

PAMPHLET CONTAINING
ORDINANCE NO. 2024- 03

"AN ORDINANCE OF THE VILLAGE OF WILLIAMSVILLE, ILLINOIS
AMENDING THE CODE OF THE VILLAGE OF WILLIAMSVILLE BY
ADDING CHAPTER 135 ILLEGAL DUMPING
AT VILLAGE'S YARD WASTE BURN PILE"

This pamphlet published MARCH 25, 2024,
by authority of the Board of Trustees,
Village of Williamsville, Illinois.

Karen Winger, Village Clerk

AN ORDINANCE OF THE VILLAGE OF WILLIAMSVILLE, ILLINOIS
AMENDING THE CODE OF THE VILLAGE OF WILLIAMSVILLE BY
ADDING CHAPTER 135 ILLEGAL DUMPING
AT VILLAGE'S YARD WASTE BURN PILE

WHEREAS, illegal dumping of garbage and rubbish is a criminal violation under the laws of the State of Illinois; and

WHEREAS, it is in the matter of the public health, safety and welfare of the citizens of the Village of Williamsville, Illinois, that the Village Code of the Village of Williamsville, Illinois, should be amended to regulate the illegal dumping of non-yard waste materials at the Village's burn pile.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: That the following be added as Chapter 135 of the Code of the Village of Williamsville:

Chapter 135
ILLEGAL DUMPING AT THE VILLAGE'S YARD WASTE BURN PILE

- §135-1 - Definitions
- §135-2 - Prohibitions
- §135-3 - Penalties
- §135-4 - Enforcement
- §135-5 - Severability

§135-1 DEFINITIONS

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE. Wastes resulting from the handling, preparation, cooking and consumption of food; wastes from the handling, storage and sale of produce.

RUBBISH. Combustible trash, including, but not limited to, paper, cartons, boxes, barrels, wood, excelsior, wood furniture, bedding; non-combustible trash, including, but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste; street rubbish, including, but not limited to, street sweepings, dirt, catch-basin dirt, contents of litter receptacles; provided, however, that refuse shall not include earth and wastes

from building operations, nor shall it include solid wastes resulting from industrial processes and manufacturing operations such as food processing wastes, boiler house cinders, lumber, scraps and shavings.

LITTER. Refuse and all other waste materials that tend to create a danger to public health, safety and welfare.

YARD WASTE. Material such as tree branches, yard trimmings, leaves and grass.

NON-PERMISSIBLE YARD WASTE. Material such as sod, broken concrete, grindings and dirt with rock are non-permissible yard waste.

§135-2 PROHIBITIONS

(A) No person, individual, or entity shall deposit, dump or dispose of any garbage, rubbish, litter, or non-permissible yard waste at the Village's yard waste burn pile.

(B) No person, individual, or entity shall deposit, dump or dispose of any yard waste at the Village's yard waste burn pile, except for yard waste that is collected or generated from residential real estate located within the corporate boundaries of the Village of Williamsville, Illinois.

(C) Any person, business, firm, corporation, limited liability company, or similar entity (hereinafter referred to as "Contractor") who has collected yard waste for a fee that is collected from or generated from residential real estate located within the corporate boundaries of the Village of Williamsville, Illinois, must apply for and receive a permit from the Village to deposit, dump or dispose of any yard waste at the Village's yard waste burn pile. The permit shall be free of charge and shall be valid for three (3) days from the date of issuance. A permit application must be signed by both the owner/occupant of the real estate and the Contractor. The permit application shall be submitted to the Village Clerk at the Village Hall, or if the Village Hall is not then open, then to the Village Police Officer on-duty or on-call or Director of Public Works. The permit is not effective until signed by a representative of the Village. Once issued by the Village, the Contractor is required to keep the signed permit with it/him/her at all times. The form of the permit will be supplied by the Village.

§135-3 PENALTIES

(A) A violation of Section 135-2 of this Chapter is a petty offense and shall be punishable by a fine of \$500.00 for a first offense and a fine of \$1,000.00 for a second or any subsequent offense.

(B) Every day that such a violation is continued shall constitute a separate and distinct offense.

§135-4 ENFORCEMENT

The Village Police Department, Public Works Department and Village Board are hereby authorized and directed to enforce all provisions of this Chapter.

§135-5 SEVERABILITY

If any section, paragraph, clause or provision of this Chapter or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remainder of this Chapter or the application of such sections, paragraphs, clauses or provisions to persons or circumstances other than those to which it is held invalid shall not be affected hereby.

Section 2: Except as amended herein by this Ordinance, all other provisions of the Code of the Village of Williamsville, Williamsville, Illinois, as amended, shall remain in full force and effect.

Section 3: Any Ordinance of Section of the Village Code in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict. If any part of this Ordinance be held void, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Section 4:

This Ordinance shall take effect and be in force from and after its passage pursuant to roll call vote as follows:

AYES: 4

NAYS: 1

ABSENT: 1

PRESENT/ABSTAIN: 1 - via phone

and publication (by pamphlet).

PASSED and APPROVED by the Village Board of Trustees of the Village of Williamsville, and filed in the office of the Village Clerk of Williamsville, Illinois, on the 25 day of March, 2024.

Chris A. Gidley
President of the Board of
Trustees of said Village

Attested to:

Karen Winge (SEAL)
Village Clerk