

CITY OF MARSHALL

ORDINANCE NO. 2011-O-20

AN ORDINANCE CONCERNING JUNK AND RUBBISH

ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this 25  
day of July, 2011.

ORDINANCE NO. 2011-O-\_\_\_\_

AN ORDINANCE CONCERNING JUNK AND RUBBISH

BE IT ORDAINED by the City Council of the City of Marshall, Illinois:

Section 1. That Article I of Chapter 38 of the Code of Ordinances, City of Marshall, Illinois is hereby amended by adding a new section, which section shall be numbered Section 38-1, which section shall read as follows:

**Sec. 38-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bulk waste* means:

- a. Appliances, including, but not limited to: washer, dryer, refrigerator, freezer, stove, television, and water heater; or
- b. Indoor furniture, including, but not limited to: bed springs, mattresses, carpet, couch, chairs, and cushions; or
- c. Other items exposed to the elements not designed for exterior use.

*Front yard* means the yard extending across the full width of a lot that lies adjacent to the public or private street or roads and extends from the front property line of said lot to the front of the structure on the lot.

*Garbage* means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

*Junk* means scrap and old iron; steel, chain, brass, copper, magnesium, aluminum, tin, lead or other base metals; scraps of woolens, clips, bagging, rubber and glass and empty bottles of different kinds and sizes when the number of each kind or size is less than one gross; wrecked or dilapidated motor vehicles; engines; machinery stored or held; and all articles and things discarded or no longer used as a manufactured article composed of or consisting of any one or more of the materials or articles herein mentioned.

*Person* means any person, firm, partnership, association, corporation, company or organization of any kind.

*Premises* means any real property or improvements thereon as the case may be.

*Property* means premises.

*Rubbish* means combustible or noncombustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Section 2. That Article III of Chapter 38 of the Code of Ordinances, City of Marshall, Illinois is hereby amended by adding a new section, which section shall be numbered Section 38-54, which section shall read as follows:

**Sec. 38-54. Nuisances Enumerated.**

It is hereby declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in the city to maintain such premises in such manner that any one or more of the following subsections are found to exist:

- A. **Junk And Rubbish:** The keeping, storage, depositing or accumulation on the premises of any junk, garbage or rubbish, including, but not limited to, abandoned, wrecked, dismantled, unlicensed or inoperative vehicles, automotive parts and equipment, appliances, furniture, containers, packing materials, scrap metal, wood, building materials or debris which is within view of persons on adjacent property or public right of way and which constitutes visual blight or reduces the aesthetic appearance of the neighborhood or is offensive to the senses or is detrimental to nearby property or property values; provided, however, that wood and building materials being used or to be used for a project of construction or repair or renovation for which a building permit has been obtained may be stored for such period of time as is necessary to expeditiously complete the project.
- B. **Dirt, Sand, Gravel:** The keeping, storage, depositing or accumulation of dirt, sand, gravel, concrete or other similar materials for an unreasonable period, which constitutes visual blight or reduces the aesthetic appearance of the neighborhood or is offensive to the senses or is detrimental to nearby property or property values.
- C. **Bulk Waste:** The keeping, storage, depositing or accumulation of bulk waste. The keeping of bulk waste shall not be permitted on open porches, carports, open garages, pavilions or similar structures.
- D. **Offensive Premises:** Any premises which is not maintained so as to pose a threat to the health, safety or welfare of the public, is littered with animal feces, or which has improperly maintained trees, shrubs or vegetation that pose a threat to the health, safety or welfare of the public or has conditions which constitute a mosquito haborage.

Section 3. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Beverly K. Church	✓		
Terry Clatfelter	✓		
John D. Ferris	✓		
Warren J. Le Fever	✓		
James McKittrick	✓		
Cheryl A. Raisner	✓		
Tim J. Sanders	✓		
James White	✓		

PASSED this 25<sup>th</sup> day of July, 2011.

APPROVED this 25 day of July, 2011.

Kenneth R. Smith  
MAYOR

ATTESTED, filed in my office,  
and published in pamphlet form  
this 25 day of July, 2011.

John W. Kref  
CITY CLERK

(SEAL)