

ORDINANCE NUMBER 19 - 12

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS AMENDING ORDINANCE 17-40
(Garbage and Refuse Sunset Date Extension and Rates)**

WHEREAS, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, on August 7, 2017, the President and Board of Trustees of the Village adopted Ordinance 17-40, entitled "Ordinance of the Village of East Dundee, Kane and Cook Counties, Illinois Amending Chapter 50 of the Code of Ordinances (Garbage and Refuse);" and

WHEREAS, Section 5 of Ordinance 17-40 provides that Ordinance 17-40 "shall automatically sunset on April 30, 2018, unless otherwise extended by the Board of Trustees;" and

WHEREAS, on April 16, 2018, the Village President and Board of Trustee of the Village adopted Ordinance 18-06 extending the date that Ordinance 17-40 shall automatically sunset to April 30, 2019; and

WHEREAS, the President and Board of Trustees of the Village have deemed it to be in the best interest of the Village that Ordinance 17-40 should not sunset on April 30, 2019, and that the automatic sunset date for Ordinance 17-40 should be extended to April 30, 2020; and

WHEREAS, the President and Board of Trustees of the Village have deemed it in the best interest of the Village to amend the refuse rates contained within Chapter 37 of the Village Code upon the approval of Resolution 08-19, entitled "A Resolution of the Village of East Dundee, Kane and Cook Counties, Illinois Approving a Second Amendment to the Contract for Unlimited Residential Refuse, Recycling and Yard Waste Collection Services with Flood Brothers and the Village of East Dundee";

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Ordinance Amendment. Section 5 of Ordinance 17-40 is hereby amended to read in its entirety as follows:

This Ordinance shall automatically sunset, and be null and void, on April 30, 2020, unless otherwise extended by the President and Board of Trustees.

SECTION 3: Village Code Amendment. That Section 37.01(D)(3) of the Village Code is hereby deleted in its entirety and replaced as follows:

- (3) Each dwelling unit to which the village garbage collector provides waste material collection shall be billed bi-monthly at the monthly rate set forth below:
 - (a) June 1, 2019 through September 30, 2021
 1. 95 Gallon Trash Cart: \$19.75
 2. 65 Gallon Trash Cart: \$18.75
 3. 35 Gallon Trash Cart: \$16.75
 4. 35 Gallon Trash Cart – Senior: \$13.75
 - (b) October 1, 2021 through September 30, 2022: rates set forth in 31.01(D)(3)(a) + CPI
 - (c) October 1, 2022 through September 30, 2023: rates set forth in 31.01(D)(3)(b) + CPI
 - (d) October 1, 2023 through September 30, 2024: rates set forth in 31.01(D)(3)(c) + CPI
 - (e) October 1, 2024 through September 30, 2025: rates set forth in 31.01(D)(3)(d) + CPI
- (4) Additional cart rental: \$2.00
- (5) Food Compost (April – November only): \$4.00
- (6) Cart swap out fee applicable December 31, 2019 through September 30, 2025: \$10.00

SECTION 4: Continuation. All provisions of Ordinance 17-40 not amended herein shall remain in full force and effect.

SECTION 5: Severability. If any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 6: Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

SECTION 7: Effect. This Ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

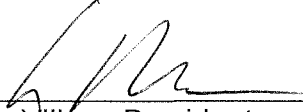
PASSED this 8th day of April, 2019 pursuant to a roll call vote as follows:

AYES: Trustees Selep, Wood, Hall, Mahony and Andresen

NAYES: Ø

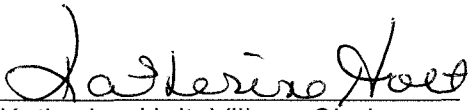
ABSENT: Trustee Lynam

APPROVED by me this 8th day of April, 2019.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 9th day of April, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on April 9, 2019.