

VILLAGE OF BRADLEY

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ORDINANCE NO. O-6-21-1

AN ORDINANCE REPLACING CHAPTER 40 (SOLID WASTE) OF THE BRADLEY  
VILLAGE CODE

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ADOPTED BY THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BRADLEY

THIS 14<sup>th</sup> DAY OF June, 2021

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Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,  
Kankakee County, Illinois this 14<sup>th</sup> day of June, 2021

**ORDINANCE NO. O-6-21-1**

**AN ORDINANCE REPLACING CHAPTER 40 (SOLID WASTE) OF THE BRADLEY VILLAGE CODE**

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**WHEREAS**, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, Section 11-60-1 of the Illinois Municipal Code (65 ILCS 5/11-60-1) authorizes the Corporate Authorities of the Village to “fix the amount, terms, and manner of issuing and revoking licenses” within the Village; and

**WHEREAS**, Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes the Corporate Authorities of the Village to “define, prevent, and abate nuisances”; and

**WHEREAS**, the Corporate Authorities of the Village previously exercised the authority granted by the aforementioned provisions of the Illinois Municipal Code and adopted rules and regulations regarding the disposal, collection, processing, and transportation of garbage, recyclables, and other forms of municipal solid waste, which rules and regulations presently compose Chapter 40 (Solid Waste) of the Bradley Village Code; and

**WHEREAS**, the Corporate Authorities of the Village previously declared “the business of collecting and disposing of ashes, garbage and refuse for hire and of transporting any or all of them over the streets of the village” to be a nuisance unless conducted in compliance with the ordinances of the Village and pursuant to a license issued by the Village; and

**WHEREAS**, the Corporate Authorities of the Village have determined that it is necessary, expedient, and in the best interests of the Village and its citizens to replace the provisions of Chapter 40 (Solid Waste) of the Bradley Village Code as set forth in this Ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:**

**SECTION 1.** The Corporate Authorities hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

**SECTION 2.** That Chapter 40 (Solid Waste) of the Bradley Village Code is hereby repealed and replaced, in whole, with the following:

**Chapter 40 - SOLID WASTE**

**ARTICLE I. - IN GENERAL**

## **Sec. 40-1. - Definitions.**

The following words, terms, and phrases, when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Commercial establishment* means (i) any building or structure in the village not used for residential purposes and (ii) any residential building with three or more dwelling units.

*Dwelling unit* means one (1) room or suite of two (2) or more rooms in a building, designed for and used by one (1) family for living and sleeping purposes, containing its own kitchen and bathroom facilities, and having its own independent entry/access from the exterior of the structure or from a common interior hallway.

*Garbage* means waste resulting from handling, processing, preparation, cooking and consumption of food and wastes from the handling, storage, and sale of produce.

*Landscape waste* means all accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as a result of care of lawns, shrubbery, vines, trees, and other natural landscaping.

*Licensed hauler* means any person engaged in providing services for the collection and/or disposal of municipal solid waste, who applies for and receives a scavenger license from the Village pursuant to the terms and provisions of this Chapter.

*Manure* means the excrement of all domestic animals and fowl and stable bedding.

*Municipal solid waste* means garbage, general household and commercial waste, industrial lunchroom or office waste, landscape waste, manure, and construction or demolition debris.

*Person* means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent, or assigns.

*Recyclables* means clean materials newspapers, paper products, plastic, metal cans, aluminum and glass, and other materials as may be designated from time to time by the village president and board of trustees.

*Residence* means any dwelling, building or structure used for residential purposes, but not including any residential buildings with three or more dwelling units.

*Scavenger license* means a license issued to a licensed hauler to permit the collection and disposal of municipal solid waste as set forth in this chapter.

*White goods* means all discarded refrigerators, ranges, water heaters, freezers, air conditioners, humidifiers, and other similar domestic and commercial large appliances.

**Secs. 40-2—40-20. - Reserved.**

## **ARTICLE II. - WASTE COLLECTION AND DISPOSAL**

### **DIVISION 1. - GENERALLY**

**Sec. 40-21. - Littering prohibited.**

No person shall throw, place, leave or suffer to be thrown, placed or left any municipal solid waste or recyclable of any description whatever in or upon any street, alley, parkway, or other public place or upon any vacant or unimproved lot or parcel of land in the village. Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2, and each day that a violation continues is and shall be deemed a separate offense.

**Sec. 40-22. - Prohibited disposal of municipal solid waste.**

It shall be unlawful for any person to deposit anywhere in the village any uncovered piles of municipal solid waste, offal, or carcasses of dead animals. Any uncovered piles of the materials described in this section are hereby declared to be a nuisance. Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2, and each day that a violation continues is and shall be deemed a separate offense.

**Sec. 40-23. - Accumulation prohibited.**

To permit or maintain an unsightly yard or premises where there is an accumulation or deposit of any vehicle, equipment, municipal waste, earth, or other unsightly material of any nature is hereby declared to be a nuisance within the village, with the exception of compost piles and leaves placed at the curb of a property for collection by a licensed hauler, as well as any stockpile of earth or stone as permitted by this Code. Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2, and each day that a violation continues is and shall be deemed a separate offense.

**Sec. 40-24. - Deposits in street.**

- (a) No municipal solid waste or recyclable of any kind shall be deposited in any street, alley, or public way, except in a proper receptacle, and then only for the purposes of removal by a licensed hauler. Any such receptacle shall not be placed beyond existing utility poles into the alley.
- (b) It shall be unlawful to deposit or permit municipal solid waste or recyclable to fall from any vehicle on to any public street, right-of-way or alley in the village without immediately being removed; provided that this provision shall not be construed to prohibit placing municipal solid waste or recyclables in a container or receptacle complying with the provisions of this chapter in preparation for having such material collected and disposed of in the manner provided in this chapter.
- (c) Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2, and each day that a violation continues is and shall be deemed a separate offense.

**Sec. 40-25. - Landscape waste disposal.**

No person shall deposit any landscape waste in any street, alley, or public way for collection by a licensed hauler except in bags specifically authorized by the village indicating that they contain landscape waste. No person may knowingly mix landscape waste in containers with other municipal solid waste. Anyone violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2.

**Sec. 40-26. - Windblown materials.**

It shall be unlawful to cause or permit to accumulate any municipal solid waste or recyclables that can be blown away by the wind unless properly disposed of in a sealed container. Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2, and each day that a violation continues is and shall be deemed a separate offense.

**Sec. 40-27. - Dumping or disposal of municipal solid waste or recyclables.**

- (a) It shall be unlawful to dump or place any municipal solid waste or recyclables on any premises in the village without the consent of the owner of such premises and in compliance with the provisions of this Code and any other applicable laws and regulations.
- (b) It shall be unlawful to dispose of any municipal solid waste in the village except in a container complying with the provisions of this chapter or in a Illinois Environmental Protection Agency approved site or facility.
- (c) Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2, and each day that a violation continues is and shall be deemed a separate offense.

**Sec. 40-28. - Responsibility for removal from private property.**

The owner, occupant, and lessee of any premises in the village are each jointly and severally obligated to remove from such premises or otherwise dispose of all municipal solid waste and shall keep the premises at all times free and clear of the accumulation of such materials.

**Sec. 40-29. - Nuisance.**

It shall be unlawful for any owner, occupant, or lessee of any premises in the village to dispose of any municipal solid waste which may be produced on his own premises when such disposal is accomplished in a manner which creates a nuisance or causes annoyance or discomfort to the inhabitants of the village. The owner, occupant, and/or lessee of any premises located in the village shall dispose of all municipal solid waste which may be produced on his own premises in required receptacles as provided in section 40-84, and any disposal to the contrary shall be unlawful and a nuisance. Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2, and each day that a violation continues is and shall be deemed a separate offense.

**Sec. 40-30. - Responsibilities of commercial establishments.**

Every person owning or controlling any commercial establishment shall cause all municipal solid waste to be deposited in commercial waste containers, which containers shall be removed or emptied at least once per week from the premises, or more often if necessary to avoid the creation of a nuisance in violation of this chapter. All commercial establishments shall provide adequate space for municipal solid waste generated by such establishment to accumulate without creating any nuisance or causing annoyance or discomfort to the inhabitants of the village. In the event that a storage container or storage container area is shared, and a violation of this provision occurs, the responsible party will be subject to citation. If the responsible party is not readily identifiable by the code enforcement officer, all parties sharing the storage area will be subject to citation. Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2, and each day that a violation continues is and shall be deemed a separate offense.

**Sec. 40-31. - Dumping of municipal solid waste in public containers.**

It shall be unlawful to dump or place more than three gallons of municipal solid waste in any container provided by the village for public convenience. Any person violating this section shall be subject to a fine as provided in the village fine schedule in section 18-2.

**Sec. 40-32. - Exclusive provisions and regulations.**

The provisions and regulations of this article are declared to be the exclusive provisions and regulations with regard to the matters stated herein pertaining to municipal solid waste in the village, and any ordinance, regulation or code provision of any other unit of local government, including those of the county, are declared to be of no force and effect in the village to the extent permitted by law.

**Secs. 40-33—40-48. - Reserved.**

**DIVISION 2. - COMMERCIAL SCAVENGERS.**

**Sec. 40-49. – Collection and disposal of municipal solid waste or recyclables; license required.**

- (a) The business of collecting, transporting, or disposing of municipal solid waste or collection, transporting, or processing recyclables for hire within the village is declared to be a nuisance and the business shall not be carried on by any person unless that person is a licensed hauler under this chapter, except that it shall not be unlawful:
1. For any person to collect and dispose of municipal solid waste or recyclables from property owned or managed by that person, provided that the disposal of such materials must comply with all applicable federal, state, and village laws, rules, and regulations; or
  2. For any person to dispose of municipal solid waste or process recyclables within the village where said materials were collected from outside of the village, provided that the disposal or processing of such materials must comply with all applicable federal, state, and village laws, rules, and regulations; or
  3. For any contractor, whose primary business is to demolish, construct, or remodel a building or structure to collect and dispose of non-hazardous materials generated in connection with any such demolition, construction, or remodeling project, provided that the disposal of such materials must comply with all applicable federal, state, and village laws, rules, and regulations; or
  4. For any person engaged in the business of landscaping; gardening; tree-care; rendering; document shredding; automotive fluid reclamation; battery and electronics recycling; or medical, pharmaceutical, or radiological waste collection and disposal to carry out such business within the village, provided that all aspects of such business, including the collection, transportation, and disposal of all such materials is carried out in full compliance with all applicable federal, state, and local laws, including but not limited to all business registration and licensure requirements of the village not related to the collection of municipal solid waste.

- (b) Each and every licensed hauler authorized to collect and dispose of municipal solid waste pursuant to this chapter is bound and required to comply with the licensed hauler service standards of the village, as set forth in Section 40-52 of this chapter, as well as with all other rules and regulations of the village, as announced and/or amended from time to time. Failure to comply with the licensed hauler service standards or any other rule or regulation of the village is and shall be deemed a violation of this chapter.

**Sec. 40-50. – Licensing procedure.**

- (a) *License required.* It shall be unlawful for any person to engage in the business of collection, transportation, and/or disposal of municipal solid waste or collection, transportation, or processing of recyclables without first obtaining a license(s) from the village and paying the required fee(s). Any person that wishes to collect municipal solid waste or recyclables from residential property must apply for and receive a residential scavenger license. Any person that wishes to collect municipal solid waste or recyclables from commercial property must apply for and receive a commercial scavenger license. The same person may apply for and be issued both a residential and a commercial scavenger licenses concurrently, provided that they must pay all fees associated with each such license.
- (b) *License fee.* The annual license fee for haulers in the village shall be as follows:
1. Residential scavenger license: \$5000.00 annually.
  2. Commercial scavenger license: \$500.00 annually.

The foregoing license fees shall be prorated when an initial license is issued part-way through a given license term.

- (c) *License applications.* Applications for scavenger licenses pursuant to this section shall be filed with the village clerk. No application shall be accepted except if accompanied by payment of the fee required for such license. Applications for such licenses shall be made to the village clerk on forms and in a manner prescribed by the village clerk.

(d) *License requirements.*

1. *Indemnification.* Every license applicant shall agree to defend, indemnify, save, and hold harmless the village from any and all loss, cost, damage, expense, or liability whatsoever related to the services provided by such hauler, and shall properly execute an agreement so providing in a form acceptable to the village.
2. *Insurance.* Every license applicant shall furnish and maintain insurance as required by law. At a minimum, the every applicant shall furnish and maintain general liability and motor vehicle liability policies with a total coverage amount that shall not be less than \$1,000,000.00 per occurrence with \$4,000,000.00 of umbrella coverage. Certificates of such insurance shall be included with the license hauler application to the village. No licensed hauler may cancel or fail to renew their insurance coverage without providing the village with thirty (30) days written notice of its intent to cancel or fail to renew its policy. Furthermore, the village shall be named as an additional insured by endorsement on all coverages and policies required by this section, except for worker's compensation and professional liability.

- (e) *The right of denial.* The village shall have the right to deny a license to any applicant that fails to fully comply with all requirements of this Chapter.
- (f) *Licensee equipment.* Every license applicant must have adequate and sufficient equipment to render service to any customer requesting service in accordance with the requirements of this chapter.
- (g) *Container requirements.* All refuse and garbage containers utilized by any licensed hauler must have a tight-fitting cover, be in a state of good repair, be leakproof, free from rust, and periodically painted. The name and phone number of the licensed hauler must be clearly visible on the container. All containers must meet all applicable safety standards as established by the board of health. Covers for the storage of trade and construction waste shall not be necessary. The use of drums as refuse bins is prohibited.

**Sec. 40-51. – License Term.**

Every scavenger license issued by the village shall expire on June 30 of each year, provided, however, that any license issued prior to June 30, 2021, shall not expire until June 30, 2022.

**Sec. 40-52. – Contractor and licensee service.**

Every licensed hauler shall fully comply with the following service standards at all times that they are engaged in the collection, transportation, and disposal of municipal solid waste within the village:

- (a) *Rates, Charges, and Fees.* Each licensed hauler shall, at the time of making its application for an initial scavenger license or any renewal thereof and in a form approved by the community development director, submit to the community development director a schedule of rates, charges, and fees for all service levels offered to new and existing residential customers by the hauler. Each licensed hauler may amend its schedule of rates, charges, and fees, but no such amended schedule may take effect until it has been submitted to the village community development director. It is a violation of this chapter for any licensed hauler to assess any rate, charge, or fee inconsistent with its current and applicable schedule of rates, charges, and fees filed with the village community development director. This section does not apply to licensed haulers that only seek and receive a commercial scavenger license and do not provide any scavenger services to any residential property within the Village. This section applies to recyclables collection, transportation, and processing licensing and every licensed hauler shall indicate, on their scavenger license application form, that it includes the rates, charges, and fees for recyclables or at the time of an application for a recyclables collection, transportation, and processing license, the applicant shall likewise provide a schedule of rates, charges and fees, as provided in this section.
- (b) *Residential waste collection districts:*
  1. The village shall divide all residential areas located within the village into four (4) collection districts, which shall be as indicated on a map prepared for that purpose and which shall be kept available for public inspection in the community development department of the village during normal business hours. The collection district map shall be adopted and approved by the corporate authorities



of the village and may be amended by said authorities at any time, provided that no licensed hauler may be found guilty of violating this chapter by reason of collecting in a manner inconsistent with any such amended map within thirty (30) days after such amended map is adopted.

2. Residential waste collection shall be ordered by district, as follows:
  - i. Collection in district 1 shall occur weekly every Monday.
  - ii. Collection in district 2 shall occur weekly every Tuesday.
  - iii. Collection in district 3 shall occur weekly every Wednesday.
  - iv. Collection in district 4 shall occur weekly every Thursday.
3. No licensed hauler may engage in residential collection activities in any district except on its regular day as set forth above, except where the regular collection day for any given district coincides with one of the following holidays, in which case collection shall occur one (1) calendar day later:
  - i. New Year's Day;
  - ii. Memorial Day;
  - iii. The Fourth of July;
  - iv. Labor Day;
  - v. Thanksgiving; or
  - vi. Christmas.

In addition, licensed haulers may engage in residential collection activities one (1) day after the regular collection day for any given district for the purposes of special or missed pick-ups.

4. Every licensed hauler shall provide collection services to each of its residential customers at least once weekly, except that collection of recyclables must be at least once every other week.
- (c) *Commercial Waste Collection.* Municipal solid waste shall be collected at least once a week from all commercial establishments.
  - (d) *Hours.* Municipal solid waste may not be collected from any residential property at any time prior to 6:00 a.m. nor after 7:00 p.m. on any given day
  - (e) *Ownership.* All municipal solid waste shall become and be the property of the licensed hauler as soon as the same is placed in the collection vehicle.
  - (f) *Vehicles and equipment.* Each licensed hauler shall use only vehicles and equipment for municipal solid waste, landscape waste, and recyclables collection that are watertight, and all containers shall be equipped with covers.
  - (g) *Cleanliness.* All services by all licensed haulers shall be performed in a clean and orderly fashion. No licensed hauler shall deposit, or permit to remain, any municipal solid waste, landscape waste, or recyclables on any property except only as provided in this chapter.

Every licensed hauler shall place all containers moved during collection in their proper locations.

- (h) *Safety; risk of loss.* Each licensed hauler shall be solely and completely responsible for the safety of its personnel and equipment and of all persons and property affected by such licensed hauler's services. All services shall be performed safely. All services shall be performed at the sole risk and cost of the licensed hauler.
- (i) *Damage to property.* Each licensed hauler shall immediately repair all damage inflicted on any property by such licensed hauler and shall restore such property to a condition equal to that existing before the damage was inflicted, to the satisfaction of the Community Development Director.
- (j) *Licensed haulers to maintain telephone.* All licensed haulers shall maintain an office telephone for the receipt of service calls or complaints and shall be available for such calls on all business days, Monday through Friday, from 8:00 a.m. until 4:30 p.m. and between 8:00 a.m. and 12:00 noon on Saturdays.
- (k) *Licensed haulers to clean up spills.* All licensed haulers shall immediately clean up, in a neat and workmanlike manner, any municipal solid waste or recyclables that it may have caused to spill anywhere in the village.
- (l) *Capable crews to be furnished.* All licensed haulers shall furnish capable employees for use in the crews performing the disposal services and will prohibit any drinking of alcoholic beverages or use of illegal narcotics by its drivers and crew members while on duty.
- (m) *Parking time for collections.* It shall be unlawful for any vehicle or vehicles of a licensed hauler to park before any building, place of business or other premises for a longer period of time than it requires to perform collection services.
- (n) *Disposal or storage overnight regulation.* It shall be unlawful for any licensed hauler to dispose of or store any municipal solid waste or recyclables in any place within the village limits or to park overnight within the village, any scavenger vehicle containing municipal solid waste or recyclables, unless otherwise permitted by the Illinois Environmental Protection Agency or otherwise licensed by the State of Illinois. The village may grant written permission for these activities upon a request in writing from the licensee if the village finds that such permission would be in the best interests of the village.
- (o) *Violations.* Any violation of any provision of this chapter shall be deemed a violation of this Code and shall be grounds for the suspension or revocation of any license issued pursuant to this chapter and for the imposition of any other penalty generally provided for violations of this Code.

#### **Sec. 40-53. – Limitation on Long-Term Contracts**

No licensed hauler operating under a residential scavenger license may enter into any contract or service agreement with the owner or tenant of any residential property located within the Village whereby (i) such owner or tenant is obligated to maintain and continue exclusive service with the licensed hauler for more than ninety (90) days and/or (ii) such owner or tenant is required to pay any fee, fine, or penalty for discontinuing service with the licensed hauler at any

time after the first ninety (90) days in which the licensed hauler provided service to the owner/tenant's residential premises.

**Sec. 40-54. - Special collection.**

- (a) As used in this section, the term "special collection" includes pickup of furniture, white goods, and other miscellaneous items.
- (b) All licensed haulers must offer special collection services within the village, and shall file their special collection policies, as amended from time to time, including all rates and charges for such special collection with the village's community development department.

**Sec. 40-55. – Recyclables; designated container.**

All recyclables must be placed in specifically designated recycling containers provided by the licensed hauler. No other recycling bags or containers shall be allowed.

**Secs. 40-56—40-83. - Reserved.**

**DIVISION 3. - RECEPTACLES**

**Sec. 40-84. - Specifications.**

The owner, occupant or lessee of any premises in the village upon which shall accumulate any municipal solid waste shall provide or cause to be provided and shall maintain clean and in good repair adequate receptacles with tightfitting lids as required from time to time by the village or the licensed hauler providing services to said premises.

**Sec. 40-85. - Location and placement of containers for collection.**

- (a) All containers holding any municipal solid waste shall be placed outside the residence or other building in an accessible place and at ground level and near the street or alley line, as applicable.
- (b) No container holding any municipal solid waste shall be placed in any street or alley before 4:00 p.m., the day prior to the scheduled collection at the curb of the street or alley from which municipal solid waste will be collected or at the street or alley lot line.
- (c) It shall be unlawful to place, store, or dispose of any municipal solid waste or recyclables in the village, except in containers complying with the provisions of this division, or in open-top roll-off boxes, if such boxes are stored at a location permitted by the Illinois Environmental Protection Agency and the village.
- (d) All containers shall be removed by the owner, occupant, or lessee of any premises from the street or alley by 7:00 p.m. on the day of collection.

**Sec. 40-86. - Trash containers prohibited in public ways.**

No owner, lessor or lessee of detachable roll-off trash bins or containers shall cause or allow such bins or containers to be placed or remain on any street, alley, or public thoroughfare within the village.

**Secs. 40-87—40-119. - Reserved.**

**Sec. 40-120. - Violations and penalties.**

- (a) Any person or entity that violates, neglects, or refuses to comply with, or resists the enforcement of any of the provisions of this chapter shall be prosecuted for such offense before the village's code hearing department in the manner set forth in Chapter 2 (Administration), Article VIII (Administrative Adjudication of Ordinance Violations) of the village code. Upon being found guilty of violation this chapter, each such person fined as provided in the village fine schedule in section 18-2 for each offense, or otherwise as permitted or required by the village code. Each day that a violation exists shall constitute a separate offense. Every owner and occupier of any property on which any violation of this chapter occurs is and shall be held jointly and severally liable for all fines assessed on account of said violation. All fines under this section are civil.
- (b) The fact that municipal solid waste remains on any residential or commercial occupant's premises in the village in violation of this chapter shall be prima facie evidence that the occupant of such premises is responsible for such violation.
- (c) In the event that the village's hearing officer finds and determines that any licensed hauler is guilty, or any licensed hauler admits guilt, of violating any provision of this chapter, the hearing officer shall assess all required or permitted fines, shall require the licensed hauler to cure the violation, if possible, and shall further consider the imposition of a license suspension or revocation, as follows:
  - a. The hearing officer may suspend a licensed hauler scavenger license(s) for not more than thirty (30) days for any one (1) or more of the following reasons:
    - i. The licensed hauler has been convicted of or pleaded guilty to one (1) or more violations of this chapter within the twelve-month period prior to the current violation of this chapter; or
    - ii. The licensed hauler has knowingly made a false statement in any report required by this section; or
    - iii. The licensed hauler has failed to pay any fine or penalty owing to the village, whether imposed by the hearing officer or any court.
  - b. The hearing officer may revoke a licensed hauler scavenger license(s) for any one (1) or more of the following reasons:
    - i. The licensed hauler has been convicted of or pleaded guilty to three (3) or more violations of this chapter within the thirty-six (36) month period prior to the current violation of this chapter; or
    - ii. The licensed hauler's scavenger license(s) has been suspended by the village one (1) or more times, for any length of time, for violations of this chapter within the thirty-six (36) month period prior to the current violation of this chapter; or
    - iii. The licensed hauler has knowingly made a false statement in its application for its scavenger license(s).

- c. No hauler whose license has been revoked may reapply for or be issued a scavenger license under this code for at least twelve (12) months from the date of the revocation. In addition, the village may suspend or revoke the license of a village collector or contractor and/or abate the violation by any means available to the village. Any and all expenses incurred by the village thereby may be charged against the licensee's or contracting entity's performance bond or other surety.
- (d) Nothing in this section is intended or shall be deemed to prevent the village from taking any lawful action to prevent and abate violations of this chapter or to abate nuisances. Nothing in this section is intended or shall be deemed to limit the authority of the village to seek injunctive relief or any other appropriate legal remedy for any violation of this chapter before any court or other adjudicative body of competent jurisdiction.

**Sec. 40-121. - Provisions and regulations of article exclusive.**

The provisions and regulations of this article are declared to be the exclusive provisions and regulations with regard to the matters stated herein pertaining to municipal solid waste and recyclables in the village, and any ordinance, regulation, or code provision of any other unit of local government, including those of the county, are declared to be of no force and effect in the village to the extent permitted by law.

**SECTION 3.** The Corporate Authorities of the Village hereby approve and adopt the "2021 Trash Route Schedule," attached hereto as Exhibit A and fully incorporated herein, as its collection district map pursuant to Section 40-52(b) of the Bradley Village Code, as set forth in this Ordinance. Said map shall be kept available for public inspection in the community development department of the village during normal business hours.

**SECTION 4.** In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

**SECTION 5.** All ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

**SECTION 6.** The Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

**SECTION 7.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 14<sup>th</sup> day of June, 2021.

**TRUSTEES:**

RYAN LEBRAN

BRIAN BILLINGSLEY

DARREN WESTPHAL

Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

BRIAN TIERI  
GRANT D. VANDENHOUT  
GENE JORDAN

Aye - <del>X</del>	Nay - ___	Absent - ___
Aye - <del>X</del>	Nay - ___	Absent - ___
Aye - <del>X</del>	Nay - ___	Absent - ___

**VILLAGE PRESIDENT:**

MICHAEL WATSON      Aye - \_\_\_      Nay - \_\_\_      Absent - \_\_\_

**TOTALS:**              Aye - 6      Nay - ~~0~~      Absent - ~~0~~

**ATTEST:**

  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

APPROVED this 14<sup>th</sup> day of June, 2021.

  
\_\_\_\_\_  
MICHAEL WATSON, VILLAGE PRESIDENT

**ATTEST:**

  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

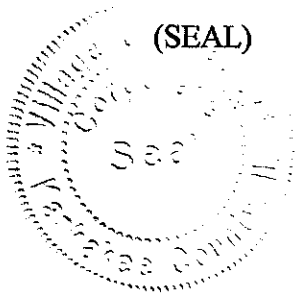
STATE OF ILLINOIS            )  
  )  
COUNTY OF KANKAKEE        )        §§

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 062HL, "AN ORDINANCE REPLACING CHAPTER 40 (SOLID WASTE) OF THE BRADLEY VILLAGE CODE," which was adopted by the Village Corporate Authorities at a meeting held on the 14<sup>th</sup> day of June, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 14<sup>th</sup> day of June, 2021.

*Julie Tambling*  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

(SEAL)



# **EXHIBIT A**



