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**ORDINANCE NO. 21-22-10**

*An Ordinance Amending Chapter 17, Garbage, Refuse and Recycling,  
of the Johnsburg 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 AUGUST 17, 2021  
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  
Beth Foreman  
Kyle Frost  
Josh Hagen  
Greg Klemstein  
Scott Letzter

Village Administrator

Claudett Sofiakis

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of the Johnsburg Municipal Code***

BE IT ORDAINED by the VILLAGE BOARD of the VILLAGE OF JOHNSBURG, McHenry County, Illinois, as follows:

SECTION 1: Chapter 17, Garbage, Refuse and Recycling, of the Johnsburg Municipal Code shall be amended to add Sections 17.13 entitled Exclusive Contract and 17.14 entitled Non-Franchised Residential Waste Hauler Barred from Delivering Waste Service in Village's Corporate Boundaries, which shall read as follows:

17.13 EXCLUSIVE CONTRACT. The President and Board of Trustees is authorized to enter into an exclusive contract for the collection and proper disposal of residential refuse, recyclables, yard waste and other materials from single family and multi-family dwellings being served by curbside collection services.

17.14 NON-FRANCHISED RESIDENTIAL WASTE HAULER BARRED FROM DELIVERING WASTE SERVICE IN VILLAGE'S CORPORATE BOUNDARIES

In the event that the Village enters into an exclusive, franchise agreement with a waste collection and disposal service firm to serve single family and multi-family residential units within the Village, exclusive of multi-family residential units that utilize a centralized dumpster that is at least 2 cubic yards in size, no other person, firm or entity shall provide waste collection and/or disposal services to any single family or multi-family residential unit, other than those multi-family units that utilize a centralized 2 cubic yard dumpster or greater, within the corporate boundaries during the term of such agreement. Each instance where waste collection is provided by a person, firm or entity to a single family residential unit or multi-family residential within the Village, other than a multi-family residential unit that utilizes a centralized 2 cubic yard dumpster or greater, that has not entered into an agreement with the Village for waste collection service, is a violation of this ordinance.

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 ten days after its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees Curry, Foreman, Hagen, Klemstein and Letzter

Voting Nay: None

Abstain: None

Absent: Trustee Frost

APPROVED:



Village President Edwin P. Hettermann



(SEAL)

ILLINOIS

ATTEST:

  
Village Clerk Claudett Sofiakis

Passed: August 17, 2021

Approved: August 17, 2021

Published: August 17, 2021

## CERTIFICATION

I, CLAUDETT SOFIAKIS, 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 17<sup>th</sup> day of August, 2021 the foregoing Ordinance *An Ordinance Amending 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. 21-22-10, 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 17<sup>th</sup> day of August, 2021, 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 17<sup>th</sup> day of August, 2021.



  
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Claudett Sofiakis, Village Clerk  
Village of Johnsburg,  
McHenry County, Illinois