

**THE VILLAGE OF FLANAGAN
LIVINGSTON COUNTY, ILLINOIS**

ORDINANCE NO. 2023-05

**REPEALING ORDINANCE 2017-01 AND ADOPTING ORDINANCE
2023-05 REGARDING PLACEMENT OF GARBAGE CANS AND
RECYCLING AT CURB FOR PICKUP**

**ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF FLANAGAN**

This 18 day of April, 2023

VILLAGE OF FLANAGAN, ILLINOIS

ORDINANCE NO. 2023- 05

ORDINANCE REGARDING PLACEMENT OF GARBAGE CANS AND RECYCLING AT CURB FOR PICKUP

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Flanagan, Livingston County, as follows:

Section A. Placement of Garbage and Recycling at Curb for Pickup.

1. All refuse, garbage, and waste from residences or properties eligible for municipal pickup within the Village shall be placed in cans or similar metal or plastic containers with lids securing the refuse, garbage, and waste within the can or similar container.
2. All garbage, waste, and recycling eligible for municipal pickup shall be placed near the street in front of the user's residence in such cans or containers no earlier than on the day before the scheduled pickup; the containers and any garbage, waste, or recycling not picked up shall be removed from the pickup area no later than 8:00 a.m. on the day following pickup. These cans or containers shall not be left on public sidewalks or in public streets, alleys, or rights-of-way at any time.
3. All refuse, garbage and waste shall be kept at all times other than when set out for pickup either in the building, secured from the outside and against the weather, or immediately adjacent to the residence with lids securing the contents of the cans or containers.
4. Violations of this section shall be subject to fines and penalties of no less than \$25 and no more than \$100 per violation, plus any court costs and attorney's fees incurred by the Village to enforce this Ordinance.
5. The owner or occupant of the residence within the Village is responsible for all violations of this Ordinance.
6. A violation shall be deemed to occur each day the owner or occupant allows such refuse, garbage, waste, cans, containers, or lids to remain on the property in public view.

Section B. Enforcement. A written notice of the violation shall be issued to the individual, person, or entity alleged to have violated any provision of the code of ordinances. The notice of violation shall contain the name and address of the violator; the code or ordinance provision violated; the date and total fines and penalties; any other relevant information; the name identification of the complainant; a specific due date. All fines and penalties shall be added to the utility statement issued under the address where the violation occurred.

Section C. Severability. If a court of competent jurisdiction finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this Ordinance and the application thereof to the greatest extent permitted by law.

Section D. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Flanagan prior to the effective date of this Ordinance.

Section E. Effectiveness. After its passage, this Ordinance shall be effective and commence 10 days after this Ordinance is printed in book or pamphlet form and published by the authority of the corporate authorities.

PRESENTED to the Board of Trustees of the Village of Flanagan, Livingston County, Illinois this 18 day of April, 2023.

PASSED by the Board of Trustees of the Village of Flanagan, Livingston County, Illinois, this 18 day of April, 2023.

SIGNED by the President of the Board of Trustees of the Village of Flanagan, Livingston County, Illinois, this 18 day of April, 2023.

AYES:

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NAYES:

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ABSENT:

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David Iverson
Village President
Village of Flanagan

ATTEST:



Abbi L. Tower Simpkins
Village Clerk
Village of Flanagan

IL (SEAL)