

ORDINANCE NO. 2010-3509

**AN ORDINANCE AMENDING ARTICLE II “GARBAGE AND TRASH,”
DIVISION 1. “GENERALLY,” OF CHAPTER 8 “HEALTH AND SANITATION”
OF THE CODE OF ORDINANCES OF THE VILLAGE OF ROSELLE**

WHEREAS, the President and Board of Trustees of the Village of Roselle deem it necessary and appropriate to amend Article II, “Garbage and Trash,” Division 1. “Generally,” of Chapter 8 of the Code of Ordinances for the Village of Roselle to make Article II consistent with the Village’s current waste-hauling practices; and

WHEREAS, the Corporate Authorities for the Village of Roselle further deem it appropriate to amend to Article II, “Garbage and Trash,” Division 1. “Generally,” of Chapter 8 “Health and Sanitation” of the Code of Ordinances for the Village of Roselle to add a Section 8-29 requiring that waste containers and yard waste bundles not be visible from streets fronting residential zoning lots;

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois, that Article II, “Garbage and Trash,” Division 1. “Generally,” of Chapter 8 of the Code of Ordinances of the Village of Roselle, Sections 8-17 through 8-28, are hereby repealed and rescinded in their entirety and replaced with a new Article II, “Waste and Waste Containers,” Division 1. “Generally,” of Chapter 8 “Health and Sanitation” of the Code of Ordinances, which shall read as follows:

**ARTICLE II
WASTE AND WASTE CONTAINERS**

SECTION 1: SEC. 8-17 – Definitions

For the purposes of this Article II the following terms shall mean:

Acceptable Waste: shall mean those things identified in Appendix A.

Excluded Waste: shall mean those things identified in Appendix B.

Recyclables: shall mean those things identified in Appendix C.

Yard Waste: shall mean those things identified in Appendix D.

Hazardous Waste: shall mean those things identified by State and Federal environmental laws as hazardous waste.

SEC. 8-18 – Excluded waste deposit prohibited

It shall be unlawful to cause or permit any excluded waste to be placed for pick-up by the Village's waste contractor, except upon specific agreement between a customer and the Village's waste contractor or other licensed waste handler.

SEC. 8-19 – Hazardous waste

It shall be unlawful to dispose of any hazardous waste within the Village except in conformance with State and Federal environmental laws.

SEC. 8-20 – Refuse subject to blowing and run-off

It shall be unlawful to cause or permit the accumulation of any waste, dust, ashes, recyclables, or yard waste, in such a manner that the same can be wind scattered or carried into the storm water drainage system.

SEC. 8-21 – Containers required

Every owner or tenant of any property within the Village of Roselle that generates acceptable waste, recyclables, or yard waste shall secure and maintain in good order authorized containers for acceptable waste, recyclables, and yard waste, consistent with Section 8-22 of this Article II.

SEC. 8-22 –Waste to be properly sealed in containers

It shall be unlawful to place or deposit anywhere in the Village any waste, recyclables, or yard waste, excluding yard waste bundles, except in fully closed-in waste containers as described in Section 8-25 of this Article II. Waste and recyclables shall not protrude from the container. Yard waste may only protrude from a yard waste container when the waste is firmly contained in the container so as not to be subject to becoming loose or scattered. Yard waste bundles shall not contain trees or parts thereof (except small branches bound in bundles not exceeding four (4) feet in length, containing branches less than two (2) inches in diameter, with a total bundle maximum of two (2) feet in diameter and a maximum weight of fifty (50) pounds). Food and

vegetable garbage shall be tightly wrapped or enclosed prior to being deposited in a waste container to prevent the emission of odors.

SEC. 8-23 - Composting

Yard waste may be composted so long as it is stored in a neat and functioning compost pile. Compost piles shall be placed in rear yards, as defined by the Roselle Zoning Ordinance, and shall not be closer than seven and one half (7 ½) feet from any side lot line, nor closer than ten (10) feet from any rear lot line. In no case shall a composting pile be located in any drainage easement, drainage way, flood way, or flood plain. Composting piles shall be no more than five (5) feet in height, nor shall they exceed a maximum ground base of more than one hundred (100) square feet. All compost piles shall be constructed and maintained so as to function properly and without the emissions of odors.

SEC. 8-24 – Waste prohibited in rights of way

It shall be unlawful to deposit any waste or recyclable on any public alley or street of the Village, except when acceptable waste, recyclables, or yard waste is collected and placed in the parkway behind the curb line, or where there is no curb no closer than two feet from the edge of pavement, for pick up by the Village's waste contractor or other licensed waste handler, in conformance with Sections 8-20, 8-21, 8-25, and 8-27 of this Article II. No acceptable waste container, recyclable container, or yard waste bundle authorized herein shall be deposited at any time on the paved portion of any street.

SEC. 8-25 – Types of Containers

All containers for waste, recyclables, and yard waste shall be only those authorized and identified in Appendix E to this Article II.

SEC. 8-26 – Combustible refuse

It shall be unlawful to store, or permit to be stored, any combustible waste or recyclables in such a manner as to create a fire hazard.

SEC. 8-27 – Schedule for Placement of Waste and Recyclables

All acceptable waste containers, recyclable containers, or yard waste bundles shall be placed for pick-up by the Village's waste contractor, or other licensed waste handler, no earlier than 6:00 p.m. on the day before the scheduled pick up day and shall be removed by midnight of the day in which the pick-up is made.

SEC. 8-28 – Burning, burying garbage, and offensive accumulations

It shall be unlawful for any person to burn or bury waste or recyclables in the Village or to permit the same to accumulate in any manner so as to create a nuisance or attract flies, vermin, or other animals.

SEC. 8-29 – Waste, recyclable and yard waste screening

In all residential zoning districts, acceptable waste containers, recyclable containers, yard waste bundles, and excluded waste that is subject to a special agreement between the customer and the Village's waste contractor for pick-up shall be kept, maintained, and located in the residential property's rear yard, the back portion of an interior side yard to the rear of the front elevation of the principal residence, or within the residence's garage, except when placed on the right-of-way for pick up in conformance with Sections 8-24 and 8-27 of this Article II. Waste, recyclables, and yard waste, including yard waste in bundles, located in a side yard shall be enclosed by opaque fencing or opaque evergreen plant material of equal or greater height than that of the container or bundle, so as to be screened from viewing from the public street fronting the residential property. All fencing utilized for this purpose shall comply with Section 6-524 of Chapter 6 of the Code of Ordinances of the Village.

SECTION 2: All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 3: That if any part of this Ordinance is declared invalid by a Court of competent jurisdiction, such partial invalidity shall not affect the remainder of this ordinance.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as authorized and directed to be done by the President and Board of Trustees of the Village of Roselle.

AYES: Hochstadt, Rhode, Maglio, Sass, Wittman, Atkinson
NAYES: None
ABSTAIN: None
ABSENT: None

PASSED AND APPROVED THIS 12th DAY of April, 2010.
PUBLISHED in pamphlet form this 13th DAY of April, 2010.

President, Village of Roselle

ATTEST:

Village Clerk

APPENDIX A

DEFINITIONS OF ACCEPTABLE WASTE.

The following words and phrases shall have the meanings as specified herein.

Acceptable Waste: All kitchen wastes including but not limited to cans, bottles, household food, accumulation of animal food and vegetable matter attendant to the preparation, use, cooking, and serving of foods. General household trash and refuse, including but not limited to, ashes, empty cartons, crates, boxes, wrapping materials, newspapers and magazines, cloth materials, empty cans, discarded toys, discarded clothing, and similar materials. Bulk items including but not limited to furniture, appliances, and small quantities of building materials from "do it yourself" projects. Such "do it yourself" material includes only small items placed in suitable disposable containers, or in bundles not exceeding two (2) feet in diameter or four (4) feet in length. Carpeting may be disposed of in four (4) foot lengths, not exceeding two (2) feet in diameter.

Bulk Materials: Any items set forth as Acceptable Waste which are too large to fit into an approved refuse container and which exceed, in total, fifty (50) pounds in weight. Examples include sofas, large tables and chairs, dressers, televisions, bookcases, mattresses and box springs, other large household furniture, and large appliances which do not contain CFC or HCFC refrigerant gas, PCB containing capacitors, mercury switches, or other hazardous components.

Household Construction and Demolition Debris: Waste materials from "do-it-yourself" interior and exterior household construction, remodeling, and repair projects, including, but not limited to, drywall, plywood, paneling, lumber, and other building materials; cabinets; carpeting; disassembled household fixtures; and small amounts of sod, earth, clay, sand, concrete, rocks, and similar materials.

Household Waste: All organic household or kitchen wastes, such as rejected or unused food and food residues, paper used in wrapping food, household refuse, inorganic and incombustible household waste (i.e., cans, metalware, broken glass, crockery, stoneware, and similar waste resulting from the regular operation of the household) empty cartons and crates, discarded toys, discarded clothing and furniture, and similar materials. Household waste shall not include waste from any manufacturing process, construction materials, broken concrete, lumber, large rocks, and other similar materials.

Refuse: Household waste, household construction and demolition debris, white goods, and bulk materials.

White Goods: Any domestic and/or commercial large appliance that contains CFC or HCFC refrigerant gas, capacitors containing PCBs, mercury switches, or other

hazardous components. Examples include, but are not limited to, refrigerators, freezers, air conditioners, ranges (both electric and gas) humidifiers, dehumidifiers, water heaters, furnaces, and other similar large appliances.

APPENDIX B

DEFINITIONS OF EXCLUDED WASTE.

Excluded Waste: The Hazardous materials, wastes or substances; toxic substances, wastes or pollutants; contaminants; pollutants; infectious wastes; medical wastes; or radioactive wastes, each as defined by applicable federal, state, or local laws or regulations.

APPENDIX C

DEFINITIONS OF RECYCLABLES.

The following words and phrases shall have the meanings as specified herein.

Aluminum Formed Containers/Wrap: Aluminum cans, foil, trays, pie plates, and other similar formed containers.

Catalog: A book made from either glossy or non-glossy paper stock, which contains an itemized listing of names or articles arranged in orders or classified.

Chipboard (also referred to as paperboard): A thin, single layer of cardboard used in the packaging of consumer goods. Examples include cereal boxes, cracker boxes, clothing boxes, tissue boxes, and other similar products.

Corrugated Cardboard: A sturdy paperboard consisting of two paper grades, a wavy inner portion and a thick outside lining which is most commonly used for packaging.

High Density Polyethylene (HDPE) #2 Blow Molded Containers: Plastic milk and water jugs, laundry detergent, shampoo, personal care, and other similar blow molded containers used inside the home.

Other High Density Polyethylene (HDPE) #2 Containers: Margarine tubs, baby wipe containers, and other similar molded containers used inside the home.

Juice Boxes: Aseptic cartons consisting of a high-grade paperboard coated with polyethylene plastic and aluminum foil, excluding milk cartons.

Junk Mail: Brochures, advertisements, flyers, post cards, greeting cards, window envelopes, file folders, mailing tubes and other similar correspondences.

LDPE (#4): Low-density polyethylene.

Magazines: Periodical publications made from either glossy or non-glossy paper stock.

Mixed Papers: Stationary, computer paper, notebook paper, typing paper, letterhead, index cards, computer cards, bond envelopes, post-it notes, and other similar paper products.

Polyethylene Terephthalate (PET #1) Blow Molded Containers: Soft drink, liquor, cooking oil, personal care, and other similar blow molded containers used inside the home.

Other Polyethylene Terephthalate (PET#1) Containers: Plastic plates, trays, cups, and other similar ejection molded containers used inside the home.

Polypropylene (PP#5): Yogurt, cottage cheese and sour cream tubs, syrup bottles, etc.

Polyvinyl/Chloride (PVC #3): Health and beauty aid bottles.

Recyclables: (Also referred to as recyclable materials) Materials which have a useful second life in the economic cycle if they are successfully collected, separated, processed, and marketed for return to the economic mainstream. Recyclable materials shall include:

COMMINGLED CONTAINERS:

- Aluminum Cans, Trays & Foil
- Steel Cans & Tins
- Aseptic Packaging & Gable Top Containers (milk & juice cartons)
- Glass Bottles and Jars - (clear, brown, green)
- PET Soda, Water, & Flavored Beverage Bottles (#1 clear and green plastic resin)
- HDPE Milk & Juice Jugs (#2 clear plastic resin)
- HDPE Detergent & Fabric Softener Containers (#2 colored plastic resin)
- PVC Narrow Neck Containers Only (#3 plastic resin), such as health & beauty aid products, household cleaners.
- LDPE Grocery Containers (#4 plastic resin), such as margarine tubs, frozen desert cups, six and twelve pack rings.
- PP Grocery Containers (#5 plastic resin), such as yogurt cups, and narrow neck syrup and ketchup bottles.
- #7 Plastic Resin Narrow Neck Containers Only.
- Plastic Buckets, such as kitty litter containers (5 gallon size maximum)
§ *No metal handles.*

PAPER FIBER:

- Newspaper, including inserts (*remove plastic sleeves*)
- Cardboard (*no waxed cardboard*)
- Kraft (brown paper) Bags
- Magazines, Catalogs and Telephone Books
- Office, Computer, Notebook & Gift Wrap Paper (*no metal clips, spirals, binders*)
- Chipboard (cereal, cake & food mix boxes, gift boxes, shoe boxes, etc.)
- Carrier Stock (soda & beer can carrying cases)
- Junk Mail & Envelopes (*no plastic cards, stick on labels or unused stamps*)
- Paper Back Books (*no hard cover books*)

Wet Strength Carrier Stock: Paperboard containers with special coatings to prevent tearing of the packages or smearing of the ink from moisture when refrigerated or frozen; i.e. paper beverage carriers and frozen food packages.

APPENDIX D

DEFINITIONS OF YARD WASTE.

The following words and phrases shall have the meanings as specified herein.

Chipping: The mechanical process of breaking up woody yard waste into smaller pieces to be used as a landscape mulch or a bulking agent.

Composting: The process by which aerobic micro organisms decompose organic matter into a humus-like product.

Hard Landscape Waste: Brown stemmed branches and shrub pruning with large stems or trunks not to exceed four (4) feet in length and fifty (50) pounds in weight and two (2) inches in diameter individually, excluding Christmas trees, with a total diameter of the bundle not to exceed two (2) feet.

Soft Landscape Waste: Grass and garden clippings, leaves, pruning of small diameter green stemmed shrubs, weeds, plant materials, etc.

Yard Waste: Hard landscape waste and soft landscape waste.

APPENDIX E

DEFINITIONS OF ACCEPTABLE CONTAINERS.

The following words and phrases shall have the meanings as specified herein.

Curbside: A position immediately behind the curb and within the parkway used for the collection of Acceptable Waste, Yard Waste, and Recycling containers.

Waste Containers: Waste containers shall include:

Waste Container: A plastic or galvanized metal can of a capacity not less than four (4) gallons and not to exceed thirty-four (34) gallons in size. No waste container shall exceed fifty (50) pounds in weight when filled.

Waste Bag: A plastic bag of a capacity not to exceed thirty-three (33) gallons in size and fifty (50) pounds in weight when filled.

Cart: A wheeled plastic container with a tight-fitting top, not to exceed ninety-six (96) gallons in size, requiring a semi-automated mechanism for collection. All carts must be approved by and/or supplied by the Contractor for an additional monthly collection charge, if not supplied as part of the base service.

Recycling Containers: Recycling containers shall include:

Recyclables Container: A plastic or galvanized metal can of a capacity not less than four (4) gallons and not to exceed thirty-four (34) gallons in size. No can shall exceed fifty (50) pounds in weight when filled.

Cart: A wheeled plastic container with a tight-fitting top, not to exceed ninety-six (96) gallons in size, requiring a semi-automated mechanism for collection. All carts must be approved by and/or supplied by the Contractor for an additional monthly collection charge, if not supplied as part of the base service.

Yard Waste Containers: Yard waste containers shall include:

Waste Container: A plastic or galvanized metal can of a capacity not less than four (4) gallons and not to exceed thirty-four (34) gallons in size, properly labeled with the words "Yard Waste Only", stickers for this purpose are available from the Contractor at no cost to the resident. No yard waste container shall exceed fifty (50) pounds in weight when filled.

Kraft Paper Bag: A special biodegradable paper bag, not to exceed thirty-three (33) gallons in size, which will shred and degrade quickly in the composting process.

Cart: A wheeled plastic container with a tight-fitting top, not to exceed ninety-six (96) gallons in size, requiring a semi-automated lifting mechanism for collection all carts must be approved by and/or supplied by the Contractor for an additional monthly collection charge.

Bundle: Any material allowed under the definition of Hard Landscape Waste such as limbs, branches, or other loose items which do not exceed four (4) feet in length and fifty (50) pounds in weight. Each branch shall not exceed two (2) inches in diameter, with the total diameter of the bundle not to exceed two (2) feet.