

CHAPTER 50: GARBAGE AND REFUSE

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GENERAL PROVISIONS**§ 50.01 DEFINITIONS.**

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

COMPOSTING. The controlled decomposition of organic materials through the use of aerobic bacteria.

GARBAGE. Wastes resulting from packaging, handling, storing, preparing, cooking, and consuming food of all kinds, and dead animals.

RECYCLABLES. Those materials having an economic value in the secondary materials market for the authorized recycling contractor and the village. Said materials shall include, but not be limited to glass, aluminum cans, bi-metal cans, glass containers, newspaper and other paper products.

RUBBISH. Such matter as clothing articles, household appliances, furniture, wood products, metal ware, glass, crockery, paper, ashes, boxes, plastic articles and litter of any kind.

YARD WASTE. Organic material such as grass clippings, leaves, tree and shrubbery trimmings, wood chips, lawn rakings, dead plants, sod and garden waste.
('79 Code, § 91.01) (Ord. 1431, passed 6-4-90)

GARBAGE, RUBBISH AND YARD WASTE DISPOSAL**§ 50.15 EXCLUSIVE HOUSEHOLD REFUSE CONTRACTOR.**

Subject to the provisions of this chapter, and except as otherwise provided for by ordinance, the village shall provide a means for the collection and disposal of garbage, rubbish and yard waste as

defined in § 50.01 from all detached single-family, attached single-family and multiple-family residences with not more than five dwelling units. Toward this end, the village shall from time to time enter into an exclusive contract with a scavenger or disposal firm for the collection of all household garbage, refuse and yard waste within the village.
(‘79 Code, § 91.05) (Ord. 1431, passed 6-4-90)

§ 50.16 WASTE CONTAINERS.

(A) All garbage shall be drained, wrapped and stored in durable, rust-resistant, nonabsorbent, watertight containers not to exceed 30 gallons capacity, and which have close fitting covers. Plastic garbage bags are permitted for use outside as containers for garbage collection only, must be closed securely, and are not to be used for outside storage of garbage at any time. Yard waste material shall not be stored or mixed in the same waste container as garbage for collection and disposal.

(B) Articles of rubbish shall be placed in secure, durable containers not to exceed 30 gallons capacity for disposal so as not to create litter. Bulk rubbish articles shall be set-out in a neat, orderly manner on the day of collection only as further described in § 50.17 of this chapter. Yard waste material shall not be stored or mixed in the same waste container as rubbish for collection and disposal.

(C) Yard waste materials intended for collection and disposal by the exclusive household refuse contractor shall be placed only in those containers authorized by the village contract with said disposal service. The village shall inform the public of the type of approved container authorized for disposal of yard waste, and where they may be obtained. Bulk items such as tree branches and shrubbery trimmings, intended for collection by the village disposal service shall be cut into lengths not greater than four feet and securely bundled into clusters easily handled by one person. In no instance shall yard waste materials be mixed with garbage or rubbish as defined in § 50.01 for collection and disposal.
(‘79 Code, § 91.06) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.17 COLLECTION DAY.

(A) The exclusive household refuse contractor shall collect garbage, rubbish and yard waste once a week on a day designated by agreement between the village and the scavenger or disposal service. There shall be no change in the day of collection, except on written notification by the scavenger to the village and to each owner, occupant, or lessee receiving garbage disposal service under this chapter, and on any contract in implementation thereof.

(B) It shall be the duty of any person having household garbage, rubbish, or yard waste, to place sealed, durable containers not to exceed 30 gallons in capacity or tightly closed plastic garbage bags, and yard waste bags or containers, on the curb in front of the premises, or in the alley adjacent to the

premises, if garbage collection is made in the alley, not before 8:00 p.m. of the day prior to garbage collection being made, and also to remove the containers prior to 8:00 p.m. the day collection has been made.

('79 Code, § 91.07) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.18 SERVICE CHARGES.

(A) The service charge to owners, occupants, or lessees for the collection and disposal of household garbage and rubbish shall be as provided in this section. Every owner, occupant, or lessee of a single-detached dwelling shall pay to the village \$1 per month administrative fee, plus a monthly sum fixed by the Board of Trustees for disposal service furnished said household unit. Each two-family dwelling or multiple-family rowhouse, townhouse, apartment house, or other dwelling not having more than five dwelling units shall, for the purposes of this chapter, be deemed and charged the same as a single-detached dwelling. The village will include charges for these services with the quarterly water billings.

(B) Service charges for the collection and disposal of yard waste materials and recyclables shall be set forth in the municipal contract for said service.

('79 Code, § 91.08) (Ord. 1431, passed 6-4-90; Am. Ord. 1905, passed 4-21-2003)

§ 50.19 MULTI-FAMILY, INSTITUTIONAL, COMMERCIAL, OR INDUSTRIAL GARBAGE.

It shall be the duty of the owner, occupant, or lessee of each institutional, industrial, or commercial unit in the village and of each family rowhouse, townhouse, apartment house, or other dwelling having more than five dwelling units, at his/her expense, to arrange with a properly licensed scavenger for the disposal of his/her garbage, rubbish and yard waste as herein defined, as well as of his/her market and industrial wastes. The owner, occupant, or lessee of each such institutional, industrial, or commercial unit, and of each such family rowhouse, townhouse, and apartment house having more than five dwelling units, including any corporation, partnership, or person engaged in running a store, business, or commercial or industrial enterprise of any kind, shall keep its premises free and clear of any accumulation of garbage, rubbish and yard waste as above defined, and of market or industrial waste of any kind. Yard waste shall be disposed of separately from garbage, rubbish and industrial waste.

('79 Code, § 91.09) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.20 COLLECTION AND STORAGE OF INSTITUTIONAL, INDUSTRIAL, OR COMMERCIAL GARBAGE.

Institutional, commercial, and industrial garbage, rubbish, and yard waste, including market and industrial waste, and the garbage and rubbish and yard waste of each family rowhouse, townhouse, apartment house, or other dwelling having more than five dwelling units, shall be collected as often as

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is necessary to prevent any accumulation of garbage, rubbish, and yard waste which would cause any nuisance or health hazard or the breeding of insects. In no event shall such collection be made less frequently than once in each week. Institutional, commercial, and industrial garbage, rubbish, and yard waste shall be stored as provided in § 50.16 except bulky rubbish such as large wooden and cardboard boxes. Yard waste shall be disposed of separately from garbage, rubbish and industrial waste.

('79 Code, § 91.10) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.21 LICENSE REQUIRED TO COLLECT GARBAGE.

No person, firm, or corporation shall engage in the business of collection or disposing of garbage, refuse, yard waste or recyclables unless licensed in the village as a scavenger in accordance with provisions of §§ 115.45 *et seq.* of this code.

('79 Code, § 91.11) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.22 VEHICLES USED IN COLLECTION OF GARBAGE, REFUSE, AND YARD WASTE.

(A) All public or private vehicles used for the collection or disposal of rubbish and yard waste shall have enclosed bodies, or suitable provisions for covering the bodies.

(B) Vehicles used for the collection or disposal of garbage, or rubbish containing garbage, shall have watertight, enclosed metal bodies of easily cleanable construction, shall be cleaned at sufficient frequency to prevent nuisance or insect-breeding, and shall be maintained in good repair.

('79 Code, § 91.12) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

UNLAWFUL DISPOSAL OF GARBAGE, REFUSE AND YARD WASTE

§ 50.35 UNLAWFUL DISPOSAL.

It shall be unlawful for any person, firm, or corporation to dispose of any garbage, refuse or yard waste in any public property, or on any privately owned property within the limits of the village, whether owned by such person, firm or corporation or not, unless said property is licensed for said purpose by all required governmental agencies. Public property shall include all public streets, right-of-ways, storm drainage facilities, sanitary sewer lines, park sites, and municipal facilities. Discarding of garbage, refuse or yard waste on drainage ways, streams, ponds or retention areas is also prohibited.

('79 Code, § 91.15) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.36 BURNING OF GARBAGE, RUBBISH, AND YARD WASTE.

The burning of any garbage, rubbish, or yard waste at any place within the limits of the village is prohibited.

('79 Code, § 91.16) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.37 SWEEPING OR DEPOSITING OF REFUSE OR YARD WASTE IN PUBLIC PLACES.

(A) No person shall sweep into or deposit in any gutter, street, or other public place within the village the accumulation of refuse or yard waste from any building or lot, or from any public or private sidewalk or driveway.

(B) No person owning or occupying a place of business shall sweep into or deposit in any gutter, street, or other public place within the village the accumulation of refuse or yard waste from any building or lot, or from any public or private sidewalk or driveway.

('79 Code, § 91.17) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

RECYCLING PROGRAM**§ 50.50 PROGRAM ESTABLISHED.**

There is hereby established the Village of Matteson Recycling Program for the voluntary separation of recyclables from household garbage and rubbish by participating residents. Subject to the provisions of this subchapter and as may be further set forth from time to time by contract, the village shall provide a means for the collection of recyclables from households within the village. It is the public policy of the village to encourage residents to participate in the recycling program so established.

('79 Code, § 91.20) (Ord. 1431, passed 6-4-90)

§ 50.51 RECYCLABLES CONTAINER.

In order to promote the separation of recyclable materials from garbage and rubbish, the village shall provide each single-family and multi-family residence with less than five households a special container for the placement of prepared recyclables to be collected as part of the village's recycling program.

('79 Code, § 91.21) (Ord. 1431, passed 6-4-90)

§ 50.52 SEPARATION OF RECYCLABLE AND PLACEMENT FOR REMOVAL.

Recyclables to be collected as part of the village program shall be separated from other garbage and rubbish and prepared as required. Recyclables placed in the special container described in § 50.51 may then be placed at the curb or alley for collection on the same day as the regular household garbage and refuse collection.

('79 Code, § 91.22) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.53 AUTHORIZED RECYCLING CONTRACTOR.

The exclusive household refuse contractor shall be the sole party authorized to collect the recyclables set out for collection as described in § 50.52. The cost of providing this service shall be included as part of the monthly fee for garbage and refuse collection.

('79 Code, § 91.23) (Ord. 1431, passed 6-4-90)

§ 50.54 THEFT OF RECYCLABLES.

It shall be unlawful for any person, firm or corporation other than the exclusive household refuse contractor to collect or pick up any recyclable articles placed for collection as part of the Village of Matteson Recycling Program.

('79 Code, § 91.24) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.55 ADDITIONAL METHODS OF RECYCLING.

Nothing in this subchapter shall prohibit any person from donating or selling recyclables to any person, firm or organization, whether operating for profit or not for profit provided, however, that the time, location and manner of collecting said recyclables in no way conflicts with the Village of Matteson Recycling Program.

('79 Code, § 91.25) (Ord. 1431, passed 6-4-90)

YARD WASTE COMPOSTING

§ 50.65 COMPOSTING BY PROPERTY OWNERS.

Property owners desiring to compost yard waste originating exclusively on their own property may be permitted to do so subject to the regulations contained in this chapter and as may be further defined

by village policies. Under no circumstances shall any property owner allow the composting of yard waste originating from property other than their own except as may be allowed under § 50.35. ('79 Code, § 91.30) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.66 PERMIT REQUIRED.

Any person, firm or corporation desiring to compost yard waste materials generated on the subject property must first obtain a permit from the village. Applications for such a permit must identify the proposed size of the composting area, its location in relationship to adjoining properties, structures, fences and drainage easements, and the design and materials used in the construction of any compost bin, device or structure. The applicant must also demonstrate a knowledge in proper composting techniques. The village reserves the right to regulate or deny the granting of a composting permit.

('79 Code, § 91.31) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.67 NUISANCE VIOLATIONS.

Compost materials which are maintained in violation of the compost permit, which harbor or attract rodents, insects or other wild animals, or which result in odor conditions offensive to neighboring property owners shall be in violation of this code. The owner shall be subject to revocation of the composting permit, required to eliminate the composting condition, and shall be subject to a fine as set forth in § 50.99.

('79 Code, § 91.32) (Ord. 1431, passed 6-4-90) Penalty, see § 50.99

§ 50.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is otherwise provided shall be subject to the penalty provided in § 10.99.

(B) Any person, firm or corporation found in violation of §§ 50.35 through 50.37 of this chapter shall be subject to a fine of not less than \$100 for the first violation, \$250 for the second violation and \$750 for each succeeding violation. In addition to the fines provided herein, any person, firm or corporation found guilty of a violation of §§ 50.35 through 50.37 shall be liable for any and all costs and expenses incurred relative to removing and properly disposing of the said garbage, rubbish or yard waste, and shall further reimburse the village for any and all costs and expenses incurred by the village relative thereto.

(C) Any person, firm or corporation found in violation of §§ 50.54 or 50.67 of this chapter shall be subject to a fine of not less than \$50 nor more than \$750 for each offense.

('79 Code, § 91.99) (Ord. 1431, passed 6-4-90; Am. Ord. 1453, passed 10-1-90)