

ORDINANCE NO. F-0737

AN ORDINANCE AMENDING THE WHEATON SOLID WASTE
ORDINANCE, CHAPTER 54 – SOLID WASTE

WHEREAS, The City of Wheaton, Illinois ("City") is an Illinois home rule municipality pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution, 1970, and as such the City may exercise any power or perform any function pertaining to its government and affairs; and

WHEREAS, the City desires effective and economical refuse, yard waste and recycling collection; and

WHEREAS, the City wants to ensure all refuse, yard waste and recycling are collected and disposed of properly.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: That in Sec. 54-1, "Definitions.", the definition of a City Recycling Container is hereby deleted in its entirety and replaced with the following:

Recycling Container means a homeowner supplied rigid container utilized for recyclables, no larger than 34 gallons and when filled, weighing no more than fifty pounds. The recycling container should be marked, "Recycling".

Section 2: That in Sec. 54-1, "Definitions.", the definition of Recyclables is hereby deleted in its entirety and replaced with the following:

Recyclables means recyclable materials which include but are not limited to aluminum cans, tin/steel/bi-metal cans, colored and clear glass bottles, plastics #1-7 bottles and rigid containers, newspaper, magazines, catalogs, telephone directories, corrugated cardboard, chipboard, mixed paper, wet strength carrier stock, junk mail, aseptic packaging, gable top containers and six pack rings. The City may from time to time designate other household garbage items as recyclable materials based upon market conditions and available recycling technology.

Section 3: That in Sec. 54-47, "Collection of recyclable materials without authorization is prohibited", is hereby deleted in its entirety and replaced with the following:

Sec. 54-47. Unlawful collection of recyclables.

It shall be unlawful for any person to;

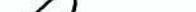
1. engage in the business of collection of recyclables from any residential curbside location within the City unless authorized by the City Council; or

2. dispose or place recyclables into a refuse or yard waste collection vehicle once the recyclables have been placed into a recycling container and that recycling container is positioned at the curb.

3. Any person, corporation, partnership or other legal entity whose employee violates subsections 1 or 2 of Sec 54-47 shall pay a fine of not less than \$500.00 nor more than \$1,000 for each offense: and a separate offense shall be each recyclable container from which recyclables are removed in violation of subsections 1 or 2.

Section 4: All ordinances, or parts of ordinances, in conflict with these provisions are hereby repealed.

Section 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



James Cannon
Mayor

Attest:

Emile M. Cunalegio
City Clerk

Roll Call Vote:

Ayes: Councilman Gresk

Mayor Carr

Councilwoman Johnson

Councilman Mork

Councilman Mouhelis

Councilman Eckhoff

Nays: None

None

Absent: Councilman Johnson

Motion Carried Unanimously

Passed: July 1, 2002
Published: July 2, 2002