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**THE VILLAGE OF BURNHAM  
COOK COUNTY, ILLINOIS**

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**ORDINANCE NO. 2016 - O - 003**

**AN ORDINANCE AMENDING DIVISION 2, COLLECTION BY VILLAGE OF  
ARTICLE II, COLLECTION AND DISPOSAL AND ARTICLE III, LANDSCAPE  
WASTE OF CHAPTER 78 SOLID WASTE OF THE CODE OF ORDINANCES,  
VILLAGE OF BURNHAM, ILLINOIS**

**WHEREAS**, the Village of Burnham, Cook County, Illinois has elected by referendum on March 11, 1980 to become a home rule unit, and accordingly, pursuant to the provisions of the *Constitution of the State of Illinois* of 1970, particularly Article VII Sec. 6 (a) thereof, the Village is a home rule unit; and

**WHEREAS**, pursuant to the powers of a home rule unit set forth in Article VII, Section 6(a) of the *Constitution of the State of Illinois* of 1970, the Village may exercise any power and perform any function pertaining to its government and affairs including, but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt; and

**WHEREAS**, the Corporate Authorities of the Village of Burnham have deemed it necessary, essential and in the best interests of the residents of the Village of Burnham that the Village contract with a private scavenger company to collect garbage, refuse, landscape waste and white goods from residential property in the Village; and

**WHEREAS**, the Corporate Authorities of the Village entered into a contract with Homewood Disposal Service, Inc. on January 14, 2014 for garbage refuse and yard waste collection and disposal for a five (5) year period; and

**WHEREAS**, the aforesaid contract provided for renewal for an additional five (5) years until January 30, 2024; and

**WHEREAS**, the Homewood Disposal Service, Inc. desires to renew said contract until January 30, 2024 and provide new ninety-five (95) gallon two-wheeled carts to each residential unit included in the Village Scavenger Contract dated January 14, 2014 at no additional cost to the Village as part of the contract renewal; and

**WHEREAS**, the Corporate Authorities of the Village of Burnham have deemed it necessary, essential and in the best interests of the residents of the Village of Burnham that the contract with Homewood Disposal Service, Inc. be amended and extended until January 30, 2024; and

**WHEREAS**, the Corporate Authorities of the Village of Burnham deem it advisable and in the best interest of the residents of the Village of Burnham to amend the fees and other requirements for the collection of garbage, refuse, landscape waste and white goods from residential property by the Village contracted private scavenger company for the term of the scavenger contract; and

**BE IT ORDAINED**, by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, by and through its home rule powers, as follows:

**Section 1.** **THAT**, the Corporate Authorities of the Village hereby find that all the recitals contained in the preambles of this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference as if they were set forth verbatim in this section; and

**Section 2.** **THAT**, DIVISION 2. COLLECTION BY VILLAGE OF ARTICLE II. COLLECTION AND DISPOSAL of Chapter 78 SOLID WASTE of the Code of Ordinances, Village of Burnham, Illinois is hereby amended to add additional language as follows:

**Sec. 78-63. FEES** – by adding additional language and fees as follows:

(A.) Regular fees. The fees for such collection by the private scavenger company shall be paid monthly in advance to the Village for payment to the private scavenger company and shall be as follows:

- (6) For the period commencing February 1, 2019 and ending on January 31, 2020:
- |       |                                |                    |
|-------|--------------------------------|--------------------|
| (i)   | Single-family residence:       | \$17.97 per month. |
| (ii)  | Two-family residence per unit: | \$17.97 per month. |
| (iii) | Duplex home per unit:          | \$17.97 per month. |
| (iv)  | Apartment per unit:            | \$17.97 per month. |

(7) For the period commencing February 1, 2020 and ending on January 31, 2021:

- (i) Single-family residence: \$18.51 per month.
- (ii) Two-family residence per unit: \$18.51 per month.
- (iii) Duplex home per unit: \$18.51 per month.
- (iv) Apartment per unit: \$18.51 per month.

(8) For the period commencing February 1, 2021 and ending on January 31, 2022:

- (i) Single-family residence: \$19.07 per month.
- (ii) Two-family residence per unit: \$19.07 per month.
- (iii) Duplex home per unit: \$19.07 per month.
- (iv) Apartment per unit: \$19.07 per month.

(9) For the period commencing February 1, 2022 and ending on January 31, 2023:

- (i) Single-family residence: \$19.64 per month.
- (ii) Two-family residence per unit: \$19.64 per month.
- (iii) Duplex home per unit: \$19.64 per month.
- (iv) Apartment per unit: \$19.64 per month.

(10) For the period commencing February 1, 2023 and ending on January 31, 2024:

- (i) Single-family residence: \$20.23 per month.
- (ii) Two-family residence per unit: \$20.23 per month.
- (iii) Duplex home per unit: \$20.23 per month.
- (iv) Apartment per unit: \$20.23 per month.

(B.) Senior Citizen Fees – By adding additional language and fees as follows:

- (6) \$14.50 per month for the period commencing February 1, 2019 and ending January 31, 2020.
- (7) \$14.94 per month for the period commencing February 1, 2020 and ending January 31, 2021.
- (8) \$15.39 per month for the period commencing February 1, 2021 and ending January 31, 2022.
- (9) \$15.85 per month for the period commencing February 1, 2022 and ending January 31, 2023.
- (10) \$16.33 per month for the period commencing February 1, 2023 and ending January 31, 2024.

**Section 3.** THAT, **Sec. 78-65. CONTAINERS** shall be amended to read as follows:

(A.) Required. That every residential unit shall be furnished one (1) ninety-five (95) gallon blue cart by the Homewood Disposal Service, Inc. The aforesaid carts will be owned, maintained and replaced when necessary (other than from abuse) by Homewood Disposal Services, Inc.

**Section 4.** THAT, Sec. 78-65. CONTAINERS shall be amended to read as follows:

(B.) Size.

(1.) DELETED

(2.) BULKY REFUSE

Bulky refuse such as tree cuttings, tree branches and large cardboard boxes; provided, however, that newspapers and magazines, if not stored in such container, shall be bundled or tied securely. Tree cuttings and branches shall be bundled securely in lengths not to exceed four (4) feet, no more than four (4) inches in diameter and heights not to exceed two (2) feet. The weight of any bundled refuse shall not exceed forty-five (45) pounds.

**Section 5.** THAT, this Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or, (b) legislate in a manner or regarding a manner not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the Village of Burnham, Cook County, Illinois that to the extent that the terms of this Ordinance should be inconsistent with any no-preemptive state law, that this Ordinance should supersede state law in that regard within its jurisdiction.

**Section 6.** THAT, if any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**Section 7.** THAT, all Ordinances, Resolutions, Motions or Orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

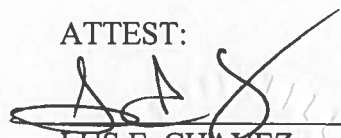
**Section 8.** THAT, this Ordinance shall be in full force and effect after its passage, approval and publication according to law.

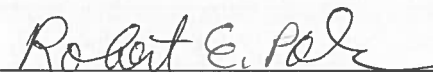
**Section 9.** THAT, this Ordinance shall be published in pamphlet form by the authority of the Village President (Mayor) and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

**PASSED** by the Village President (Mayor) and Board of Trustees of the Village of Burnham,  
Cook County, Illinois, this 27th day of September, 2016.

**PRESIDENT AND VILLAGE BOARD MEMBERS**

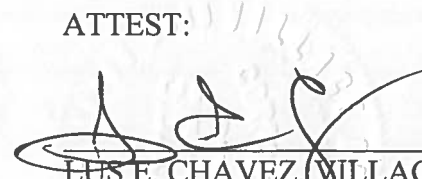
|                            | AYES:             | NAYS:             | ABSENT:           | ABSTAIN:          |
|----------------------------|-------------------|-------------------|-------------------|-------------------|
| Trustee John Cap Jr.       | <u>  X  </u>      | <u>          </u> | <u>          </u> | <u>          </u> |
| Trustee Paris Ellison      | <u>  X  </u>      | <u>          </u> | <u>          </u> | <u>          </u> |
| Trustee Graciela Garcia    | <u>  X  </u>      | <u>          </u> | <u>          </u> | <u>          </u> |
| Trustee Brenda Greer       | <u>  X  </u>      | <u>          </u> | <u>          </u> | <u>          </u> |
| Trustee Carmela Richardson | <u>  X  </u>      | <u>          </u> | <u>          </u> | <u>          </u> |
| Trustee Travis Claybrooks  | <u>          </u> | <u>          </u> | <u>  X  </u>      | <u>          </u> |

ATTEST:  
  
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LUS E. CHAVEZ  
Village Clerk (SEAL)

  
ROBERT E. POLK  
Village President (Mayor)

Recorded in Village Records:

Published in pamphlet form by authority of the Village President (Mayor) and Board of Trustees of  
the Village of Burnham, Cook County, Illinois on 27th day of September, 2016.

ATTEST:  
  
\_\_\_\_\_  
LUS E. CHAVEZ, VILLAGE CLERK  
(SEAL)