

Published in pamphlet form by the authority of the Board of Trustees of the Village of Elkhart, Logan County, Illinois, this 4 day of March 2019.

ORDINANCE NO. 2019-01

ORDINANCE REGULATING USE OF THE LANDSCAPE WASTE FACILITY

THE VILLAGE OF ELKHART, LOGAN COUNTY, ILLINOIS

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Elkhart, Logan County, Illinois, as follows:

Section 1: That the Village of Elkhart presently operates a Landscape waste facility.

Section 2: That the Village has no ordinance regulating the use thereof, and it is necessary to regulate the unauthorized use thereof.

Section 3: That the Preambles hereto are true and correct and are incorporated herein by references as if fully set forth at this point.

Section 4: This Ordinance shall be effective immediately upon its passage.

LANDSCAPE WASTE FACILITY ORDINANCE

(A) The Village landfill previously established by the Village shall remain as property maintained for purposes of disposal of "landscape waste" as defined. All other disposal by individuals or commercial entities including, but not limited to, garbage, refuse, and industrial waste is expressly prohibited at the landfill.

(B) The Village may use the landfill for disposal of all otherwise lawfully approved waste disposal notwithstanding any other restrictions contained herein.

(C) Residents: Individual residents or businesses of the Village may deposit their own landscape waste on the Village landfill grounds without fee. No nonresidents, whether individuals, firms, institutions, corporations, or other entities shall not use the Village's landfill or disposal facilities.

(D) The Village City Council shall be responsible for the setting of hours of the operation of the landfill. Said hours shall be reasonable and consistent with the demands for the disposal of landscape waste.

(E) It is unlawful for any person to deposit in the Village's landfill grounds any of the following:

(A) Explosives;

(B) Highly flammable substances

(C) Automobiles, trucks, trailers, boats, farm implements, or like items, including major parts thereof, such as bodies, engines, fenders, tires, frames, etc.;

(D) Household appliances, and fixtures, such as refrigerators, washers, dryers, TV sets, water heaters, furnaces, sinks, bath fixtures, etc.

(E) Household furniture, including mattresses and springs;

(F) Building demolition materials of all kinds;

(G) Manure and other substances dangerous to the public health;

(H) garbage;

(I) Refuse

(J) Industrial Waste

(F) All trees and tree and bush trimming shall be cut to lengths less than twelve feet (12'). All tree branches and trunks, with a diameter of more than four inches (4") at the largest end, shall be completely stripped of all side branches.

(G) Any person violating the provisions of this section shall be given a warning for their first violation. A second violation shall result in a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) and for any subsequent violation, the mandatory minimum fine shall be one hundred fifty dollars (\$150.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Passed by the Board of Trustees of the Village of Elkhart, Logan County, Illinois, approved by the Mayor, and deposited in the Office of the Village Clerk, this 4 day of March, 2019.

Those voting aye: Dave Banker, Matt Fights, Peggy Lee
Nancy Moore, Ernie Shaw

Those voting nay: None

Those absent: Travis Moore

APPROVED:

By: 
Mayor

ATTEST:
Anne McCune
Village Clerk