

ORDINANCE NO. _____

ORDINANCE AMENDING CITY CODE
- CHAPTER 49 -
- REMOVAL OF GARBAGE, JUNK, RUBBISH OR TRASH -

BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF DECATUR,
ILLINOIS:

Section 1. That Chapter 49 of the City Code of the City of Decatur, Illinois, be, and the same are hereby modified and amended by adding new subsection 7 reflecting the amendment, and so that Section 7 as so modified and amended, shall provide as follows:

7. **PENALTY.** Any person, firm or corporation who shall violate any of the provisions of this Chapter shall, upon conviction, be fined not less than Seventy-Five Dollars, (\$75.00) and not more than Five Hundred Dollars, (\$500.00) for each offense, and each day on which a violation occurs or continues shall be considered a separate offense.

Section 2. That the City Clerk be, and she is hereby, authorized and directed to cause the provisions hereof to be appropriately set out in the City Code and to cause the same to be published in pamphlet form according to law.

PRESENTED, PASSED, APPROVED AND RECORDED this _____ day of June,
2009.

MIKE MCELROY, MAYOR

ATTEST:

CITY CLERK

PUBLISHED this _____ day of _____, 2009.

CITY CLERK

ADDITIONS AND DELETIONS

CHAPTER 49

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**LEGAL DEPARTMENT MEMORANDUM
NO. 2009-06**

June 8, 2009

TO: Honorable Mayor McElroy and City Council

FROM: Ryan McCrady, City Manager
Wendy Morthland, Corporation Counsel
Amy Waks, Assistant Corporation Counsel

SUBJECT: Amendment to Chapter 49 (Removal of Garbage, Junk, Rubbish or Trash)

SUMMARY RECOMMENDATION: Staff requests that Council pass the proposed ordinance amendment regarding Chapter 49 to allow for the addition of a Penalty section.

BACKGROUND: The City of Decatur removes accumulated garbage, junk, rubbish or trash from City properties that constitute a danger to the health, safety and welfare of individuals living in the area or the public in general. The number of these removals has increased and is a drain on the City's resources. Further, currently Chapter 49 does not include a clear penalty section within the Chapter.

RECOMMENDATION: Staff recommends that Council pass the proposed amendment in order to add a Penalty section to the Chapter.

POTENTIAL OBJECTIONS: There are no known or expected objections.

INPUT FROM OTHER SOURCES:

STAFF REFERENCE:

Amy Waks, Assistant Corporation Counsel, at 424-2807.

BUDGET/TIME IMPLICATIONS: