

01/02/2007

**6-0-07**

**AN ORDINANCE**

**Amending Title 8, Chapter 5, Garbage and Refuse,  
to Impose a Sanitation Service Charge**

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

**SECTION 1:** That Title 8, Chapter 5, Section 1 of the Evanston City Code of 1979, as amended, is hereby further amended as follows:

**8-5-1: GENERAL DISPOSAL REQUIREMENTS:**

In the construction and application of this Chapter, the following words shall have the meanings respectively ascribed to them in this Section:

**CONTAMINATED:** Not in its pure state; tainted, putrefied, polluted, or unclean.

**GARBAGE:** Putrescible waste.

**RECYCLABLE MATERIALS:** Any material that can be recycled or reused.

**REFUSE:** Includes all discarded, unwanted or rejected materials, including garbage.

**SOLID WASTE:** Includes recyclable materials and refuse.

**YARD WASTE:** Includes all grass clippings, leaves, tree prunings and woody wastes, weeds, brush and other compostible landscape type material.

**SECTION 2:** That Title 8, Chapter 5, Section 9, of the Evanston City Code of 1979, as amended, is hereby further amended as follows:

**8-5-9: COLLECTION RESPONSIBILITY:**

(A) The City shall provide solid waste collection service, not including the collection of building materials, on a once-per-week basis when practicable, to the following:

1. All single-family detached homes. For purposes of this section, a structure commonly called a "coach house" or "carriage house" is considered to be a "single-family detached home" separate from the principal house on the same lot.

2. All multiple dwellings of four (4) or less units.

3. Townhouse, row house, or multiple dwellings which are at least seventy-five percent (75%) owner occupied for the entire housing complex, and that the director of public works determines shall be included in the city solid waste collection service based on accessibility.

A Sanitation Service Charge for the solid waste collection service will be charged as specified in Section 8-5-13 of this chapter.

(B) The city shall provide solid waste collection service, not including the collection of building materials, on a twice-per-week basis when practicable, to each unit of a condominium, cooperative apartment, townhouse or row house dwelling which is at least seventy five percent (75%) owner occupied for the entire housing complex. A Sanitation Service Charge for the solid waste collection service will be charged as specified in Section 8-5-13 of this chapter.

(C) All other residences, businesses, institutions, or other legal entities shall, at their own expense, contract with licensed private scavengers for refuse collection as often as may be required to prevent stored refuse from becoming a nuisance or a threat to the public health, welfare or safety.

(D) The owner or operator of all premises providing or required to provide private scavenger service shall, upon the request of the City Manager or his or her designee, provide a copy of the current contract for refuse collection with a licensed scavenger for the premises in question.

(E) The disposal of building materials shall be undertaken by the dwelling occupant or owner at his own expense.

(F) The Director of Public Works shall designate procedures regulating the collection of refuse, garbage, large, heavy or extraordinary materials and items.

(G) There is hereby established a minimum fee of twenty five dollars (\$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 twenty five dollars (\$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.

(H) If the City Manager or his or her designee determines that a Sunday waste pick up from a business or commercial premises is required in the interest of the public health, welfare, or safety, he or she: 1) shall order same and invoice the operator of the premises in question for one hundred fifty dollars (\$150.00), and 2) may cause the area in proximity to said receptacle to be cleaned. If the area adjacent to the container is not kept clear of refuse on a Sunday, the City may remove the refuse adjacent to the container and invoice the operator of the premises in question one hundred fifty dollars (\$150.00) for each occurrence. Nonpayment of any invoice issued pursuant to this section within thirty (30) days of its date shall constitute a violation of this Chapter.

**SECTION 3:** That Title 8, Chapter 5, Section 10, of the Evanston City

Code of 1979, as amended, is hereby further amended as follows:

**8-5-10: CONDOMINIUM/COOPERATIVE APARTMENT COLLECTION:**

(A) Occupants of condominiums and cooperative apartments whose residence units total more than six (6) and where the building is at least seventy-five percent (75%) owner-occupied shall be provided with solid waste collection service by a private scavenger under contract to the City. Service shall be twice a week on a schedule to be determined by the Director of Public Works. A Sanitation Service Charge for the solid waste collection service will be charged as specified in Section 8-5-13 of this Chapter.

(B) Refuse containers for such dwelling units shall be provided by the private scavenger under contract to the City.

(C) In the event a condominium/cooperative apartment has limited refuse storage capacity requiring removal more than twice per week, as determined by the Director of Public Works or his designee, the extra collection service shall be obtained at the expense of the building occupants or owners.

(D) The designated collection site for a condominium/cooperative apartment will be located so as to provide the highest degree of accessibility to collection vehicles.

**SECTION 4:** That Title 8, Chapter 5, of the Evanston City Code of 1979, as amended, is hereby further amended by enacting a new Section 8-5-13 as follows:

**8-5-13: IMPOSITION OF SANITATION SERVICE CHARGE**

There is hereby established a five dollar (\$5.00) charge per month per dwelling unit for the collection and disposal of solid waste by the City.

**SECTION 5:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6:** 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: January 22, 2007

Approved:

Adopted: February 19, 2007

March 5, 2007

Lorraine H. Morton  
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris  
Mary P. Morris, City Clerk

Approved as to form:

Herbert D. Hill  
Herbert D. Hill  
First Assistant Corporation Counsel