

ORDINANCE NO. 723

AN ORDINANCE AMENDING THE REGULATION OF OPEN BURNING & DISPOSAL OF  
BRUSH IN THE VILLAGE OF GREENUP, ILLINOIS

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GREENUP, IL  
THIS 1<sup>st</sup> DAY OF APRIL 2024

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY  
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF GREENUP,  
CUMBERLAND COUNTY, ILLINOIS  
THIS 2<sup>nd</sup> DAY OF April, 2024

ORDINANCE NO. 723

AN ORDINANCE AMENDING THE REGULATION OF OPEN BURNING & DISPOSAL OF BRUSH IN THE VILLAGE OF GREENUP, ILLINOIS

**WHEREAS**, the Village of Greenup, Illinois is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois; and

**WHEREAS**, the Village of Greenup is authorized to enact such rules and regulations for the regulating of open burning and disposal of brush, refuse, garbage and ashes as may be necessary to protect the public health and safety (65 ILCS/5/11-19-1); and

**WHEREAS**, the Corporate Authorities of the Village of Greenup have determined that it is necessary to amend its existing ordinance regulating open burning within the corporate boundaries for the purpose of protecting the health, safety, and welfare of residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Village of Greenup, Illinois, as follows.

**Section 1: INCORPORATION OF RECITALS** – The recitals contained in the preamble of this Ordinance are incorporated in this Ordinance as if set out fully herein.

**Section 2: AMENDMENT** - Section 8.10 (Open Burning) is hereby amended by adding the bold, underlined language and deleting the stricken language to read as follows:

DEFINITIONS

**Biodegradable Bags** – Bags that are capable of being decomposed by bacteria or other living organisms.

**Brush** – Landscape Waste and Yard waste – i.e. grass, grass clippings, shrubbery, plant pruning's, leaves, tree branches, tree trimmings, ~~tree stumps~~, and fruit and vegetable garden refuse.

**Burn Barrell** – A solid metal container with a minimum height of three (3) feet and a holding capacity of fifty (50) gallon.

**Combustible Refuse** – Paper, cardboard, newspapers, paper containers, or other paper or wooden packaging.

**Garbage** – Waste material resulting from the accumulation of animal, fruit, or vegetable matter incidental to the preparation of, use, cooking, dealing in, or storage of meat, fowl, fish, fruits or vegetable for food stuff, offal, hair, feathers, bones, manure, and any other kind of animal waste.

Non-Combustible Refuse – Metals, tin cans, metal furniture, dirt/soil, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste, concrete, bricks, and plaster.

Noxious Materials – Oil, rubber, plastic, demolition/construction materials, **construction lumber, tree stumps and rootballs, railroad ties and landscape timber.** petroleum byproducts, chemicals, and any synthetic materials or other products containing chlorofluorocarbons, and any other combustible materials.

Open Burning – The burning or kindling of any materials whereby the products of combustion is emitted directly into the air, without passing through a stack or chimney.

Recreational Fires – A campfire, small outdoor fire, or the fire of an outdoor grill, barbecue, or other cooking utensil using charcoal, wood, propane, or natural gas, intended for recreation, cooking, or ceremonial purposes.

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DISPOSAL OF BRUSH – Brush pick up will be done once a week by the village utility department. Brush from storm damage will be removed as time permits, and weather permitting conditions of dump site.

- A. Biodegradable Bags will be available for a fee to be determined by market price at the Village Hall for leaves, grass, sticks, gumballs etc... Paper grocery bags that are biodegradable will be permitted. Filled bags are to weigh no more than fifty (50) pounds.
- B. No non-biodegradable bags will be allowed. Baskets and trash cans will not be allowed to contain brush for pick up.
- C. Contain brush to one (1) pile. Brush piles are to be placed inside the curb, not in the street, gutter, or ditch.
- D. It is the responsibility of the owner/resident or contractor to haul away logs, trees, limbs from trees more than five (5) feet long and large amounts of brush.
- E. ~~Residents and Contractors may drop off brush at burn pole located behind Sewer Plant (700 W. Cumberland St.) Monday through Friday 7:00 a.m. to 4:00 p.m. and on Saturdays 8:00 a.m. to 12:00 p.m.~~ **Dumping of concrete is NOT allowed at the Village of Greenup dumpsite.**
- F. Piles are to be no more than six (6) feet long, four (4) feet wide, four (4) feet deep with limbs cuts no longer than five (5) feet.

1. Arrangements may be made with the Village concerning removal of large piles.

G. Large piles requiring extra equipment will be accessed and owner/resident will be invoiced by the village for equipment use cost with a minimum fee of Twenty dollars (\$20.00) and a maximum fee of Seventy-five dollars (\$75.00) per hour.

H. Brush will be picked-up once per scheduled day. All brush must be out by 7:00 a.m. on Monday morning, unless that Monday falls upon a holiday, in which brush pick up will be the next workday.

I. No garbage, combustible refuse, non-combustible refuse, or noxious materials as defined in Section 2, will be permitted. Violators will be subject to penalties as defined in Section 10. Strictly enforced.

Village Utility Superintendent will ascertain compliance with brush pick up policies and inform the Chief of Police of any non-compliance issues.

**Section 3: SEVERABILITY** – In the event that any section, clause, provision or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all parts that are severable shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

**Section 4: CONFLICTING ORDINANCES** – All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed; provided however that nothing herein contained shall affect any rights, actions, or causes of actions which shall have accrued to the village prior to the effective date of this ordinance.

**Section 5: EFFECTIVE DATE** – This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Present and passed this 1<sup>st</sup> day of April 2024.

Alene Blade	<u>X</u>
April Harris	<u>X</u>
Josh Kingery	<u>X</u>
Max McCullough	<u>X</u>
Sherry Parker	<u>X</u>
Tony Wright	<u>X</u>

AYES            6  
NAYS            0  
ABSENT        0  
ABSTAIN       0

Approved this 1<sup>st</sup> day of April, 2024.

Thomas Bauguss

Thomas A. Bauguss  
President of the Village Board

ATTEST:

Jill Kimble

Jill Kimble, Village Clerk

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF CUMBERLAND)

CERTIFICATE

I, Jill Kimble, certify that I am the duly elected and acting Municipal Clerk of the Village of Greenup, Cumberland County, Illinois.

I further certify that on April 1<sup>st</sup>, 2024, the Corporate Authorities of such municipality passed and approved Ordinance No. 723 entitled "AN ORDINANCE AMENDING THE REGULATION OF OPEN BURNING & DISPOSAL OF BRUSH IN THE VILLAGE OF GREENUP, ILLINOIS", which provided by its terms that it should be published in pamphlet form.

The pamphlet form or Ordinance No. 723, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Municipal Building, commencing on April 2<sup>nd</sup>, 2024 and continuing for at least ten days thereafter.

Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Greenup, Illinois this 2<sup>nd</sup> day of April, 2024.

(SEAL)



  
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Jill Kimble, Village Clerk