

ORDINANCE NO. 2015-14

**AN ORDINANCE AMENDING CERTAIN PROVISIONS
OF TITLE 4 OF THE VILLAGE OF LAKE BLUFF MUNICIPAL CODE
CONCERNING A COMMERCIAL SOLID WASTE HAULING AND RECYCLING PROGRAM**

WHEREAS, Public Act 98-1079 became effective on August 26, 2014 and created the Solid Waste Hauling and Recycling Program Act, and amended the Illinois Municipal Code and the Illinois Solid Waste Planning and Recycling Act; and,

WHEREAS, Public Act 98-1079 requires each hauler operating in a county or municipality to offer collection services for recyclable materials to their non-residential business customers, and to provide a written offer to provide recycling services, at least once every 2 years, to their non-residential business customers that are not recycling; and,

WHEREAS, Public Act 98-1079 prohibits a municipality with a population of less than 1,000,000 from awarding a commercial franchise unless it: (1) provides written notice to all haulers licensed by the municipality of its intent to issue a request for proposal for a commercial franchise; (2) adopts an ordinance requiring a 36 month reporting program to determine the percentage of non-residential businesses in the municipality contracting for the collection of recyclable materials, and (3) demonstrates either (i) that the recycling participation for the final six months of the 36 month long reporting period is less than 50% of the total number of businesses served in the municipality or (ii) that during 2 consecutive 6 month reporting periods after the 36 month reporting period less than 50% of businesses are under contract for the collection of recyclable materials; and,

WHEREAS, Public Act 98-1079 permits a municipality that has issued a written notice and conducted the 36 month long reporting program to, upon written request to the haulers, continue to require the haulers to report data on the recycling participation rate every 6 months and to also require the haulers to report on the quantity, in tons of recyclable materials and municipal waste, collected by the hauler in the municipality; and,

WHEREAS, the 2014 Lake County Solid Waste Management Plan Update encourages units of local government in Lake County to evaluate commercial franchising as a method to control costs, increase recycling, and reduce greenhouse gases associated with collection from non-residential locations; and,

WHEREAS, the Village is a member of the Solid Waste Agency of Lake County and voted to either accept or approve the 60% Recycling Task Force Report finalized in 2011 and since incorporated into the 2014 Lake County Solid Waste Management Plan Update, and the Village has committed to working on programs that will increase recycling at non-residential business locations, including the evaluation of commercial franchising to increase recycling; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village to amend the Municipal Code to incorporate the provisions of Public Act 98-1079 as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Recitals.

The above recitals are incorporated into this Ordinance as the findings of the President and the Board of Trustees of the Village of Lake Bluff.

Section 2. Amendments to Title 4 of the Municipal Code.

Section 4-2-8, entitled "Recycling Program", of Title 4, entitled "Health, Sanitation, and Environment", of the Lake Bluff Municipal Code, shall be, and it is hereby, amended to add a new subsection E, entitled "Commercial Solid Waste Hauling and Recycling Program", which shall hereafter be and read as provided in Exhibit A to this Ordinance.

Section 3. Effective Date.

This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

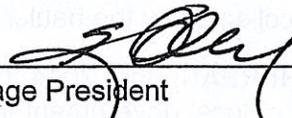
PASSED this 14th day of September, 2015, by vote of the Board of Trustees of the Village of Lake Bluff, as follows:

AYES: (6) Ankenman, Christensen, Dewart, Grenier, Josephitis and Meyer

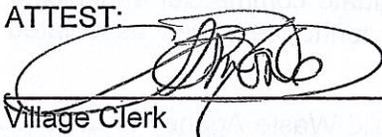
NAYS: (0)

ABSENT: (0)

APPROVED this 14th day of September, 2015.



Village President

ATTEST:


Village Clerk

FIRST READING: August 24, 2015

SECOND READING: September 14, 2015

PASSED: September 14, 2015

APPROVED: September 14, 2015

PUBLISHED IN PAMPHLET FORM: September 15, 2015