

YARD WASTE

§ 50.30 DEFINITIONS.

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

ACCEPTABLE YARD WASTE. Grass clippings and garden weeds, leaves and trimmings.

APPROVED YARD WASTE CONTAINERS. Include paper yard waste bags, 32-gallon cans clearly marked “yard waste” or biodegradable plastic bags.

BRUSH (2-INCH IN DIAMETER OR LESS). Is considered yard waste if containerized in an approved waste container.

CONTAINERIZED. The placement of yard waste in an approved yard waste container so as to prevent yard waste from spilling or blowing out of the container and coming into contact with the sidewalk, street, curb or storm drain.

PERSON. Any individual, corporation, company, association or other entity not otherwise specified.

STREET. Any street, avenue, boulevard, road, parkway, viaduct, drive, alley or other way which is an existing state, county or municipal roadway and includes the area between the street lines, whether improved or unimproved, and may comprise pavement shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street.

TRIMMINGS/BRANCHES BETWEEN 2 INCHES TO 6 INCHES IN DIAMETER. Will be collected with the yard waste provided they are bundled with twine and tied. Bundles should be four feet maximum in length and a maximum of 60 pounds each.

(Ord. 184, passed 8-12-2009)

§ 50.31 DURATION AND HOURS OF YARD WASTE COLLECTION PROGRAM.

(A) The yard waste collection program will run annually from the first Monday in April until the second Monday in November.

(B) During the yard waste season, the Department of Public Works will collect all properly containerized and properly placed yard waste on a schedule as determined by the Village Council. Yard waste containers (approved bags or other approved waste receptacles) should be placed curbside by 8:00 a.m. the morning of pick up.

(Ord. 184, passed 8-12-2009) Penalty, see § 50.99

§ 50.32 CONTAINERS; MIXING OF YARD WASTE AND TRASH PROHIBITED.

(A) All containers (bags or designated yard waste receptacles containing yard waste) and bundled trim and branches must not exceed a 60-pound weight limit.

(B) Yard waste collected in non-biodegradable plastic bags or single layer paper bags is prohibited and will not be collected.

(C) Mixing of yard waste with regular trash is prohibited.

(Ord. 184, passed 8-12-2009) Penalty, see § 50.99

§ 50.33 DEPOSITING YARD WASTE IN STREET PROHIBITED.

The owner or occupant of any property, or any individual, employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this subchapter.

(Ord. 184, passed 8-12-2009) Penalty, see § 50.99

§ 50.34 ENFORCEMENT; VIOLATIONS.

(A) The provisions of this subchapter shall be enforced by the Police Department.

(B) If the provisions of the foregoing sections are not complied with, a village police officer shall serve personally or by regular first class mail, written notice upon the owner, lessee, occupant or any person having the control of the premises to comply with the provisions of the above sections. Posting a notice of the violation upon the property shall be deemed to be adequate notice. If the person upon whom the notice is served fails to containerize or bundle the yard waste within 48 hours after receipt of such notice or if no owner can be found of such lot, the Police Chief shall cause to be containerized or bundled and to be removed with the actual cost of such containerizing or bundling and removal, plus 25% for inspection and other additional costs in connection therewith, shall be certified by the Village Police Chief to the Village Treasurer and shall become a lien upon the property on which such containerized or bundled yard waste were located, and shall be assessed and collected in the same manner provided for collection of taxes.

(Ord. 184, passed 8-12-2009)

§ 50.35 CONFLICTING PROVISIONS.

All prior ordinances, resolutions or parts thereof in conflict with the subject matter of this subchapter are hereby repealed in their entirety.

(Ord. 184, passed 8-12-2009)

§ 50.99 PENALTY.

(A) Any person or persons, partnership or corporation who shall violate any of the provisions of this chapter is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50 nor more than \$500, plus costs and other sanctions for each infraction.

(B) Repeat offenses shall be subject to an increased civil fine as follows:

(1) The fine for any offense which is a first repeat offense shall be not less than \$250, plus costs and other sanctions; and

(2) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be not less than \$500, plus costs and other sanctions.

(C) A **REPEAT OFFENSE** means a second (or any subsequent) violation of this chapter:

(1) Committed by a person within any six-month period; and

(2) For which the person admits responsibility or is determined to be responsible.

(D) Each day on which any violation of this chapter continues, constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense.

(Ord. 103, passed 12-12-1990; Ord. 119, passed 4-12-1995; Ord. 184, passed 8-12-2009)