

**AMENDING CHAPTER 15 “REFUSE, RECYCLABLES AND WASTE COLLECTION”, SECTION 15.10 “COLLECTION, PROCESSING AND/OR DISPOSAL OF REFUSE, RECYCLABLES AND LANDSCAPE WASTE IN THE CENTRAL BUSINESS DISTRICT” OF THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS.**

**WHEREAS**, the City of DeKalb is a home-rule municipality with the power and authority conferred thereupon by virtue of the Illinois Constitution, Illinois Liquor Control Act and Illinois Municipal Code; and

**WHEREAS**, the City presently maintains provisions of Chapter 15 of the City Code relating to the regulations applicable to refuse and waste, and the City Council has determined to make certain adjustments to the Central Business District refuse program; and

**WHEREAS**, the City Council has determined that it is necessary and appropriate to amend said regulations to include the following restrictions, so as to protect and promote the public health, safety, welfare and morals;

**THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

**SECTION 1. Chapter 15 Amended.**

Section 15.10, “Collection, Processing and/or Disposal of Refuse, Recyclables and Landscape Waste in the Business District”, subsection (c), “Downtown Central Refuse Program” shall be amended as follows:

- c) Downtown Central Refuse Program. Property located in 100-399 East Lincoln Highway, 122 North First, 110 and 122 South First, 100-135 North Second, 102-140 South Second, 106-155 North Third and all of Palmer Court shall be included in the Downtown Central Refuse Program. Refuse must be placed in the waste receptacles in the enclosed areas in each block unless other provisions are approved by the City. ~~The Contractor will invoice all properties according to the rates in effect at the time of service and all properties will be required to pay for collection services directly to the Contractor.~~ **The City Manager shall be authorized and directed to determine monthly rates for imposition against all properties and parcels located therein, based upon the charges imposed under most-current approved solid waste hauling agreement maintained by the City and the nature and type of parcels as determined appropriate by the Manager. The City shall include such monthly rates and charges on the utility bills issued by the City for such area, and such charges shall be treated as a component of the City’s utility billing practices. Failure to pay such charges shall be treated as non-payment of utility costs. The City shall utilize such funds collected and shall directly pay the monthly costs incurred under the then-current solid waste hauling**

agreement to the solid waste hauler then contracted by the City. All properties shall be required to pay for such collection services.

**SECTION 2.** All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

**SECTION 3.** Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

**SECTION 4.** This Ordinance shall be in full force and effect after passage and publication pursuant to law.

**ADOPTED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 11<sup>th</sup> day of February 2019 and approved by me as Mayor on the same day. First Reading passed by 8-0 roll call vote on February 11, 2019. Aye: Jacobson, Finucane, Stupegia, Fagan, Noreiko, Faivre, Smith. Nay: None. Second Reading waived by an 8-0 roll call vote on February 11, 2019. Aye: Jacobson, Finucane, Stupegia, Fagan, Noreiko, Verbic, Faivre, Smith. Nay: None.

**ATTEST:**

  
LYNN A. FAZEKAS, City Clerk

  
JERRY SMITH, Mayor

