

ORDINANCE NO. BR 3-2-98

**ORDINANCE PROHIBITING THE BURNING, ACCUMULATION, AND STORAGE OF
GARBAGE, REFUSE AND RUBBISH**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
ORIENT, FRANKLIN COUNTY, ILLINOIS:

SECTION 1: DEFINITIONS

GARBAGE - putrescible animal and vegetable wastes resulting
from the handling, preparation, cooking and consumption of food.

REFUSE - all putrescible and nonputrescible solid wastes,
(except body wastes), including garbage, rubbish, ashes, street
cleanings, dead animals, abandoned automobiles, discarded household
appliances and solid market and industrial wastes.

RUBBISH - nonputrescible solid wastes (excluding ashes),
consisting of both combustible and non-combustible wastes such as paper,
cardboard, tin can, yard clippings wood, glass, bedding, crockery, and
similar materials.

SECTION 2: BURNING, ACCUMULATION, AND STORAGE

BURNING PROHIBITED - That from and after the date hereof no
person shall burn or incinerate any garbage, refuse or rubbish within the
city except as provided hereafter.

BURNING ALLOWED - The burning of landscape trimming, leaves and
limbs shall be allowed by the owner or resident of the premises on which
the same is generated.

ACCUMULATION AND STORAGE - That from and after the date hereof
no person shall place, leave, store or accumulate any garbage, refuse, or
rubbish within the city.

SECTION 3: NOTICE TO ABATE

The City shall serve notice, in writing, upon the owner, occupant,
agent or person in possession or control of any lot, building or premises

in or upon which any violation may be found, or who may be the owner or cause a violation hereof, requiring him to abate the same within three (3) days in such a manner as the City shall prescribe.

SECTION 4: FAILURE TO COMPLY WITH NOTICE

If the person notified to abate the acts prohibited herein shall neglect or refuse to comply with the requirements of such notice to abate such violation within the time specified, such person shall be guilty of a misdemeanor.

SECTION 5: PENALTY

Anyone who violates this ordinance shall be fined not less than \$100.00 or more than \$500.00.

SECTION 6: ABATEMENT

Upon the expiration of the time specified in the notice, the City shall abate the prohibited act. The expense of such abatement shall be collected from the person who may have created such act, in addition to any penalty or fine.

SECTION 7: LIEN.

Charges for abatement shall be a lien on the premises and shall include all expenses incurred and the attorney's services.

SECTION 8: FORECLOSURE OF LIEN:

Property subject to the lien shall be sold on nonpayment, and the proceeds of such sale be applied to pay the charges after deducting costs, as is the case in the foreclosure of statutory liens.

PASSED AND APPROVED this 2nd day of March, 1998.

Mary Allain
MAYOR

ATTESTED: Cheryl J. Lyles
City Clerk

PUBLISHED ON 3rd DAY OF March 1998.

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly elected, qualified and acting Clerk of the City of Orient, Franklin County, Illinois. I do further certify that the preceding ordinance was duly published by me on March 3rd, 1998 by posting in three (3) prominent places in the municipality's corporate limits: (1) Village Hall; (2) Post Office; and (3) American Legion Hall.

IN witness hereof, I hereunto affix my official signature and the seal of the City of Orient, this 2nd day of March, 1998.

(seal)

Cheryl J. Taylor
Clerk