

ARTICLE III. WASTE HAULER LICENSE

Sec. 28-48. License required.

Except as otherwise provided in section 28-63 of this article, it shall be unlawful for any person to engage in the business of being a waste hauler or to otherwise collect and/or transport any municipal waste or any landscape waste within the village, or to advertise to provide any residential hauling service or any commercial hauling service, without having a valid waste hauler license as required by this article.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-49. Term.

Each waste hauler license under this article shall be effective or renewed for a one-year period which commences on May 1 and expires on April 30 of the following year regardless of when issued.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-50. License application.

- (a) The director shall prepare and make available to any applicant an application form for such waste hauler license. Such application form shall include the following information:
- (1) Name, address and telephone number of the applicant;
 - (2) Name of the manager of the applicant, if any;
 - (3) Year, make, model, type, vehicle identification number and Illinois license plate registration of each collection vehicle to be operated by the applicant within the village;
 - (4) Gross vehicle weight and capacity in cubic yards of each collection vehicle;
 - (5) Type of material to be collected and hauled by each collection vehicle (e.g., municipal waste, landscape waste or both);
 - (6) Proof of valid State of Illinois safety sticker as required by law for each collection vehicle; and
 - (7) Certificate of insurance for any insurance required pursuant to section 28-54 of this article.
- (b) Any licensee having a valid waste hauler license shall notify the director in writing within 14 days following a change in any information contained in such licensee's application, including any change in connection with the addition or deletion of any collection vehicle.
- (c) A new application shall be required to be submitted to the director no later than April 15 of each year prior to issuance of a renewed waste hauler license under this article.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-51. State safety sticker to be displayed.

The State of Illinois Safety Sticker shall be displayed on each collection vehicle used by any licensee for collection of municipal waste or landscape waste within the village.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015; Ord. No. 2668, § 1, 2-9-2021)

Editor's note(s)—Prior to the inclusion of Ord. No. 2668, § 28-51 was entitled "Collection vehicle inspection permit required."

Sec. 28-52. Facsimile or altered collection vehicle safety sticker.

- (a) No licensee shall display on a collection vehicle either a facsimile or likeness of any collection vehicle safety sticker issued by the State of Illinois.
- (b) No licensee shall display on any collection vehicle a collection vehicle safety sticker issued by the State of Illinois which has been altered in any manner.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015; Ord. No. 2668, § 1, 2-9-2021)

Sec. 28-53. Collection vehicle operating requirements.

- (a) Each collection vehicle operating within the village shall be operated and maintained in accordance with all applicable federal, state and local laws.
- (b) Each collection vehicle used for the collection or transportation of municipal waste or landscape waste within the village shall conform to the following requirements:
 - (1) Shall have the business name and telephone number clearly visible on both sides of such collection vehicle;
 - (2) Shall be kept in a neat, clean and sanitary condition, and shall be maintained so as not to become offensive to the sense of smell of a person of ordinary sensibilities; and
 - (3) Shall have and utilize a watertight bed or receptacle and be constructed and operated in such a manner that no portion of the contents conveyed therein shall be scattered or left in or upon any private or public property or any right-of-way.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-54. Insurance requirements.

Any person required to have a waste hauler license under this article shall maintain in force and effect general liability insurance, vehicle liability insurance, worker's compensation insurance and unemployment insurance, with insurance companies licensed to do business in the State of Illinois and in such amounts as may be required by law. Upon request of the director, each such person shall produce evidence of such coverage.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-55. Evacuation of contents.

It shall be unlawful for any person to fail to remove or evacuate any municipal waste from any collection vehicle within the village within a period of 24 hours after the collection or deposit of any such municipal waste into any such collection vehicle.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-56. Disposal, transfer and storage.

- (a) It shall be unlawful for any person to dispose of, transfer, or store municipal waste or landscape waste in any place within the village unless such location meets the applicable requirements of any federal, state or local law.
- (b) Any person required to have a waste hauler license under this article shall transport and dispose of all municipal waste and landscape waste collected within the village to a facility licensed by the IEPA or to such other facility as may be authorized for such purposes by applicable law.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-57. Service requirements.

- (a) Each waste hauler offering to provide commercial hauling service within the village shall be required to offer and provide:
 - (1) Basic service for the collection of municipal waste no less frequently than once every seven calendar days;
 - (2) Service for the collection of household appliances upon the request of any customer no less frequently than once every 30 calendar days; and
 - (3) Service for the collection of landscape waste no less frequently than once every seven calendar days during the months of March to November, inclusive, upon the request of any customer.
- (b) Each waste hauler offering to provide commercial hauling service within the village shall provide customer service operations to receive requests for services or complaints and shall minimally maintain and staff customer service telephone lines on a local or toll-free basis between the hours of 8:00 a.m. to 5:00 p.m. on Monday through Friday of each week, excluding holidays.
- (c) Each waste hauler offering to provide commercial hauling service within the village shall be permitted to offer and provide additional levels of collection services, including greater frequencies of collection and additional quantities of collection.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-58. Reserved.

Editor's note(s)—Ord. No. 2436, § 1, adopted Aug. 11, 2015, repealed § 28-58 entitled "Rates and daily collection route area," which derived from Ord. No. 2223, § 1, adopted Apr. 13, 2010.

Sec. 28-59. License fee.

- (a) The annual fee for each waste hauler license shall be in such amounts established from time to time by the village board.
- (b) If a waste hauler license is suspended or revoked, no portion of such fee shall be returned or refunded to any such licensee.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015; Ord. No. 2668, § 1, 2-9-2021)

Sec. 28-60. License suspension.

The village president may suspend for not more than 30 days a waste hauler license for any one or more violations of this article within a 12-month period prior to any then current violation of this article.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-61. License revocation.

- (a) The village president may revoke a waste hauler license for any one or more of the following reasons:
 - (1) Two or more violations of this article within a 24-month period prior to the then-current violation of this article;
 - (2) Two or more suspensions of such waste hauler license for any length of time for any violations of this article that occurred within a 24-month period prior to the then-current violation of this article; or
 - (3) Any fraud, misrepresentation or false statement contained in any application for such waste hauler license required by this article.
- (b) Any waste hauler whose license has been revoked may reapply for a waste hauler license not less than six months following the effective date of any such revocation of any such waste hauler license.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015; Ord. No. 2668, § 1, 2-9-2021)

Sec. 28-62. Administrative procedure.

- (a) No waste hauler license shall be suspended or revoked unless an administrative hearing open to the public is held. The licensee shall be given written notice, at least seven days prior to such hearing, informing the licensee of the date and time of any such hearing and the grounds for the proposed suspension or revocation. Such written notice shall be by personal service on the licensee, or by certified mail addressed to the licensee at the address listed in the license application. The licensee shall be given a reasonable opportunity to appear and defend.
- (b) The village president may appoint a hearing officer to hold any hearing to take evidence on whether or not to suspend or revoke a waste hauler license under this article; to hold any rehearing on such matters; and to make a recommendation as to findings of fact and any sanction to be imposed. In such event, the village president shall review the evidence and recommendations of the hearing officer and shall adopt, modify or reject any recommendations.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-63. Exemptions.

The following shall be exempt from the provisions of this article:

- (1) Any person who collects municipal waste or landscape waste from property owned, managed, leased or occupied by such person and who transports such materials directly to a facility licensed by the IEPA or to such other facility as may be authorized for such purposes by applicable law.
- (2) Landscape companies and any person that collects only construction or demolition debris.
- (3) Any person that collects used household appliances as a part of a transaction involving the sale of any household appliances.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Sec. 28-64. General penalty.

Any person who violates any provision of this article shall be subject to penalties as provided in section 1-23. A separate offense shall be deemed committed on each day during or on which any violation of this article continues.

(Ord. No. 2223, § 1, 4-13-2010; Ord. No. 2436, § 1, 8-11-2015)

Secs. 28-65—28-90. Reserved.