 35-gallon, 65-gallon, or other container supplied by the City to residences who meet the requirements of Article III, Section 90-71(a) of this Chapter.

Construction material means all materials used for the construction, remodeling or repair of a building. Such materials include but are not limited to concrete, brick, plaster, tile, lumber, roofing materials, drywall, sawdust, paneling, exterior siding, windows and doors. Such materials are not considered garbage for purposes of this chapter.

Container, Commercial Refuse or Recycling Container means any garbage container designed for business, commercial, or multiple-family dwelling uses not serviced by the City which may exceed 55 gallons in capacity, but can also mean an upright top-loading container on wheels designed for automated collection.

Disposal contractor means any proper company providing refuse and/or recycling garbage collection and disposal, by agreement, to occupied units in multifamily dwelling units.

Dwelling means a building or a portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential and multiple-family dwelling units, two-family dwelling units, but not including hotels, boardinghouses or lodging houses.

Garbage means any rejected waste or food, offal, swill or carrion, manure, and every accumulation of animal, fruit or vegetable matter discarded by the preparation, use, cooking, distribution or storage of meats, fish, fowl, fruits or vegetables, and any other matter of any nature which is subject to decay, putrefaction and the generation of noxious or offensive gases or odors or which, during or after decay, may serve as a breeding or feeding material for rodents, flies or other insects or animals.

Health officer means the duly appointed health officer of the City or a duly authorized representative.

Multiple-family dwelling unit means a structure containing three or more dwelling units designed with more than one dwelling unit connecting to a common corridor or entranceway, with each individual unit designed and intended for occupancy by one family for living purposes and having its own permanently installed cooking and sanitary facilities, including but not limited to apartment buildings and condominium and townhouse developments.

Occupied unit means a unit that is considered occupied in any month during which the owner thereof uses such unit as a primary residence or in which the unit is leased and a rental paid for a period not less than 21 days.

Owner means any person or group of persons who shall have legal or equitable title to property, or the agent of such person, lessee or the agent of a lessee or any person having care, management or control of property.

Owner, occupant or other person in a multiple-family dwelling means any individual, agent, employee, including corporations, associations of owners, occupants or individuals (e.g., condominiums or homeowner associations) contracting and responsible for the payment for garbage collection and disposal services for occupied units in multifamily dwelling units.

Person means owner, occupant, or lessee of any dwelling or any individual, firm, corporation, association, partnership or organization.

Recyclable material means any refuse, as may be designated from time to time by the Director of Public Works, which is to be segregated from other refuse and collected by the City for recycling.

Refuse means waste, recyclable materials and garbage, as defined, or any other material item or thing which the owner wishes to throw away or discard.

Special pickup means the pickup and disposal by the City of any items other than garbage, as defined in this section, including but not limited to construction material or garbage, as defined in this section in a quantity other than normal, as described in sections 90-73 and 90-74. Such special pickup is made by the City for an extra charge to be determined in the sole discretion of the Director of Public Works.

System waste means garbage and general household waste generated by single-family, attached and detached, and multifamily developments within the corporate limits of the City. System waste does not include institutional waste, commercial and office waste, industrial lunchroom waste, or construction and demolition waste.

Waste stream means all recyclable material, garbage, construction material, yard waste and refuse, as defined in this section.

Yard waste means grass clippings, leaves, twigs, small branches, garden debris, weeds, sod, fruit from trees or plants, seeds, stalks, vines, bark, wood chips, compost and manure.

Yard waste bags mean refuse sack for use on residential properties serviced by the City, constructed of waterproof material, adhesive, and commonly known as "biodegradable kraft paper refuse bags," of sufficient construction and strength to avoid breakage during handling.

Sec. 90-2. Violations and penalties.

If any person violates any section of this chapter or article V of chapter 50, "Rodent Control", the City shall have authority to issue a warning or P ticket with a penalty in accordance with the schedule of rates, fees, fines and penalties as adopted by the City Council from time to time and found in Appendix B of this Code.

[Sections 90-3 through 90-30 inclusive are reserved for future use.]

[Exhibit B continues on next page.]

ARTICLE II.

ACCUMULATION, STORAGE, DISPOSAL AND OWNERSHIP OF REFUSE

Sec. 90-31. Disposal required.

The occupancy of any premises or building within the City shall be prima facie evidence that refuse is being generated and accumulated on such premises. All refuse shall be called for and disposed of by the City's Public Works Department or by a disposal firm or contractor duly licensed by the City, except that building or other construction contractors may remove construction, remodeling and demolition debris; tree trunks; bushes; and shrubs, pursuant to the requirements of this Chapter.

Sec. 90-32. Accumulation prohibited.

Accumulation of refuse on any premises within the City shall be prohibited, except that refuse being stored until the next pickup shall be enclosed in covered waste containers. The waste so stored shall be removed from the premises on the next pickup.

Sec. 90-33. Failure to dispose.

If refuse accumulates on any premises within the City, in violation of this chapter, the City's health officer, any member of the Police Department, the Director of Public Works, any member of the department of public works, or any inspector from the building department designated by the director shall post a notice on the property that, if the refuse accumulated in violation of this chapter is not removed within 24 hours of the time of the notice, which must be set forth on the notice, the City shall cause removal of the refuse from the premises. The reasonable cost of such removal shall become a lien upon the real estate affected, superior to all other liens and encumbrances, except tax liens, provided that within 60 days after such cost is incurred, the City or the entity performing the service by authority of the City, in his or her own name, records a notice of lien in the office of the Cook County Clerk. Such remedy is in addition to all other actions by the City set forth in this chapter.

Sec. 90-34. Disposal on City property.

Except as set forth in this chapter, it is unlawful to dispose of or place any refuse or yard waste material in any public place in the City or on any public way or publicly owned land, except refuse properly contained, placed on the public parkway, in containers, as provided in this chapter, awaiting pickup.

Sec. 90-35. Burning, dumping or scattering.

No refuse shall be burned, dumped, scattered or buried within the City limits, either on public or private property.

Sec. 90-36. Refuse containers required.

Every person in possession of any premises in the City shall provide for and shall at all times maintain in clean and good repair a sufficient number of Residential Refuse and Recycling Carts or Commercial Refuse and Recycling Containers as defined herein for a weekly accumulation of normal refuse.

Sec. 90-37. Use of containers.

Every customer in possession of any premises shall cause to be deposited in refuse containers all refuse produced in or on such premises as soon as practicable after the refuse is produced.

Sec. 90-38. Commercial refuse and recycling containers.

- (a) Waste from all premises other than residential and refuse containers not mounted on wheels shall be stored on durable racks, above ground level, which shall be, in turn, placed on an easily cleaned and impervious surface.
- (b) Such racks shall raise the waste and/or garbage containers at least two inches above the surface on which the racks are placed to provide a suitable cleaning area.
- (c) Containers mounted on wheels shall be specifically designed for use with collection vehicles.
- (d) The base of each container must also be elevated a distance of at least six inches from the storage surface, and the storage surface must be impervious and easily cleaned.
- (e) Compactor box and refuse containers which are mechanically raised or dumped are also permitted for all premises other than residential.
- (f) All containers in which refuse is stored shall have a lid which shall be kept closed and maintained in a clean condition.
- (g) All dumpsters, drop boxes or other containers used for the storage and/or removal of refuse shall have the name and phone number of the owner/contractor plainly displayed on the container.
- (h) Collection of refuse or recycling prior to 6:00 a.m. is prohibited.

Sec. 90-39. Containers.

- (a) All refuse containers shall be as defined in this chapter, and no other type of container shall be acceptable.
- (b) Dirty, leaking or defective containers shall be cleaned, repaired or replaced by the person in possession of the premises, at his or her expense, as directed in writing by the City's health officer, Police Department or Public Works Director.
- (c) Containers in violation of this chapter must be replaced, cleaned and repaired after such notice, within 48 hours of the notice, and failure to do so shall be deemed a violation of this chapter.

Sec. 90-40. Inspection of containers.

All refuse containers and/or dumpsters, whether owned by the City, an individual, or private refuse hauler, shall be subject to inspection by the City health officer, the City Police Department, the Director of Public Works, or any personnel of the Public Works Department designated, in writing, by the Director.

Sec. 90-41. Waste stream ownership.

The entire waste stream within the City boundaries shall be the property of the City, including waste originating in the City, picked up by contract haulers. It shall be unlawful for anyone other than the original owner of the refuse who placed it for pickup, the City's refuse workers, or a properly licensed contracted waste hauler, to remove any article from the waste stream without permission of the City.

[Sections 90-42 through 90-70 inclusive are reserved for future use.]

[Exhibit B continues on next page.]

**ARTICLE III.
CITY REFUSE AND RECYCLING SERVICE**

Sec. 90-71. Residential service available, conditions and premises excluded from service.

- (a) Curb service pickup of refuse and recycling shall be provided to all residences of the City that:
 - (1) Individually handle, store and control their refuse.
 - (2) Individually place their refuse at the curb for pickup.
 - (3) Have a private area for the sanitary storage of refuse, such as a garage, utility room or screened yard.
- (b) Residential structures that have common refuse handling, storage, or removal for more than one dwelling unit are specifically excluded from City refuse and recycling service as it relates to having said waste removed by City refuse workers or a City contractor. Owners of multi-family residential properties are obligated to deliver system waste as designated by the City as provided by Section 86-130 of the Code, and paying debt service costs that may be charged to the City by the Solid Waste Agency of Northern Cook County.
- (c) In addition to garbage pickup, the City will also pick up yard waste on an annual schedule to be established by the Director of Public Works.

Sec. 90-72. Removal of certain refuse.

All refuse from preparation, cooking and use of foods; tin cans; glass; bottles; ashes; metal ware; paper boxes; rags; excelsior and scrap will be picked up by the City. No construction material or concrete, bricks, tile, dirt, other earthy materials or trees will be removed by regular curb service.

Sec. 90-73. Construction material.

Construction material will be picked up by the City on a fee basis only as determined by the Director of Public Works.

Sec. 90-74. Regulations.

The following regulations shall govern City refuse service:

- (1) The City will issue one residential refuse cart (65- or 35-gallon) to each single-family home and to designated multi-family homes to be determined by the City Council. Residential Refuse Carts are the property of the City and shall remain with the dwelling unit upon transfer of the property to a new owner. Any person removing a Residential Refuse Cart from the premises to which it was originally delivered will be billed and liable to the City for reimbursement of the cost to replace the Residential Refuse Cart.
- (2) Residential Refuse Carts shall be replaced by the City only once, in the event it is lost, vandalized, or damaged (other than normal wear and tear). Thereafter, the owner of the residence shall be required to pay for the City's cost of the cart together with any delivery costs.

- (3) Property owner(s) shall clean and disinfect Residential Refuse Carts as often as necessary to maintain the carts in a clean condition.
- (4) Only City-owned Residential Refuse Carts may be placed at the curbside for collection. Additional refuse placed outside of a City-owned Residential Refuse Carts cart shall only be placed in paper bags, plastic bags, or biodegradable 30-gallon paper bags. Only 30-gallon biodegradable Kraft paper bags designated for yard waste collection may be used for disposal of yard waste at curbside. All paper or plastic bags used for refuse shall not exceed 30 gallons in capacity or 50 pounds in weight when full. All bags must be of sufficient strength and construction to avoid breakage during handling.
- (5) All paper sacks shall be properly folded, and plastic bags shall be tied and securely closed in order to prevent entrance of insects and rodents.
- (6) No open bags shall be placed outside the Residential Refuse Cart for collection.
- (7) All carpeting or padding must be cut to lengths of no more than four feet and rolled and tied securely.
- (8) Cardboard boxes placed outside the refuse sack at the curb must be flattened, bundled and tied securely.
- (9) Any items with doors which latch, such as refrigerators, must have doors removed when put at the curb. Such items will be picked up by the City after regular refuse collection is complete for the day.
- (10) An item over four feet in length or other than a normal household item, including but not limited to, such as automotive parts, gutters, downspouts, garage doors, swing sets, windows, shall require a special pickup.
- (11) It shall be the duty of every person in possession of a premises within the City to cause all refuse produced on the premises to be thoroughly drained of all surplus liquid and placed in the refuse sack as soon as practicable after the refuse is produced.
- (12) Residential refuse, recycling and yard waste shall not be placed at the curb before 3:00 p.m. of the day before pickup and should be placed at the curb no later than 6:00 a.m. of the day of pickup. All refuse and recycling set out too late for collection shall be removed from curbside no later than 7:00 p.m. of the pickup day.
- (13) Scrap wood must be cut into four-foot lengths, tied in bundles, and total bundles shall not exceed more than one cubic yard in capacity. Scrap wood in excess of one cubic yard will only be collected by the City as a special pickup.
- (14) Dirt, concrete or materials used for construction, remodeling or repair of buildings will be picked up only as a special pickup.

- (15) Branches (brush) placed for pickup by the yard waste truck must be no more than four feet in length and tied securely with twine, in bundles, not to exceed two feet in diameter.
- (16) When the refuse/recycling collection day falls on an observed City holiday, the collection day will be moved to the following day, for the holiday week only. Each successive collection day after a holiday will also be moved to the following day.
- (17) One Residential Recycling Cart will be supplied by the contracted hauler to each single-family home and to designated multi-family homes to be determined by the City Council. Residential Recycling Carts are the property of the contracted hauler and shall remain with the dwelling unit. Any person removing the Residential Recycling Cart from the premises to which it was originally delivered will be billed by the contracted hauler for such.
- (18) Yard waste is to be put in 30-gallon Kraft paper bags only. Bags must be rolled down, crimped, and not exceed 50 pounds in weight. All 30-gallon paper refuse sacks for yard waste pickup shall be separated, when placed at the curb, from household refuse and recycling. Any yard waste mixed with regular household refuse or recycling garbage will not be picked up. Residents are responsible for all separation of yard waste and household garbage. Yard waste will be picked up by the Public Works Department with a separate truck.
- (19) The Director of Public Works may authorize backdoor refuse, recycling and yard waste pickup for the elderly, ill and disabled if there is sufficient evidence to determine that there is an undue hardship for the resident to get the refuse, recycling or yard waste to the curb for pickup.
- (20) The City shall be divided into areas and assigned specific days of collection, which schedule may be changed from time to time by the Director of Public Works.
- (21) Residential Recycling Carts are to be cleaned and disinfected as often as necessary to maintain the containers in a clean condition.
- (22) Residential Recycling Carts shall be maintained and repaired by the City's contractor hauler.
- (23) Contractor-owned Residential Recycling Carts shall be replaced by the City's contracted hauler only once, in the event it is lost, damaged other than in its normal use or vandalized. Thereafter, the owner of the residence shall be required to pay for the City's contracted hauler the cost of the container together with any cost for delivery.
- (24) All Residential Refuse Carts and bags, yard waste bags, and Residential Recycling Carts stored outside shall be in a side or rear yard and screened so as not to be visible from any street.

Sec. 90-75. Violations.

It shall be unlawful for refuse to be treated in any way contrary to the terms of this chapter. Each day that the unlawful treatment continues shall be considered a separate violation.

Sec. 90-76. Rates for system waste.

- (a) The City shall charge each owner, occupant, or lessee of a single-family residence eligible for City refuse service an amount in accordance with the schedule of rates, fees, fines and penalties as established by the City council from time to time and found in Appendix B.
- (b) The City shall charge each owner of multifamily properties in the City a share of debt service associated with the City's membership in and in accordance with obligations set forth in the March 25, 1992, project use agreement between the City of Rolling Meadows and the Solid Waste Agency of Northern Cook County. The charge shall be on a per dwelling unit basis, and shall be in an amount set forth in the schedule of rates, fees, fines and penalties as established by the City council from time to time and found in Appendix B.
- (c) The refuse charge shall be included in the City's billing to the eligible residence for water and sewer service, as defined in section 90-71 and shall be subject to the collection and penalty provisions provided for water and sewer charges. All monies received by the City in payment of the consolidated garbage, water and sewer bill shall be applied first toward the payment of the garbage bill, second to the sewer bill, and the balance to the water bill.

Sec. 90-77. Billing and collection of charges.

- (a) Each residence shall be sent a bill for refuse disposal service monthly, which bill shall be due and payable on or before 20 days after its date. If any bill is paid after such period, there shall be added thereto a late charge of ten percent of the water bill.
- (b) The refuse bill shall be consolidated with the water bill for each residence, and all monies received by the City in payment of the consolidated bill shall be applied first toward the payment of the refuse bill and the balance, if any, toward the payment of the sewer bill and water bill.
- (c) Bills for refuse service shall be rendered on or about the first day of the month immediately following the expiration of the monthly period for which refuse service was provided.
- (d) For a violation of any of the sections of this article or for the nonpayment of refuse bills for a period of 20 days and for refuse service accounts with a past due greater than \$100.00, the Director of Public Works shall discontinue refuse service.
- (e) The City shall impose a refuse reinstatement fee of \$50.00 for refuse billing accounts which are past due on their City of Rolling Meadows' Refuse Billing Accounts and the City has reinstated the refuse service.

Sec. 90-78. Lien for delinquent charges.

- (a) Charges for refuse service shall be a lien upon the premises. Whenever a bill for refuse service remains unpaid 30 days after it has become due, the Director of Public Works shall direct the City attorney to file with the office of the Cook County Clerk a statement of lien claim for recording against the property. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the City claims a lien for the amount then due plus any and all charges for refuse service subsequent to the period covered by the then-due bill.
- (b) If the person to whom refuse service has been provided is not the owner of the premises and the Director of Public Works has notice of this, notice shall be mailed to the owner of the premises, if his or her address is known to the Director of Public Works, whenever such bills remain unpaid for a period of 20 days after it has become due.
- (c) The failure of the City to record such lien claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid refuse bills as set forth in subsection (d) of this section.
- (d) Property subject to a lien for unpaid refuse charges shall be sold for nonpayment of the charges, and the proceeds of such sale shall be applied to pay the refuse charges, after deducting costs, as for the foreclosure of statutory liens. Such foreclosure shall be a bill in equity in the name of the City. The City attorney is authorized to institute such proceedings in the name of the City and in any court having jurisdiction over such matters against any property for which a refuse bill has remained unpaid, a statement of lien claim has been filed, as set forth in this section, and a period of 30 days has elapsed since the filing.

Sec. 90-79. Hauling prohibited.

Except for a person hauling recyclable materials from his or her own residence to a recycling center, it shall be unlawful for any person to transport refuse through the City unless such refuse is being transported in a leakproof, compaction-type body commonly referred to as a "packer refuse body" or a vehicle licensed by the City. Such hauling equipment shall be cleaned at sufficient frequency to prevent nuisance and insect breeding and must be maintained in good condition and repair.