

Chapter 86

GARBAGE, RUBBISH AND REFUSE

[HISTORY: Adopted by the Board of Trustees of the Village of Saddle Rock: Art. I, 6-4-1952 by Ord. No. 12; Art. II, 1-6-1988 by L.L. No. 2-1988. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 126.

ARTICLE I

Dumping and Storage

[Adopted 6-4-1952 by Ord. No. 12]

§ 86-1. Dumping and storage prohibited.

No person shall keep, store, dump or place upon his or her lands or the lands of another or consent to the keeping, storing, dumping or placing upon his or her lands of any garbage, refuse, ashes, waste, cans, bottles, boxes, papers, leaves, grass clippings, weeds, garden refuse, rubbish, branches, limbs or any discard materials of any character whatever.

§ 86-2. Accumulation prohibited.

No person shall permit the accumulation of stagnant water upon his or her lands, nor shall any person continue or maintain any condition upon his or her lands which shall cause the accumulation of stagnant water, unsightly, dangerous or poisonous weeds, plants, swamps, marshes, quicksand or other hazardous condition.

§ 86-3. Notice of violation.

- A. The Village Clerk shall mail to the owner or owners of said lands a notice specifying the nature of the violation and ordering compliance with this Article within 10 days.
- B. If the owner of said land is a nonresident, a notice mailed to such owner at his or her last known address shall be sufficient service.

§ 86-4. Failure to comply.

Upon the failure of the owner of said lands to comply with the order of the Village Clerk within the specified period of time, the Village Clerk, upon authorization of the Board of Trustees, shall cause the items constituting a violation of § 86-1 to be removed and the conditions constituting a violation of § 86-2 to be corrected, and the total costs of such removal and/or correction shall be assessed against the real property upon which such items were found and upon which such correction of conditions was performed. Such total costs shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected by the Village Treasurer in the manner provided for by law for the collection of

delinquent taxes.

§ 86-5. Penalties for offenses. [Amended 12-2-1987 by L.L. No. 7-1987]

Any person who shall violate any provision of this Article or any part thereof shall be guilty of a violation. Any person who fails to comply with an order of the Village Clerk, issued pursuant to § 86-3 hereof, within the specified number of days, shall be liable to and forfeit and pay an additional penalty of \$100 for each day of noncompliance after the effective date of said order. Such penalty shall be levied by resolution of the Board of Trustees. The penalties provided for in this section are in addition to the charges and remedies provided in § 86-4 hereof.

§ 86-6. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

PERSON — Includes corporations, as well as natural persons, and the officers, directors, agents and managers thereof.

ARTICLE II
Waste Disposal
[Adopted 1-6-1988 by L.L. No. 2-1988]

§ 86-7. Maintenance of waste prohibited.

No refuse, garbage, paper, dirt, litter, offal, leaves, cuttings, sweepings or waste materials or other waste substances of any kind or nature shall be swept, thrown, scattered or maintained on any road, street or highway, nor shall the same be kept upon any premises in the Village of Saddle Rock, unless the same is contained in such manner as to prevent any such material, or odor therefrom, from escaping or being released from the confines of such containment.

§ 86-8. Burning prohibited; construal of provisions.

No person, firm or corporation shall burn any wastepaper, rubbish, leaves, cuttings, wood, garbage or other waste material on any public or private property at any time, except that this section shall not be construed to prohibit:

- A. The burning of materials in an indoor fireplace or stove designed for said purpose.
- B. The burning of materials in an outdoor grill for the purpose of cooking food, provided that such burning is done in such manner as to prevent pieces or particles of the burned or charred material from blowing away or escaping from the facility in which the burning is taking place.

§ 86-9. Prohibited acts.

No person shall:

- A. Scatter, leave or maintain any garbage, refuse, rubbish, leaves, cuttings or other waste material on any property within the Village of Saddle Rock without the permission of the owner of the property.

- B. Leave, place or maintain any container of or for garbage, refuse, rubbish or other waste material, which is usually and ordinarily collected by sanitation services provided by the Village of Saddle Rock, between the front or side of any building or structure and the nearest street or road abutting or adjoining the premises on which such building or structure is located or closer than 20 feet to any such street or road, except during the period beginning at sunset of the day immediately preceding the day of normally scheduled collection by such sanitation service and ending at sunset on such day of normally scheduled collection or at sunset on the day of actual collection, whichever first occurs.
- C. Leave, place or maintain any container of or for garbage, refuse, rubbish or other waste material in or on any public street or road at any time.

§ 86-10. Penalties for offenses.

Any person who violates the provisions of this Article or permits or suffers or causes any violation of this Article shall be subject to a fine not to exceed \$250 for each such violation. Each day on which a violation of this Article occurs shall be a separate violation.