

STATE OF ILLINOIS :
COUNTY OF LIVINGSTON :
CITY OF FAIRBURY :

Ordinance No. 2022- 13

AN ORDINANCE AMENDING PARTS OF CHAPTER
OF THE MUNICIPAL CODE OF THE CITY OF FAIRBURY OF 1982
IN RELATION TO REFUSE AND GARBAGE

Whereas, The City of Fairbury outsourced trash collection to a third-party on August 1, 2022,
and

Whereas, the third-party vendor supplies each trash customer with a 95-gallon trash cart, and

Whereas, several residents have great difficulty maneuvering the 95-gallon trash cart, and

Whereas, the City of Fairbury found it necessary to make available a smaller 35-gallon trash
cart.

NOW, THEREFORE, be it ordained by the City Council of the City of Fairbury, Livingston
County, Illinois that Chapter 6, Section .04 of the Fairbury Municipal Code of 1982 shall be
amended to read as follows:

SECTION I

.04 GARBAGE COLLECTION SERVICE CHARGE.

(a) There is hereby established a regular garbage collection service charge for every property for garbage
picked up within the City of Fairbury as follows: (2022-11)

(i) Said charge for residential pickup will be \$14.00 per month to be billed to the resident. **Additional
carts can be requested for an additional \$3.50 per month, per cart, with a maximum of five (5) total carts
per property.** (2022-11)

(ii) **A smaller cart (35 gallon) is available to exchange with the standard large cart (95 gallon) for an
additional \$3.50 charge per month. This cart is only available to exchange with a property utilizing one
(1) standard cart for garbage disposal. It cannot be requested as an additional cart, nor can an additional
garbage cart be requested once exchanged.**

(iii) Said charge for a multiple family dwelling shall be \$12.00 per month for each dwelling unit in the
multiple family dwelling. In the case of a multiple family dwelling unit having individual water meters for
each dwelling unit, the charge for each dwelling unit shall be billed to the person in whose name the water
meter is listed. In the case of multiple family dwelling units without individual water meters for each unit,
then said charge for each dwelling unit shall be billed to the person in whose name the water meter is
listed. (2022-11)

(iv) Said charges for all non-residential users shall be as follows: (1998-17)

(A) Non-residential users with a dumpster shall be charged at the rate of \$6.00 per cubic yard based on the dumpster capacity. Said charge shall be multiplied by the number of times the dumpster is dumped during a week, then by 4.33. Example of a 3-yard dumpster, dumped twice a week: \$6 x 3(capacity) x 2(dumps per week) x 4.33(average weeks in a month). There will be a minimum \$20.00 charge per billing period. (2022-11)

(B) For non-residential users, the term "billing period" shall mean a one (1) month period covered by the water and sewerage billing cycle for that part of Fairbury in which the non-residential use is located. (2022-11)

(C) The non-residential charges set forth above are based upon one garbage pick-up per week. All non-residential users shall be charged individually whether they have their garbage set out separately or whether it is co-mingled with the garbage of other non-residential users in a common dumpster or otherwise. (2022-11)

(D) Any user of the garbage services of the City of Fairbury who is located in a residential zone, as established by the Zoning Ordinance of the City of Fairbury, and who has received from the Zoning Board of Appeals a variance to conduct a commercial use at that location, can be charged at the rate for non-residential users for the garbage services of the City of Fairbury. (2022-11)

(E) The Superintendent of Streets may make adjustments to rates of non-residential users, when necessary, because of changes in the number of garbage pick-ups per week. (2022-11)

(v) The regular garbage collection service charges set forth above shall be charged for each month or part of a month that such services are provided, without pro-ration. (1988-2)

(b) As used in this Chapter, a single-family dwelling shall mean a building designed for or occupied exclusively by one family for residential purposes. Multiple family dwelling as used in this Chapter shall mean a building designed for or occupied exclusively by two or more families for residential purposes. (1988-2)

(c) There is hereby established a special garbage collection service charge (bulk pick-up) for the following types of materials over two (2) each week which will be in addition to the regular garbage collection service charge established in paragraph (a) above. All such items will be billed at the rate of \$10 over the allotted amount. (2022-11)

(i) All furniture and appliances including but not limited to sofas, chairs, box spring and mattress, refrigerator, stoves, dishwashers, furnaces, water heaters, sinks and stools, and any other large household furnishings. (1988-2)

(ii) Building materials and large quantities of cardboard, newspaper, plaster, lath, and similar materials will require the rental of a City dumpster. (2022-11)

(iii) The preceding types of items shall be picked up at residential sites, commercial sites and construction sites only upon request of the person having such items to be picked up. Such person shall notify the Fairbury Street Department of such items to be picked up and where they are to be picked up. The City reserves the right to refuse to pick up any construction materials. (1988-2)

(d) Hazardous substances as defined in the Illinois Environmental Protection Act as now in effect or as hereafter amended shall not be picked up or disposed of by the City under any circumstances. (1988-2)

(e) (i) The regular garbage collection charges established hereby will be billed to those receiving garbage collection services every month. The bill will be sent with the water and sewerage bill for those recipients of garbage collection services who also receive water and sewerage services from the City of Fairbury. The bill will be sent separately to such recipients of garbage collection services who do not receive water and sewerage services from the City of Fairbury. Persons receiving water and sewerage services from the City of Fairbury will also be receiving garbage collection services from the City of Fairbury. (2022-11)

(ii) The special garbage collection charges established hereby will be billed monthly on their monthly bill whenever items subject to said special garbage collection charges are picked up by the City. (1988-2)

(iii) Whenever payment is made on a combined bill for water, sewerage, and regular garbage collection charges, the payment shall be applied first toward the regular garbage collection service charge, then to the charge for sewerage service, and lastly to the charge for water service. (1988-16)

(iv) If any garbage collection charge, whether regular or special, is not paid within twenty days of the date such statement is rendered, then the Mayor of the City may direct the City Attorney to take legal action to collect such garbage collection charges not paid by the 20th day after the bill is rendered. (1988-16)

SECTION II

The rates and charges established in this ordinance shall be effective as of Sept. 22, 2022.

SECTION III

All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

This ordinance shall be effective after passage by the City Council of the City of Fairbury, Illinois, and its approval by the Mayor of the City of Fairbury, Illinois, and its publication in pamphlet form as required by law.

Passed by the City Council of the City of Fairbury, Illinois on September 21, 2022.

Ayes: 7 Nays: 0 Absent: 1

Approved by the Mayor of the City of Fairbury, Illinois on September 21, 2022.



Mayor



(CITY SEAL)

Attest:

Nancy Wialacki
City Clerk