

**ORDINANCE NO. F-0766**

**AN ORDINANCE AMENDING THE WHEATON SOLID WASTE  
ORDINANCE, CHAPTER 54 – SOLID WASTE**

WHEREAS, The City of Wheaton, Illinois (“City”) is an Illinois home rule municipality pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution, 1970, and as such the City may exercise any power or perform any function pertaining to its government and affairs; and

WHEREAS, the City desires effective and economical refuse, yard waste and recycling collection; and

WHEREAS, the City has entered into an agreement with a residential waste hauler to provide refuse, yard waste and recycling collection to residents; and

WHEREAS, in exchange for collection of refuse and yard waste, the waste hauler requires residents to place a collection sticker on each container placed at the curb for collection; and

WHEREAS, the waste hauler must secure a minimum of six locations within the City to sell refuse and yard waste collection stickers; and

WHEREAS, the City shall require each sticker selling location to sell the collection stickers for the price specified in the waste haulers contract with the City and not force residents to purchase sticker in multiple allotments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

**Section 1:** The Wheaton City Code is hereby amended by adding a section to be numbered 54-11, which said section reads as follows:

**Sec. 54-11. Sale of Solid Waste Stickers, Requirements.**

- (1) No individual or business shall purchase refuse, yard waste or leaf stickers for resale from other than the City’s contractual waste hauler. Furthermore, it shall be unlawful for a business to sell refuse, yard waste or leaf stickers to another business for resale.
- (2) An individual or businesses is prohibited from selling refuse, yard waste or leaf stickers for an amount greater than specified in the most recent waste collection and disposal agreement between the City and waste hauler.
- (3) It shall be unlawful for businesses to require individuals to purchase stickers in multiple allotments.

(4) Any person, corporation, partnership or other legal entity whose employee violates subsections 1, 2 or 3 of Sec 54-11 shall pay a fine in accordance with Section 1-8: and forfeit the right to resell refuse, yard waste and leaf stickers for a period of time specified by the City Manager.

**Section 2:** All ordinances, or parts of ordinances, in conflict with these provisions are hereby repealed.

**Section 3:** This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

\_\_\_\_\_  
Mayor 

Attest:

\_\_\_\_\_  
Evelyn M. Conzelmann  
City Clerk

Roll Call Vote:

Ayes: Councilman Mork  
Councilman Mouhelis  
Councilman Eckhoff  
Councilman Gresk  
Councilman Johnson  
Mayor Carr

Nays: None

Absent: Councilwoman Johnson

Motion Carried Unanimously

Passed: October 21, 2002  
Published: October 22, 2002