

## **Chapter 46 SOLID WASTE** [11](#)

### ARTICLE I. - IN GENERAL

### ARTICLE II. - GARBAGE

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#### FOOTNOTE(S):

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**Cross reference**— Buildings and building regulations, ch. 18; utilities, ch. 66.[\(Back\)](#)

### **ARTICLE I. IN GENERAL**

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**Secs. 46-1—46-30. Reserved.**

### **ARTICLE II. GARBAGE**

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#### **Sec. 46-31. Fee structure.**

- (a) There is hereby established a garbage, recycling and yard waste fee effective October 1, 2000, at the rate established by contract with Waste Management West by the village board, with the fee payable quarterly or any portion thereof, for every living unit in the village.
- (b) The fee shall be assessed to, and payable by, every owner or occupant eligible to receive garbage collection service under the contract irrespective of the frequency of use of garbage collection service by the owners.
- (c) The fee shall be discounted for senior citizens in accordance with the terms of the waste management contract, provided that senior citizens furnish in the following format to the village comptroller in order to be eligible for any such discount: a copy of one's driver's license, or state-approved identification card demonstrating that the owners are eligible, the occupant is over the age of 59 years, and a copy

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of the tax bill for the residence and/or any other document demonstrating to the satisfaction of the village comptroller that such owner or eligible occupant resides at the qualifying address.

(Ord. No. 2000-7, § 1, 7-12-2000)

**Sec. 46-32. Billing.**

The village comptroller shall send a bill quarterly therefor; however, the comptroller is authorized to contract with living units to prepay their billing on a yearly basis. Payment arrangements can be made with the comptroller, provided that service is paid in full prior to the following quarter billing period.

(Ord. No. 2000-7, § 2, 7-12-2000)

**Sec. 46-33. Overdue accounts.**

(a) *Overdue notice.* Whenever a bill for garbage service remains unpaid for 30 days after it has been rendered, the village comptroller shall send the owner of the property, for which such service remains unpaid, notice that:

- (1) A ten percent late charge has been added to the amount owed; and
- (2) Such owner has 15 days from the date the bill was originally due, in which to pay the overdue amount or face possible legal actions to recover the amount owed.

If such account remains unpaid on the 16th day following the notice of delinquency, the village comptroller shall send the owner of such property notice that they have seven days in which to make arrangements for the payment of the overdue amount or face legal action to collect the overdue amount owed by any property owner. If the village is required to bring suit to collect the payment, the owner shall be liable for the total amount owed for garbage service, plus the cost of suit and reasonable attorney's fees.

(b) *Lien; notice of delinquency.* Whenever a bill for garbage service remains unpaid for 60 days after it has been rendered, the village clerk or comptroller shall file with the county recorder of deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the bill, as well as all charges subsequent to the period covered by the bill. If the user whose bill is unpaid is not the owner of the premises and the village collector has notice of this, notice shall be mailed to the owner of the premises, if his address is known to the collector, whenever such bill remains unpaid for the service of the 60 days. The failure of the village clerk or comptroller to record such a lien or to mail such notice, or the failure of the owner to receive such notice, shall not affect the right of the village to foreclose the lien for unpaid bills as mentioned in subsection (a) of this section.

(Ord. No. 2000-7, § 3, 7-12-2000; Ord. No. 2001-3, § 3, 4-11-2001)

**Sec. 46-34. Procedure for opting out of contract with Waste Management of Illinois, Inc.**

(a) It is recognized by the village board of trustees that every owner or occupant eligible to receive garbage collection services pursuant to the contract between the village and Waste Management of Illinois, Inc. may opt out of receiving garbage collection services with Waste Management of Illinois, Inc. Owners or occupants may opt out if they provide evidence to the village comptroller prior to September 30, 2000, that they had, previous to the adoption of Ordinance No. 2000-07, contracted for garbage collection services with a contractor other than Waste Management of Illinois, Inc., by providing evidence through a paid bill or receipt from the other garbage collection contractor. Owners or occupants opting out of the contract with Waste Management of Illinois, Inc., as provided in this

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section, shall continue to be responsible for having their garbage collected in a manner substantially similar to the manner provided by Waste Management of Illinois, Inc. So long as the owners or occupants shall comply with having their garbage collected as provided in this section, they shall not be billed by the village for garbage collection services.

- (b) This section is intended to add to and supplement Ordinance No. 2000-07. All provisions of Ordinance 2000-07 shall remain in full force and effect along with the additions thereto as provided in this section from and after its passage, approval and publication as provided by law.

(Ord. No. 2000-7, § 6, 7-12-2000; Ord. No. 2000-10, 9-13-2000)