

Ordinance 2013-16

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
FOR THE VILLAGE OF PECATONICA, ILLINOIS,
ARTICLE EIGHT, STREETS, ALLEYS AND SIDEWALKS; CHAPTER FOUR,
CONSTRUCTION**

WHEREAS, the Village from time to time reviews, evaluates and updates its Code of Ordinances; and

WHEREAS, the Village Board has determined that Article Eight, Chapter Four of the Municipal Code should be replaced with an amendment thereto to update the matters covered thereby, and

WHEREAS, to promote the health, safety and welfare of the people of the Village of Pecatonica, the list of offenses contained in Article Eight, Chapter Four should be amended by the adoption of the items attached hereto and made a part hereof.

NOW, WHEREFORE, be it ordained by the President and Board of Trustees for the Village of Pecatonica, Illinois, as follows:

SECTION 1: The Code of Ordinances for the Village of Pecatonica, Illinois, shall be and hereby is amended as follows:

Article Eight: Streets, Alleys and Sidewalks; Chapter Four: Construction, Section 1: Obstructions, is hereby amended by adding Section 1B:

- B. No person, firm or corporation may place a dumpster on any portion of the public street or sidewalk without first obtaining a written permit for the placement of such receptacle from the office of the Village Clerk. The site for temporary placement of any dumpster or other waste debris receptacle upon the public way shall be subject to approval by the Village Building Inspector or Police Chief, and such approving official may require the owner or other person responsible for the receptacle to place a substrate barrier to protect asphalt or concrete pavement.

Each permit shall be for the placement of one dumpster and for a period not to exceed ten (10) consecutive days; the Village Clerk may extend a dumpster placement permit, with good cause, for up to an additional five (5) days but shall collect an additional permit fee for an extension of any period of time.

1. Permits

Prior to placing a dumpster upon any portion of a publicly-owned street, sidewalk or parking lot, all persons shall make application and be approved for a permit. Applicants shall identify the dimensional size of the dumpster and a specific location for the proposed placement upon the public property. The Village Clerk shall provide a form application.

The Village Clerk shall notify the Police Chief and the Village Building Inspector as applications are received. The Police Chief and Building Inspector shall

conduct an evaluation of the proposed placement of the dumpster and, using criteria relating to threats to public safety and the impact on the public's use of the property, approve, modify, amend or deny the application for placement. The Village Clerk shall issue permits on applications approved and signed by the Police Chief and Building Inspector.

2. Dumpsters Defined

For the purposes of this Section, dumpsters shall be defined as any container composed of any material whose design or purpose is to serve as a collection vessel for trash, bulky waste, construction or demolition debris or any other material or substance meant to be hauled away and discarded.

The Village Clerk shall contact the owner of any dumpster or other trash or waste debris receptacle from which any noxious, offensive or petroleum-based liquid is leaking or has been placed on the public way without a permit and direct that it be removed.

The placement fees shall be assessed according to the following:

- 1. Any container designed to hold up to 10 yards\$10.00
- 2. Steel dumpsters designed to hold more than 10 yards but less than 20 yards of normal household trash, bulky materials or construction debris..... \$30.00
- 3. Steel dumpsters designed to hold 20 or more yards of any form of refuse.....\$50.00

SECTION 2: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.

PASSED by the Village Board this ____ day of _____, 2013.

APPROVED by the President of the Village Board this ____ day of _____, 2013.

Daniel J. Barber, Village President

ATTEST:

Dana Ryall, Village Clerk

Ayes: ____ Nays: ____ Absent: ____ Abstain: ____

Metz: _____ Smull: _____ Foster: _____

Heister: _____ Deppe: _____ Eytalis: _____