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**ORDINANCE NO. 2016-17-37**

*An Ordinance Amending Certain Sections of Chapter 17,  
Garbage, Refuse and Recycling, of the Johnsbury Municipal Code*

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AN ORDINANCE PASSED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG  
AT A REGULAR MEETING ON MARCH 7, 2017  
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry  
Kyle Frost  
John Huemann  
Mary Lou Hutchinson  
Greg Klemstein  
Kevin McEvoy

Village Administrator

Claudett E. Peters

## ORDINANCE NO. 2016-17-37

### *An Ordinance Amending Certain Sections of Chapter 17, Garbage, Refuse and Recycling, of the Johnsburg Municipal Code*

BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsburg, McHenry County, Illinois, as follows:

SECTION 1: That Section 17.09, Disposal by Residents and/or Commercial Properties of the Johnsburg Municipal Code, is hereby amended to read as follows:

#### **17.09 DISPOSAL BY RESIDENTS AND/OR COMMERCIAL PROPERTIES**

- A. Receptacles Required. It shall be the duty of every owner, or his agent, or the occupant of any house, dwelling or other building in the Village wherein people reside or lodge, or where animal or vegetable food is prepared or served, and at all times, to maintain in good order and repair a separate receptacle to be used for the purpose of depositing garbage and other similar refuse. Such receptacle shall be watertight, made or constructed of metal or plastic, and shall be equipped with a close fitting cover, and shall be of a capacity of not less than five (5) nor more than thirty (30) gallons.
- B. Deposit on Streets, Waterways and Property. It shall be unlawful for any person to deposit garbage, yard waste, or other similar refuse or recyclable materials in any street, alley, waterway, channel or public way. It shall be unlawful for any person to deposit garbage or other similar refuse or recyclable materials upon any private property, unless such garbage or other similar refuse shall be placed in a receptacle as hereinabove described, and it shall be unlawful to place such receptacles upon any street, alley or public way. Any Offense arising under this Paragraph 17.09B may be settled by the offender by payment to the Village the sum of money stated for a Class B violation in Chapter 1.07-E.
- C. Littering. It shall be unlawful for any person to deposit, place or locate garbage or other similar refuse or recyclable materials in any manner so that the same could be blown about or scattered by wind or accessible to animals.
- D. Burning. It shall be unlawful for any person to burn or cause to be burned any garbage or other similar refuse or recyclable materials within the corporate limits of the Village.
- E. Storage of Garbage and Refuse Containers, Etc. No person shall place any garbage and refuse or recycling container on any street, alley or other public place more than twenty-four (24) hours prior to the regular and customary collection schedule established by such person's scavenger, nor shall any person permit such garbage, refuse or recycling containers to remain in any street, alley or other public place for more than twenty-four (24) hours after the aforesaid regular and customary collection schedule. At all other times such garbage, refuse or recycling containers for both residences and businesses of

any type shall be stored out of public's plain view with appropriate screening as necessary to store containers out of the public's plain view. Such screening shall be in accordance with the terms and provisions of the Village's Ordinances and shall be approved by the Police Department, Building Inspector or other appointed official of the Village of Johnsburg.

- F. Accumulation of Garbage. The accumulation and storage of garbage or recyclable materials on any premises for more than a period of two weeks is hereby declared to be a public nuisance and is prohibited.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees Klemstein, Frost, Curry and Huemann

Voting Nay: None

Abstain: None


Absent: Trustees Hutchinson and McEvoy

APPROVED:



Village President Edwin P. Hettermann



  
Village Clerk Claudett E. Peters

Passed: March 7, 2017

Approved: March 7, 2017

Published: March 7, 2017

## CERTIFICATION

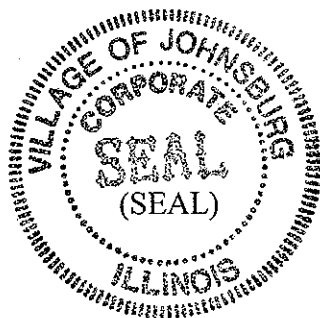
I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 7th day of March, 2017 the foregoing Ordinance entitled *An Ordinance Amending Certain Sections of Chapter 17, Garbage, Refuse and Recycling of the Johnsburg Municipal Code*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2016-17-37 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 7<sup>th</sup> day of March 2017, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 7th day of March, 2017.



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Claudett E. Peters, Village Clerk  
Village of Johnsburg,  
McHenry County, Illinois