

37-O-02

AN ORDINANCE

Amending Sections 8-5-9, 8-5-14, and 8-5-15 of the Evanston City Code, 1979

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

SECTION 1: That the City Code, 1979, as amended, be and hereby is further amended by adding to Section 8-5-9, COLLECTION RESPONSIBILITY, the following new subsection:

- (H) There is hereby established a minimum fee of \$25.00 for a special pick-up, which is defined as an amount of garbage or refuse which is too large to fit in the containers provided by the City or in authorized containers provided by the resident. If the amount of garbage or refuse is so large that the City's collection and disposal cost exceeds \$25.00, the fee may be increased by the Director of Public Works or his or her designee to cover the City's cost. The resident will be advised of the cost and must agree to pay it before the material will be picked up.

SECTION 2: That the City Code, 1979, as amended, be and hereby is further amended by deleting Section 8-5-14 in its entirety and substituting in lieu thereof the following new Section 8-5-14:

SECTION 8-5-14: **BILLING PROCEDURES; DISPOSITION OF FUNDS:** The recycling collection service charge and the special pick-up fee shall be added to and separately recited upon a statement of charges for water consumption, sewer service, recycling collection service, and special pick-up service. Such statement shall be prepared and mailed to the consumer at least every six (6) months. Such statement shall become delinquent if unpaid after twenty (20) days from the date of the statement, and a penalty of ten percent (10%) of the amount due and owing for the period recited upon such statement shall thereafter be added to such statement and collected in addition thereto. All revenue received in payment of the recycling charge and the special pick-up fee shall be deposited in the General Fund.

Whenever any recycling charges or special pick-up fees shall remain unpaid after the expiration of thirty (30) days from the date of such statement, the water supply for the premises so served and delinquent shall be terminated, and the service shall not be resumed until all recycling and special pick-up bills in arrears shall have been paid, including accrued penalties and service fee of fifteen dollars (\$15.00) paid for termination and resumption of water supply service.

The City Manager, or his designee, shall enforce the provisions of this Chapter.

SECTION 3: That the City Code, 1979, as amended, be and hereby is further amended by deleting Section 8-5-15 in its entirety and substituting in lieu thereof the following new Section 8-5-15:

8-5-15: **CHARGES CONSTITUTE A LIEN:** Charges for recycling and special pick-up fees shall be a lien upon the premises served pursuant to the law thereto pertaining. When such charges have been delinquent for a period of sixty (60) days, the City Manager shall cause a statement of lien to be recorded against the premises served and delinquent in the form and manner provided by law.

The failure to record such a lien or to mail notice thereof shall not affect the right of the City to foreclose or adjudicate such a lien, by an equitable action in accordance with the statutory requirements therefor and in the same manner as provided for water service in Section 7-12-7-4 of this Code. The City Manager shall execute releases of such liens on behalf of the City upon receipt of payment therefor.

SECTION 4: That ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: April 9, 2002.

Adopted: April 22, 2002.

Approved: April 29, 2002

Lorraine H. Norton  
Mayor

ATTEST:

Mary P. Morris  
City Clerk

Approved as to form:  
[Signature]  
Corporation Counsel