



ORDINANCE NO. 1004

**AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW
MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE
OF THE VILLAGE OF MACKINAW TO PROVIDE AMENDMENTS
RELATING TO PROVIDE AMENDMENTS REGARDING SOLID
WASTE REMOVAL AND DISPOSAL SERVICE FOR THE
VILLAGE OF MACKINAW**

Published in pamphlet form by authority of the Village President and
Board of Trustees of the Village of Mackinaw.

MAY 10, 2021

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the **10TH day of May 2021**, insofar as same relates to the adoption of **Ordinance No. 1004**, entitled:

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE SAID MUNICIPAL TO PROVIDE AMENDMENTS REGARDING SOLID WASTE REMOVAL AND DISPOSAL SERVICE FOR THE VILLAGE OF MACKINAW

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of **Ordinance No.1004**, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on **May 10, 2021** and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by **six** members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this **20th day of May 2021**.



[Redacted Signature]

Village Clerk

ORDINANCE NO. 1004

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 TO PROVIDE AMENDMENTS REGARDING SOLID WASTE REMOVAL AND DISPOSAL SERVICE FOR THE VILLAGE OF MACKINAW

WHEREAS, the Village of Mackinaw, Tazewell County, Illinois, (the "Village") is a duly organized and existing Village under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the corporate authorities, for the Village of Mackinaw, County of Tazewell, State of Illinois, have determined that it is advisable, necessary and in the best interest of the Village and its residents to establish a Solid Waste Removal and Disposal Service for the Village, and to require participation by Village residents and to assess the expense of that service upon Village residents together with periodic billing for water services;

NOW, THEREFORE, be it ordained by the corporate authorities of the Village of Mackinaw as follows:

SECTION 1: The Village President and Village Trustees hereby find that all of the recitals herein before stated as contained in the preambles to this Ordinance are full, true and correct and hereby, by reference, incorporate and make them part of this Ordinance.

SECTION 2: Title V of the Mackinaw Municipal Code is hereby amended by inserting a new Chapter 53 which shall be as follows:

CHAPTER 53: SOLID WASTE REMOVAL AND DISPOSAL SERVICE

GENERAL

§53.01 Purpose.

The purpose of this Chapter is to establish a Solid Waste Removal and Disposal Service for the Village of Mackinaw.

§53.02 Invocation of Authority.

This Chapter is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

§53.03 State Law Adopted

All applicable provisions of the Illinois Compiled Statutes, including the Municipal Code, as may be amended from time to time, relating to the purposes of this Chapter are hereby incorporated herein by reference.

**ESTABLISHMENT OF EXCLUSIVE SOLID WASTE REMOVAL
FRANCHISE FOR RESIDENTIAL PROPERTIES**

§53.11 Solid Waste Removal and Disposal Service Established.

That the Village President and the Village Trustees do hereby establish a Solid Waste Removal and Disposal Service (“Waste Removal Service”) for the Village. The Waste Removal Service shall be the only waste removal and collection service authorized and qualified to provide such services for residential properties within the Village of Mackinaw, and shall at all times do so in a manner consistent with State law and Village ordinances. No exclusive franchise is hereby established for non-residential properties within the Village of Mackinaw. Residential properties are hereby defined to include all single family and multi-family properties within the Village of Mackinaw which are occupied for residential purposes, regardless of the zoning classification of the property.

§53.12 Service Provider.

That the Waste Removal Service shall be provided by a contractor selected by the Village pursuant to State law and Village ordinances, and an agreement to be entered by the Village and service provider from time to time. The service provider shall be and remain fully authorized and qualified to provide such services, and shall at all time do so in a manner consistent with State law and Village ordinances.

§53.13 Administration.

That the Waste Removal Services shall be administered by and through the Village Clerk/Collector pursuant to the then existing agreement between the Village and the service provider.

§53.14 Collection of Expense.

That the Village Collector shall collect the expense of the Waste Removal Service from the residents of the Village by adding the then current charge for such service, and an administrative fee approved by the Village Board, to each residential unit’s now existing monthly billings for water services.

§53.15 Other Actions Authorized.

The Village President, Village Clerk/Collector, and Village Attorney are hereby authorized and directed to all things necessary, essential, or convenient to carry out and give effect to the purpose and intent of this Chapter.

§53.16 Acts of the Village Officials.

That all acts and doing of the officials of the Village, past, present and future which are in conformity with the purpose and intent of this Chapter, are hereby, in all respects, ratified, approved, authorized and confirmed.

SECTION 3: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 4: This Ordinance shall take effect July 1, 2021.

SECTION 5: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 10th day of May, 2021.

APPROVED: 



President of the Board of Trustees of
The Village of Mackinaw

ATTEST:



Village Clerk

AYES: 6

NAYS: 0

ABSENT: 0