

TITLE 8

HEALTH AND SAFETY

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- 8.08 Inoperable and Abandoned Vehicles
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Chapter 8.04

Health Regulations Generally

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8.04.010	Sanitary Regulations
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8.04.030	Stagnant Pools
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§8.04.010 Sanitary Regulations. All premises used in the sale or storage of food or drink intended for human consumption shall be kept in a clean and sanitary condition. It is unlawful to permit any person who is afflicted with a contagious disease to handle any food or drink intended for human sale. Premises shall be kept free from flies and vermin of all kinds.

§8.04.020 Watercourse Obstruction or Pollution. It is unlawful and a nuisance for any person, firm or corporation to obstruct or pollute any watercourse or drain or source of water supply in the Village.

§8.04.030 Stagnant Pools. Any stagnant pool water in the Village is declared to be a nuisance. It is unlawful for any person, firm or corporation to permit any such nuisance to remain or exist on any property under his/her or its control.

§8.04.040 Refuse Deposit and Burial. It is unlawful for any person, firm or corporation to deposit anywhere in the Village any uncovered piles of refuse, garbage, offal or carcasses of dead animals. Such refuse must be buried at least two (2) feet below the surface of the ground or burned in properly constructed incinerators or otherwise properly disposed of. Any uncovered pile of refuse is declared to be a nuisance.

§8.04.050 Dangerous Premises. It is unlawful to permit any structure, building or place to remain in such condition as to be dangerous to the public health in any way. Any such structure, building or place, is declared to be a nuisance.

§8.04.060 Drinking Cups. It is unlawful to maintain any common drinking cup, or cups, dipper or other similar utensil, for the use of more than one (1) person in any public hall, theater, store or other public place frequented by the public.

§8.04.070 Utensils for Serving Food. Utensils for personal use in all places serving food or drink to the public shall be thoroughly cleaned and sterilized after each usage.

§8.04.080 Spitting. It is unlawful to spit or expectorate on any public sidewalk or other public place, or on the floor or walls of any store, theater, hall, public vehicle or other place frequented by the public or to which the public is invited.

§8.04.090 Dense Smoke.

- A. It is unlawful to cause or permit the emission of dense smoke from any fire, chimney, engine, oil burner or any other agency in the Village so as to cause annoyance or discomfort to the residents thereof.
- B. For the purpose of testing and grading the density of smoke, the Ringelmann Smoke Chart as published and used by the United States Geological Survey, shall be, and is adopted, as a standard for such grading, and smoke shall be, and is defined as and declared to be “dense” when it is of a degree of density of number three (3) of said chart, or greater, for more than six (6) minutes in any one (1) hour, whether such period of time is consecutive or not.

Chapter 8.08

Inoperable and Abandoned Vehicles

Sections:

8.08.010	Definitions
8.08.020	Inoperable and Abandoned Vehicles a Nuisance
8.08.030	Violation
8.08.040	Removal of Inoperable and Abandoned Vehicles
8.08.050	Civil Fines
8.08.060	Criminal Penalties

§8.08.010 Definitions.

- A. “Inoperable motor vehicle” means any motor vehicle from which, for a period of at least seven (7) days, the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power, or on which there are no license plates or for which the license plates or vehicle registration has expired. The term “inoperable motor vehicle” does not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.
- B. “Abandoned vehicle” means any motor or other vehicle which is left on property for such time and under such circumstances as to cause the vehicle to reasonably appear to be unused for transportation or abandoned. The term “abandoned vehicle” shall include but not be limited to vehicles left or stored on property for thirty (30) days or more without being significantly used for transportation or moved for any purpose other than to avoid the appearance of abandonment under this Chapter.

§8.08.020 Inoperable and Abandoned Vehicles a Nuisance. The Village finds that abandoned, unused, dilapidated, inoperable, derelict, and disabled motor vehicles constitute a safety hazard and a public nuisance; are detrimental to the health, safety, and welfare of the general public by harboring disease, providing breeding places for vermin, inviting plundering, creating fire hazards, and presenting physical dangers to children and others; produce scenic blights which degrade the environment; and adversely affect land values and the proper maintenance and continuing development of the Village of Princeville.

§8.08.030 Violation. No person shall allow or cause an inoperable motor vehicle or abandoned vehicle to be parked, stored, or left on public or private property so that the inoperable vehicle is in view of the general public. "General public" shall include but not be limited to owners and occupants of property adjacent to that on which the vehicle in question is parked, stored, or left.

The prohibition stated above in this Section 8.08.030 does not apply to any motor vehicle that is kept within a building when not in use, to operable historic vehicles over twenty-five (25) years or age, or to motor vehicles on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

§8.08.040 Removal of Inoperable and Abandoned Vehicles. The Village President, or his designee, Village Clerk, Village Code Enforcement Officer, or law enforcement officer shall first serve a written notice upon the owner, person in possession or person in control of any property upon which any inoperable motor vehicle or abandoned vehicle is parked, left, or stored, advising such person of the violation and requesting that the inoperable motor vehicle or abandoned vehicle be removed or relocated to an enclosure so that it is not in view of the general public, within five (5) days of receipt of the notice. The written notice shall be delivered by personal service or by certified mail and delivered to the last known address of the person, firm, corporation, or entity who owns or is in possession of such vehicle or of the property on which the vehicle is located.

§8.08.050 Civil Fines. Any person who fails to obey a written notice within the time prescribed by the notice may be fined up to Seven Hundred Fifty Dollars (\$750.00) by any court having jurisdiction.

§8.08.060 Criminal Penalties. Any person violating Section 8.08.030 shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in an amount not exceeding Seven Hundred Fifty Dollars (\$750.00).

Chapter 8.12

Fireworks and Explosives

Sections:

- 8.12.010 Fireworks
- 8.12.020 Nitroglycerine – T.N.T.
- 8.12.030 Rules of State Fire Marshal

§8.12.010 Fireworks.

- A. It is unlawful to discharge or set off any fireworks or give any pyrotechnics displays in the Village, except public exhibitions, as provided in this Chapter.
- B. No public exhibition of fireworks or pyrotechnics shall be given unless a permit therefor is first secured from the Village President. All such public displays shall be under the supervision of a competent person, and shall be superintended by a law enforcement officer or the Fire Chief, or his designee, from the local Fire Protection District.
- C. It is unlawful for any person, firm or corporation, to sell, offer for sale or keep for the purpose of selling any fireworks in the Village at any time, except pursuant to permit provided pursuant to this Section 8.12.010.
- D. No permit for a public exhibition of fireworks or pyrotechnics shall be issued except for “display fireworks” as defined under the Pyrotechnic Use Act (425 ILCS 35/0.01, et seq.) and the Pyrotechnic Distributor and Operator Licensing Act (225 ILCS 227/1, et seq.), as those Acts are amended from time to time, provided that the fireworks and pyrotechnic production company and operator are properly licensed under these Acts and are in full compliance with the Acts, including carrying required insurance under the Acts and providing proof of insurance to the Village with the permit application.

§8.12.020 Nitroglycerine – T.N.T. It is unlawful to keep or store any nitroglycerine or the explosive commonly known as T.N.T. in the Village in any quantities, excepting for medicinal or laboratory purposes and for such purposes no more than one (1) pound shall be stored in any one (1) building or premises.

§8.12.030 Rules of State Fire Marshal. All explosives must be kept or stored in accordance with the rules of the State Fire Marshal, subject to the provisions of this Chapter.

Chapter 8.16

Flammable Liquids

Sections:

- 8.16.010 Application
- 8.16.020 Compliance with Laws and Regulations
- 8.16.030 Danger to Life or Property
- 8.16.040 Entry into Sewers and Manholes
- 8.16.050 Inspection

§8.16.010 Application. This Chapter applies to any person, firm or corporation engaging in the manufacture, storage, processing, handling, or sale of gasoline, volatile oils, and liquefied petroleum gases as defined by the statutes of the State of Illinois.

§8.16.020 Compliance with Laws and Regulations. It is unlawful for any person, firm or corporation subject to this Chapter to fail to comply with all present and future statutes of the State of Illinois and regulations promulgated pursuant thereto having reference to the storage, manufacture, handling, transportation, and sale of gasoline, volatile oils, and liquefied petroleum gases as defined in Section 8.16.010.

§8.16.030 Danger to Life or Property. It is unlawful for any person, firm or corporation to keep, store, transport, sell or use gasoline, volatile oils, and liquefied petroleum gases as defined in Section 8.16.010 in such manner or under such circumstances as will jeopardize life or property.

§8.16.040 Entry into Sewers and Manholes. It is unlawful to suffer or permit the entry of any gasoline, volatile oils, or liquefied petroleum gases as defined in Section 8.16.010 into any sewer, sewer connection or manhole.

§8.16.050 Inspection. The premises and equipment of every person, firm and corporation subject to this Chapter shall at all times be open to such reasonable inspections as may be directed by the Office of the State Fire Marshal, the Village authorities, or other agencies of the State of Illinois according to the provisions set forth in Chapter 1.08.

Chapter 8.20

Garbage Collection and Disposal

Sections:

8.20.010	Can – Required
8.20.020	Can – Specifications
8.20.030	Deposit in Street Prohibited
8.20.040	Collection Charge
8.20.050	Delinquent Bills
8.20.060	Property Owner’s and Occupant’s Responsibilities
8.20.070	Collection by Village
8.20.080	Severability

§8.20.010 Can – Required. It shall be the duty of every owner or his/her agent or occupant of any house, building, flat or apartment, or tenant in the Village where people reside, board or lodge, or where animal or vegetable matter is prepared or served, and at all times, to maintain in good order and repair, a can for garbage.

§8.20.020 Can – Specifications. The can for garbage shall be watertight, and with a close fitting cover. Such can shall have a capacity of not less than ten (10) gallons nor more than thirty (30) gallons, and shall be provided with suitable handles.

§8.20.030 Deposit in Street Prohibited. No garbage or refuse of any kind shall be deposited in any street, alley or public way, excepting as is provided in this Chapter; and no such refuse shall be so placed that it can be blown or scattered by the wind.

§8.20.040 Collection Charge. A collection charge for the Village’s municipal waste collection system is hereby established for funding the cost of operating and maintaining the Village’s municipal waste collection system. Garbage and refuse (“waste”) when properly placed in cans as specified in this Chapter adjacent to Village streets, will be regularly collected under the direction of the Superintendent of Public Works so long as the monthly charge therefor, as now in effect or as may be from time to time provided by ordinance, is paid within thirty (30) days from the date the bill therefor is rendered. The collection charge shall be payable at the Village Hall and failure to receive a bill for such collection charges shall not relieve any person from payment of such collection charge. The bill for these waste collection services may be sent and combined by the Village with the billings sent to a particular premises for water and sewer billing purposes. However, the commencement or continuation of any waste collection service under this Chapter is separate from and not dependent upon the payment of the water and sewer service bill pursuant to those respective provisions of this Village Code.

§8.20.050 Delinquent Bills. Whenever a bill or any fee for garbage and waste collection service under the Village's municipal waste collection system remains unpaid for thirty (30) days after it is due, it is declared delinquent, and the Superintendent of Public Works shall discontinue the waste collection service for the premises of the user whose bill or fee is delinquent. When a waste collection service bill or any related service fee becomes delinquent, a delinquency notice will be sent and will serve as a notice of delinquency to the owner of the premises, as well as to the occupant or tenant of the property when applicable, seven (7) days prior to the date scheduled for termination of the waste collection services, informing them of the delinquent amount. If the delinquent bill remains unpaid, then the waste collection service to the property may be discontinued on the termination date stated in the delinquency notice or any time thereafter, being no sooner than seven (7) days from the date of the delinquency notice. Before the garbage collection service is again commenced to such premises, the property owner or user shall pay all delinquent bills and the additional sum of Ten Dollars (\$10.00) as hereinafter provided for administrative costs associated with collecting the delinquent bill. Further, the commencement or continuation of any waste collection service under this Chapter is separate from and not dependent on the payment of the water and sewer service bill pursuant to those respective provisions of this Village Code.

§8.20.060 Property Owner's and Occupant's Responsibilities. All owners of real estate provided garbage and waste collection service by the Village are jointly and severally responsible for the waste collection bills and service fees for users upon premises owned by them, and such property owner shall not be entitled to waste collection service upon premises owned by them until all delinquent bills and fees for waste collection service to the premises and the additional fee established in Section 8.20.050 have been paid to the Village. Accordingly, the property owner of the premises receiving waste collection service from the Village, the occupant thereof, and the user of the waste collection service shall be jointly and severally liable to pay for the waste collection service and related service fees on said premises, and the waste collection service is furnished to the premises by the Village only upon the condition that the property owner of the premises, occupant, and user of the waste collection service are jointly and severally liable to the Village for all billings and fees for this waste collection service from the Village. Said waste collection bills and fees will run with the property and remain a liability of the individuals aforementioned.

§8.20.070 Collection by Village.

- A. The Village shall provide garbage pickup service, by contractors, agents, or employees (hereinafter "municipal pickup"), primarily for family dwellings (being single family homes and duplexes) within the Village. The Village may also offer garbage pickup services on a contract basis to multi-family, business, commercial, or other users within the Village.
- B. It is necessary for and in the best interests of the Village to regulate and control the collection, transportation, and disposal of municipal waste in the exercise of the Village's police power in order to protect the health, safety, and welfare of its residents. Accordingly, there is hereby established a

municipal waste collection system for the Village as authorized pursuant to Division 19 of Title 11 of the Illinois Municipal Code (65 ILCS 5/11-19-1 et seq.), as amended from time to time, for the purpose of collecting and disposing of garbage and refuse, as those terms are defined in Division 19 of Title 11 of the Illinois Municipal Code, as amended, and hereafter termed in combination as “waste”. It is further necessary and in the best interests of the Village to provide for the environmentally sound and efficient collection, transportation, and disposal of waste by creating this municipal waste collection system for the disposal of waste and to impose the rates and charges as provided in this Chapter.

- C. All persons owning or occupying residential property within the corporate limits of the Village as set forth in this Chapter shall dispose of waste through the municipal waste collection system. All waste shall be collected by or on behalf of the Village pursuant to the terms of this Chapter.
- D. No person, entity, or business shall collect, transport, or dispose of waste without a contract or franchise issued by the Village pursuant to this Chapter.
- E. No person shall dispose of waste through the Village’s municipal waste collection system unless the waste complies with all rules and regulations applicable thereto as established from time to time by either the Village or the designated collection contractor.
- F. Garbage and waste to be collected under the Village’s municipal waste collection system shall not include electronics recycling, hazardous waste, hazardous or regulated medical waste, construction materials (as defined in Division 19 of Title 11 of the Illinois Municipal Code, as amended), demolition materials, landscaping materials except during designated time periods, white goods (household appliances or equipment), bulky wastes, and items in excess of fifty (50) pounds. The user will need to make alternate arrangements to dispose of these items, which may include contacting the Village’s waste collection contractor.

§8.20.080 Severability. If any provisions of this Chapter or the application thereof are held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such ruling shall not affect any other provisions of this Chapter of the Village Code not specifically included in such ruling or which can be given effect without the unconstitutional or invalid provision or application; and to this end, the provisions of this Village Code are declared severable.

Chapter 8.240

Weeds

Sections:

8.24.010	Weeds – Nuisance
8.24.020	Height
8.24.030	Barberry Bushes
8.24.040	Removal – Notice
8.24.050	Abatement

§8.24.010 Weeds – Nuisance. Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind, found growing in any lot or tract of land in the Village are declared to be a nuisance, and it is unlawful to permit any such weeds to grow or remain in any place.

§8.24.020 Height. It is unlawful for anyone to permit any weeds, grass or plants, or other than trees, bushes, flowers, or other ornamental plants to grow to a height exceeding eight (8) inches anywhere in the Village. Any such plants or weeds exceeding such height are declared to be a nuisance.

§8.24.030 Barberry Bushes. It is a nuisance and unlawful to plant or permit the growth of the bush of the species of tall, common or European Barberry, further known as *Barberis vulgaris*, or its horticultural varieties, within the Village.

§8.24.040 Removal – Notice. It shall be the duty of the Village Clerk, the Village's Municipal Code Officer, or other law enforcement officer to serve or cause to be served a notice upon the owner or occupant of any premises on which weeds or plants are permitted to grow in violation of the provisions of this Chapter and to demand the abatement of the nuisance within ten (10) days.

§8.24.050 Abatement. If the person served with the notice described in Section 8.24.040 does not abate the nuisance within ten (10) days after such notice, the Public Works Superintendent may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such owner or occupant in accordance with the Illinois Municipal Code.