

AN ORDINANCE TO REGULATE THE DISPOSAL OF LITTER
IN THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS:

SECTION ONE: The following definitions shall apply to this Ordinance:

- (a) Garbage: Refuse resulting from the handling, processing, preparation, cooking, and consumption of food or food products.
- (b) Refuse: Any discarded matter, or any matter which is to be reduced in volume or otherwise changed in chemical or physical properties in order to facilitate its discard, removal or disposal.
- (c) Landscape Waste: Any vegetable or plant refuse, except garbage and refuse. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery and yard trimmings.
- (d) Rubbish: Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, including but not limited to paper, wrappings, cigarettes or other tobacco products, cardboard, plastics, tin cans, glass, wood, bedding, crockery, iron, brass, tin, appliance parts and other similar materials.
- (e) Litter: Garbage, refuse, landscape waste and rubbish as herein defined which, if thrown or deposited as prohibited by this Ordinance, tends to create a danger to public health, safety and or welfare.
- (f) Public Place: Any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public squares, space, grounds and buildings.

SECTION TWO:

1. No person, firm or corporation shall throw or deposit litter in or upon any public place within the Village, except in public receptacles or in private receptacles for collection.
2. No person, firm or corporation placing litter in public receptacles or in private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place.
3. No person, firm or corporation shall sweep or deposit in any gutter, street or other public place within the Village the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.
4. No person, firm or corporation owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the Village the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Village shall keep the sidewalk in front of their business premises free of litter.
5. No person, while a driver or passenger in a vehicle shall throw or deposit litter upon any street, other public place or private property within the Village.
6. No person shall drive or move any truck or other vehicle within the Village unless such vehicle is so constructed or loaded as to prevent any load or contents of litter from being blown or deposited upon any street, alley or other public place. Nor shall any person drive or move any vehicle or truck within the Village, the

wheels or tires of which carry onto or deposit in any street, alley or other public place mud, dirt, sticky substances or foreign matter of any kind.

7. No person, firm or corporation shall cause the spilling of any turpentine, kerosene, gasoline, benzine, naphtha, coal, oil or any product thereof or any oil used for lubricating, illuminating or fuel purposes or allow any of such fluids to escape to or upon any asphalt pavement of the Village or operate or permit to be operated any tank wagon or other vehicles from which any of such fluids are permitted to escape.

8. All persons, firms or corporations hauling or causing to be hauled any dirt, sand, gravel, cinders or other materials or any waste matter on streets or alleys shall so construct and maintain their vehicles at all times to prevent the spilling of such material or matter from the same.

9. No person, firm or corporation shall throw or deposit litter on any open or vacant private property within the Village, whether owned by such person or not.

10. No person, firm or corporation shall throw or deposit litter on any occupied private premises within the Village, whether owned by such person or not, except in private receptacles for collection.

11. The owner or person in control of any private premises or vacant property shall at all times maintain the private premises or vacant property free of litter; provided, however, that this section shall not prohibit the storage of litter in private receptacles for collection.

12. The Chief of the Peoria Heights Police Department or official designee shall serve first written notice upon the owner of any private property within the Village or the agent of such owner to demand within five days of the receipt of first written notice the proper disposal of litter located on such owner's property. Said notice shall be by personal service, registered or certified mail, or sent or delivered to the last known address of said owner or agent of owner.

13. Upon the expiration of five days from the receipt of the first written notice, if the person, firm or corporation has failed, neglected or refused to comply with the directions of said first written notice, the Chief of the Peoria Heights Police Department or official designee shall issue in the same manner as the first written notice, a notice to appear in court citing the violation of this Ordinance.

SECTION THREE: Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than SIXTY DOLLARS (\$60.00) nor more than FIVE HUNDRED DOLLARS (\$500.00) for each offense and each day any such violation shall continue shall constitute a separate offense.

SECTION FOUR: Any and all fines imposed by this Ordinance shall bear interest at a rate of one (1) percent per month on the unpaid balance from the date of fine imposition.

SECTION FIVE: Upon default in payment of any fine, interest, court costs or installment thereof for more than thirty (30) days, the defendant shall be summoned to appear before the circuit court of Peoria County by personal service or registered mail, return receipt requested, to show cause, if any there be, why the person should not be held in contempt of court.

SECTION SIX: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION SEVEN: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

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PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF
THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS, THIS 3rd DAY OF
January, 1991.

R. W. L.
President

SEAL

ATTEST Marilee Wilmoth
Acting Clerk

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