

9/21/99

117-0--99

AN ORDINANCE

AMENDING TITLE 5, CHAPTER 1, OF THE CITY CODE OF EVANSTON, 1979, WITH REVISIONS OF THE B.O.C.A. NATIONAL PROPERTY MAINTENANCE CODE/1996, FIFTH EDITION.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Title 5, Chapter 1 of the City Code of the City of Evanston, 1979 as amended, be and it hereby is further amended by adding in appropriate numerical order, revisions to the B.O.C.A. Property Maintenance Code/1996, Fifth Edition, with Section 5-1-3 otherwise unchanged, to read as follows:

Section 5-1-3: Amendments to the Code: The following sections of the B.O.C.A. Property Maintenance Code are deleted as noted or amended to read as follows:

CHAPTER 1

PROPERTY MAINTENANCE CODE

SECTION 5-1-3 (C) ARTICLE 3

SECTION PM 306.0 RUBBISH AND GARBAGE

PM 306.1 Accumulation of rubbish or garbage: All *exterior property and premises*, and the interior of every structure shall be free from any accumulation of *rubbish or garbage*.

PM-306.2 Disposal of rubbish or garbage: Every *occupant* of a structure shall dispose of all *rubbish* or *garbage* in a clean and sanitary manner by placing such *rubbish* or *garbage* in approved leakproof containers with tight fitting covers.

PM-306.2.1 Rubbish and garbage facilities: The *owner* of every occupied *premises* shall supply approved covered leakproof containers with tight fitting covers for *rubbish* and *garbage*. The *owner* of the *premises* shall be responsible for the removal of *rubbish* and *garbage*.

PM-306.2.2 Containers: The *operator* of every establishment producing *garbage* shall provide, and at all times cause to be utilized, approved leakproof containers provided with tight fitting covers for the storage of such materials until removed from the *premises* for disposal.

PM 306.3 Garbage and rubbish services for multi-unit residential buildings:

The *owner* of every occupied building with more than four (4) dwelling and/or rooming units shall provide, within each week, minimum proper container or dumpster capacity capable of holding not less than the volume indicated by the following formula:

$$\begin{aligned}
 & 0.25 \text{ cubic yard (uncompacted) per dwelling unit} \\
 & + \underline{0.10 \text{ cubic yard (uncompacted) per rooming unit}} \\
 & = \text{Total base capacity required per week 117-0-99}
 \end{aligned}$$

PM 306.3.1 Container capacity: Each container or dumpster shall be considered to contribute the volume that can be enclosed with the lid or cover completely closed. Calculations of volume by the scavenger service providing the container may be accepted in determining service capacity.

PM-306.3.2. Minimum service schedule: All containers or dumpsters shall be emptied and maintained at least once per week, or more often, as needed to maintain the *property* and *premises* in a safe, clean and sanitary manner.

PM 306.3.2.1 Exception: The minimum service schedule shall not apply to special use contracted temporary containers such as those used for construction purposes, providing that the *property* and *premises* are maintained in a safe, clean, and sanitary manner.

PM-306.3.3 Multiple pickup calculations: A container shall be considered to provide its capacity in volume each time it is regularly scheduled for pickup, and is in fact picked up. The *owner* shall promptly provide written verification of multiple pickups from the scavenger service to the City upon a request for same.

PM 306.3.4 Additional capacity requirements: Any container or dumpster in which the volume of contents prevents full closure of the cover shall be considered to be overloaded. *Rubbish* or *garbage* stacked or piled near, on the exterior, or above the sidewalls of the dumpster or container shall evidence an overload condition. Overloaded containers or dumpsters shall be remedied immediately, by the *owner*, and thereafter supplemented by additional pickups and/or containers to prevent any recurrence of the overload condition. The *owner* shall promptly provide written verification of additional pickups and/or containers from the scavenger service to the City upon a request for the same upon a request for same.

PM 306.3.5 Recycling allowance: A recycling program which:

- 1) Is available to all residents of the building, **and**
- 2) Has approved and conforming containers on site, **and**
- 3) Is serviced not less than once a week,

may be included in the capacity volume calculations.

PM 306.3.6 Exception: The *owner* of a *property* or *premises* for which no notice violation for *garbage, refuse, or litter violations* has been issued for three consecutive years may reduce the container capacity for the *property* or *premises*, provided that the *property* and *premises* are continually maintained in accordance with Section PM 306.3.4.

PM 306.4 Additional capacity requirements for condominiums and residential buildings of one (1) through four (4) dwelling and/or rooming units: Any container or dumpster in which the volume of contents prevents full closure of the cover shall be considered to be overloaded. *Rubbish* or *garbage* stacked or piled near, on the exterior, or above the sidewalls of the container or dumpster shall evidence an overload condition. Overloaded containers or dumpsters shall be remedied immediately, by the *owner*, and thereafter supplemented by additional containers to prevent any recurrence of the overload condition. Additional containers shall not exceed thirty-five (35) gallons in size and the total weight of the container and the material placed within shall not exceed fifty (50) pounds. Special additional pickups may be employed for occasional overload conditions.

PM 306.5 Additional capacity requirements for commercial (non-residential) property: Any container or dumpster in which the volume of contents prevents full closure of the cover shall be considered to be overloaded. *Rubbish* or *garbage* stacked

or piled near, on the exterior, or above the sidewalls of the container or dumpster shall evidence an overload condition. Overloaded containers or dumpsters shall be remedied immediately, by the *owner*, and thereafter supplemented by additional pickups and/or containers to prevent any recurrence of the overload condition. The *owner* shall promptly provide written verification of additional pickups and/or containers from the scavenger service to the City upon a request for the same upon a request for same.

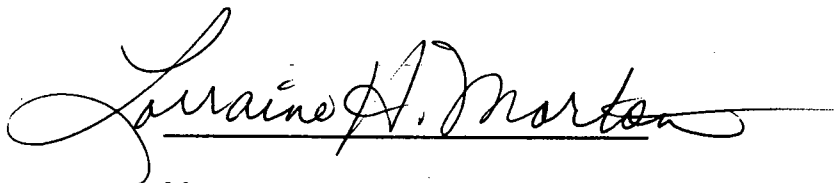
SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: September 27, 1999

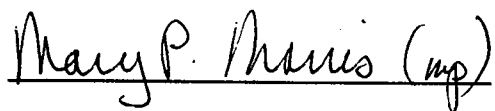
Adopted: October 25, 1999

Approved: November 1, 1999


Lorraine A. Norton

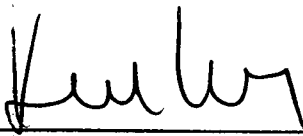
ATTEST:

Mayor


Mary P. Morris (mp)

City Clerk

Approved as to form:



Corporation Counsel

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