

ORDINANCE #408A

AN ORDINANCE TO AMEND ORDINANCE NO. 408 "An Ordinance Relating to Keeping Premises Clean and Providing a Penalty for Failure to do so and An Ordinance Regulating Garbage, Trash and Refuse in the City of Sumner, Illinois."

ADOPTED BY THE
CITY COUNCIL OF THE
CITY OF SUMNER, ILLINOIS

THIS 11th DAY OF DECEMBER, 2007

ORDINANCE NO. 408A

AN ORDINANCE TO AMEND ORDINANCE NO. 408

An Ordinance Relating to Keeping Premises Clean and Providing a Penalty for Failure to do so and An Ordinance Regulating Garbage, Trash and Refuse in the City of Sumner, Illinois

WHEREAS, the City Council of the City of Sumner has determined that there exists a need to enact regulations for the purpose of protecting the health, safety and welfare of the residents of the City of Sumner; and

WHEREAS, the City Council is authorized by law to determine conditions which shall be declared nuisances within the City of Sumner;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL of the City of Sumner, County of Lawrence, Illinois, that Ordinance 408 of the Ordinances of the City of Sumner, Illinois is repealed and this Ordinance of the Ordinances of said City be enacted to read as follows:

SECTION 1:

DEFINITIONS

The following words, when used in this ordinance shall have the meanings respectively ascribed to them:

- (a) Refuse: Refuse shall mean garbage, rubbish or both.
- (b) Garbage: Garbage includes all refuse accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables, and containers originally used for foodstuffs.
- (c) Rubbish: Rubbish includes all other refuse except junk motor vehicles, trailers, rocks, concrete, bricks and similar solid material, plaster or dirt.
- (d) Debris: wreckage, remains, fragments, rubble, bits and pieces of stone, rock, concrete, bricks and similar solid material, plaster or dirt.
- (e) Trash: waste things or rubbish.
- (f) Burn barrel: a metal container used for burning refuse, garbage, or trash.
- (g) Garbage container: metal or plastic container constructed of a material in such a manner as to be strong, but not easily corrodible, weather proof and rodent proof.
- (h) Plastic bag: a sealed container made of plastic, with a top opening that can be closed, not to exceed 35 gallons.

SECTION 2:

KEEPING PREMISES CLEAN AND IN AN INOFFENSIVE CONDITION

- (a) It shall be the duty of every person owning any lot or parcel of land adjoining any public or private alleyway in the City of Sumner, Illinois, to keep the same clean and in an inoffensive condition and also to keep the gutter in front of the premises owned or occupied by him, or under his control, free from filth or other offensive matter that may prevent the free flow of water therein.
- (b) No person shall throw, place, leave, cause or permit to be thrown, placed or left any garbage, trash, rubbish, refuse or debris in or upon any street, avenue, alley or sidewalk of said City, in front of or adjoining any buildings or premises owned or occupied by him, or subject to his control.

SECTION 3:

RESIDENTIAL TRASH SERVICE

- (a) It shall be the duty of every person owning or occupying any lot or parcel of land within the City of Sumner, to keep his garbage, trash, rubbish, refuse or debris in a container or in a sealed plastic bag.
- (b) Except when placed by the roadside for collection, all garbage containers and plastic bags shall be stored at a location on the premises adjacent to the residence, garage or other primary structure on the property.
- (c) No garbage, trash, rubbish, burn barrels, refuse or debris may be placed for collection earlier than 6:00 p.m. of the day preceding customary garbage collection and must be removed from the roadside or curb by 7:00 p.m. the day of collection regardless of whether or not the trash was collected.
- (d) No garbage containers or plastic bags may be placed on sidewalks, streets, alleys or other locations which interfere with public travel. All garbage containers and plastic bags shall be placed only on the owner's or occupant's property, and not on or in front of any neighboring property.

SECTION 4:

PENALTIES

Any person, firm or corporation violating any of the provisions of this Ordinance shall be subject to a fine as follows:

- (a) The fine for a first offense shall be \$200.00.
- (b) The fine for a second offense shall be \$350.00.
- (c) The fine for a third and any subsequent offenses shall be \$500.00.

Upon passage and approval, this Amendment to the Ordinance shall take effect and be effective ten days after publication as provided by law. Should any section or provision of this Amendment to the Ordinance be declared invalid by a Court of law, such decision shall not affect the validity of the remaining portions of the Ordinance, which shall remain in full force and effect.

Adopted by the City Council of the City of Sumner, Illinois, at a regular meeting on the 11th day of December, 2007.


MAYOR

ATTEST:


CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF LAWRENCE) ss:

CERTIFICATE

I, BLANCHE PIPER, certify that I am the duly elected and acting municipal clerk of the City of Sumner, Lawrence County, Illinois.

I further certify that on December 11, 2007, the corporate Authorities of such municipality passed and approved Amendment to Ordinance entitled "An Ordinance Amending Ordinance No. 408", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of said Amendment to Ordinance, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Amendment to Ordinance was posted in the Municipal Building, commencing on the 11 day of December, 2007, and continuing for at least ten (10) days thereafter. Copies of such Amendment to Ordinance were also available for public inspection upon request in the office of the municipal Clerk.

DATED at Sumner, Illinois, this 11 day of December, 2007.

(SEAL)

Blanche Piper
CITY CLERK