

ORDINANCES

CITY COUNCIL
JANUARY 27, 2004

To: Mayor and City Council

From: George J. Rodericks, City Manager **GR**

**SUBJECT: ORDINANCE NO. 2003-499
REFUSE CONTAINERS**

BACKGROUND

The City's refuse franchise prohibits any person, other than the City of Villa Park or the authorized refuse collection representative, from placing or leaving a bin, drop-off box or other container for waste services at public or private property in the City. On December 16, 2003 the City introduced Ordinance No. 2003-499 for first reading.

FINDINGS

Ordinance No. 2003-499 provides a method for removal of illegal containers placed in the City. A notice period is established providing 24 hours to allow the owner of the container to remove the container without penalty. After 24 hours, the container may be removed and stored by the City and the contents disposed of at the expense of the owner of the container. The City directs the removal of the containers through its authorized refuse collection representative, Villa Park Disposal.

If the owner places a subsequent container out in the City, the City may, without the posting of a notice to remove, direct the removal, storage, and disposal. If the owner of a container cannot be identified, the City may authorize the immediate removal, without notice.

The purpose of this ordinance is to address the illegal and/or unauthorized placement of large containers, temporary storage bins, 3-cubic yard containers, and roll-off bins. It is not meant to address residential collection and recycling containers. Contractors who own and use their own refuse containers during construction activity in the City are exempt under the franchise.

FISCAL IMPACT

This is cost and revenue neutral ordinance as the owner of the container is responsible to reimburse the City for the actual cost of removal, storage, and disposal. All amounts due must be paid before the container may be returned to the owner.

RECOMMENDATION

It is recommended that the City Council accept for second reading and adopt Ordinance No. 2003-499, an Ordinance of the City Council of the City of Villa Park adding Article 5-14 of Chapter V of the Villa Park Municipal Code pertaining to trash containers.