

Resolution 25-40

**A RESOLUTION APPROVING THE LICENSED GARBAGE HAULER ORDINANCE
IN FORD COUNTY, ILLINOIS**

WHEREAS, the Ford County Board recognizes the need to maintain a clean and sanitary environment for all residents and businesses within the County; and

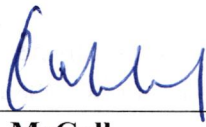
WHEREAS, the Ford County Board seeks to regulate and ensure that garbage and waste collection within the County is handled efficiently and in a manner that promotes public health, safety, and environmental protection; and

WHEREAS, the Ford County Board desires to implement regulations regarding the licensing of garbage haulers operating within the jurisdiction of Ford County to ensure compliance with health and safety standards, and to safeguard the interests of the community by providing accountability and oversight of waste management services; and

WHEREAS, the County Board has reviewed the proposed Licensed Haulers Ordinance, and believes it is in the best interest of the County and its residents to adopt said ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Ford County Board that the Licensed Haulers Ordinance be approved and adopted, effective immediately.

PASSED AND ADOPTED by the Ford County Board this 14th day of April, 2025.



Chase McCall
Chairman of the Ford County Board



Attest: **Amy Frederick**
Ford County Clerk & Recorder

FORD COUNTY, ILLINOIS CODE OF ORDINANCES

PUBLIC WORKS/SOLID WASTE/LICENSED HAULERS

LICENSED HAULERS

LICENSE REQUIRED

No person, firm or corporation shall engage in the business of collecting and/or hauling garbage or industrial refuse or refuse or undesirable refuse over and upon the roads, highways, and streets of Ford County (hereinafter County) unless the person, firm, or corporation shall be licensed by the County. No license shall be required to collect and/or haul yard waste.

LICENSE

No applicant shall be granted a license unless they have the proper and necessary machinery and other appliances for properly taking care of and disposing of the garbage or refuse in conformity with this ordinance as well as the health regulations of the state and the municipalities within the County. No license shall be granted to any applicant who has been guilty of any willful violation of any health or sanitary provision of the County, the State of Illinois, any municipality within the County, or is in default on any contract with the County, the State of Illinois, or the United States Government.

APPLICATION

(A) All applications for license shall be made to the Ford County Clerk on forms provided by the County.

(B) The application shall include:

- a. The name and address of the applicant;
- b. The trade or business name under which the applicant proposes to do business;
- c. The address or location from which the applicant will conduct his or her business and store his or her equipment;
- d. The location at which the licensee will dispose of all garbage and refuse collected;
- e. A certificate by the applicant that they will comply with the laws, ordinances and orders of all governmental bodies in the operation of their business, and that the applicant will not drop or store any garbage or refuse in any place which would be in violation of any zoning ordinance, law, code or other ordinances of any governmental body;
- f. Provide a bond in the amount of \$5,000 with surety to be approved by the Ford County Board guaranteeing that the licensee will comply with all of the terms and conditions of this chapter and all other county ordinances or resolutions. The bond shall not be cancelable without 30 days prior written notice to the County;
- g. A certification of insurance from an insurance company license to do business in the State of Illinois certifying that the licensee has the following coverage:

Comprehensive General Liability

Combined single limit for bodily injury and property damage:
\$1,000,000 per occurrence;
\$2,000,000 general aggregate;
\$2,000,000 products/completed operation aggregate.

Vehicle Liability

Comprehensive form - owned, hired, non-owned:
Bodily injury: \$500,000 each person. \$500,000 each accident;
Property damage: \$100,000;

Excess/Umbrella Liability

Each occurrence: \$2,000,000;
Aggregate: \$2,000,000.

Worker's Compensation

Coverage A: Statutory.
Coverage B: \$100,000 each accident; \$100,000 disease – each employee; \$500,000 disease – policy limit.

The certificate of insurance shall be submitted to the County Clerk for approval prior to the issuance of each garbage hauler's license. The licensee shall provide satisfactory evidence to the Clerk that such insurance is in force and effect.

The insurance company shall be obliged to give not less than ten days written notice to the County Clerk and to the insured before there is any cancellation or termination of the policy prior to its expiration date. The cancellation, nonrenewal or other termination of the licensee's policy shall automatically revoke the licenses issued for the garbage hauling business covered, unless other insurance complies with the provisions of this subchapter which will go into effect at the date of such cancellation or termination.

The comprehensive general liability policy shall name as an additional insured the County, its elected officials, officers and employees.

FEE & EXPIRATION

The license fee shall be \$200 per year for each licensee. All licensees shall expire on December 31 of each year regardless of when issued and there shall be no proration of the license fee. The fee shall not be refundable under any circumstances.

CONSTRUCTION OF VEHICLES

The beds of all vehicles used in the collection of all garbage or refuse or yard waste shall conform to the following requirements:

- (A) They shall at all times be kept in a neat, clean and sanitary condition;
- (B) They shall be kept thoroughly cleaned so that when empty they will give off no offensive or obnoxious odors;
- (C) They shall not be overloaded;
- (D) They shall not be parked on the roads of the county in any one place for a period longer than is necessary to load the garbage, refuse or yard waste of the customer being immediately served;
- (E) The vehicle hauling garbage, refuse or yard waste shall at all times be kept neatly painted;
- (F) The driver of any such vehicle must have a valid driver's license required for the class of vehicle operated issued by the State of Illinois and be at least 18 years of age;
- (G) Vehicles shall be equipped with a watertight bed and tightly fitted with covers and be so constructed that no garbage, refuse, industrial refuse, undesirable refuse, hazardous waste or special waste conveyed therein shall be scattered or left in or upon any road, highway, street, alley or sidewalk in the County.

REVOCATION

During the period covered by the license granted, if the licensee permits their equipment to fall into disrepair, fail to keep the same in a sanitary condition when not in use, fail to keep the same standards required by this chapter, fail to obey any of the provisions of this chapter, or to give non-adequate service, the license may be revoked after hearing by the County Board.

ADDITIONAL SERVICES

Nothing contained in this chapter is intended to restrict customers and licensed haulers from increasing the level of services provided by the hauler, including, but not limited to, more frequent collections, back door collections, special collections of bulky items and the like.

HAZARDOUS WASTE

No hazardous waste shall be collected within the County without the hauler thereof being licensed to perform such hauling by the Illinois Environmental Protection Agency.

REMOVAL OF ITEMS FROM RESIDENTIAL CUSTOMERS

Every licensee serving residential customers within the County shall, at the request of the customer for haulers that offer, remove from the customer's premises any metal or plastics drums, scrap metal, wire, household appliances such as refrigerators, ranges, washer and dryers and household furniture and furnishings. The fee to be charged for this service shall be as negotiated between the licensee and the and the customer.

LICENSE RENEWALS

All garbage haulers licenses shall be renewed by January 1 of each year and shall be valid for a period of one calendar year and shall expire on December 31 of each year. Licenses and the license fee are not pro-ratable. Any person holding a valid garbage haulers license shall be

entitled to a renewal thereof upon the payment of the annual license fee, the posting of a valid bond and surety and the filing of the insurance certificate.

ACCUMULATION ILLEGAL

Garbage, refuse, industrial refuse, undesirable refuse, hazardous waste and special waste shall not be allowed to accumulate for more than seven days on any premises or in any waste material receptacles in the County.

ALLOWABLE STORAGE

It shall be unlawful to accumulate and store garbage, refuse, industrial refuse, undesirable refuse, hazardous waste or special waste collected from any place other than the premises where the material was generated or originated, except that a truck used by a commercial hauler may accumulate and store the material collected.

DEPOSITS ON STREETS, ROADS AND HIGHWAYS

It shall be unlawful to deposit or permit to fall from any vehicle any herbage, refuse, industrial refuse, undesirable refuse, hazardous waste, special waste or yard waste on any public road, highway, street or alley in the County; provided, that this section shall not be construed to prohibit placing garbage, refuse, industrial waste, undesirable refuse, hazardous waste, special waste or yard waste in a container complying with the provisions of this chapter preparatory to having such material collected and disposed of in the manner provided herein or disposed of in a manner provided by State of Illinois or federal laws and regulations.

OVERSIGHT & PENALTY

In conjunction with the Ford County Health Department and Ford County Sheriff's Office, the County Board shall be responsible for oversight and maintenance of this ordinance in order to uphold the guidelines established herein. If a violation is found with either a licensed or unlicensed hauler, the County Board shall notify the Ford County State's Attorney to pursue appropriate mitigation and/or legal action.

Prior to the filing in any court of competent jurisdiction of a complaint for the alleged violations herein, the County must give written notice of the alleged violation, by United States certified mail, to the person and or entity allegedly violating the section advising of the alleged violation and granting a period of seven days within which to abate the alleged violation. In the event the alleged violation is not abated within the proscribed seven-day period, the County may proceed to file a complaint for a violation of this chapter in any court of competent jurisdiction. The notice shall be deemed to be given when deposited in the United States mail at the United States post office in Paxton, Illinois.

Any person, firm or corporation violating the provisions herein, in addition to the sanctions provided in each section, may be fined not less than \$100 nor more than \$1,000 for each offense per day of each occurrence, which shall be deemed a petty offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.