

COUNTY OF CHRISTIAN  
STATE OF ILLINOIS

ORDINANCE NO. \_\_\_\_\_

**ENVIRONMENTAL PROTECTION STANDARDS AND ENFORCEMENT**

Be it ordained by the Christian County Board the allowance of or the commission of the following activities or conditions shall be a violation of this ordinance and subject to the penalties set forth herein, to wit:

1. a. In violation of 415 ILCS 5/21(a), causing or allowing the open dumping of any waste in a manner which results in any of the following occurrences at the dump site:
  1. litter, as defined in 17 Illinois Administrative Code section 110.100:
  2. scavenging, as defined in 35 Illinois Administrative Code sections 807.104, 810.103 and 811.108.
  3. open burning, as defined in 415 ILCS 5/3.23, including but not limited to the burning of tires, shingles and roofing materials; but in any event not to include the burning of containerized household waste and/or landscape waste generated at the site where it is burned, so long as the burning thereof does not cause a hazard or potential hazard to the public health and/or safety.
  4. deposition of waste in standing or flowing waters;
  5. proliferation of disease vectors; and/or
  6. standing or flowing liquid or semi-liquid discharge from the dumpsite.
  7. burning of houses, buildings, or other structures, without an open burning permit issued the Illinois Environmental Protection Agency;
- b. Abandoning, dumping or depositing any waste upon the public highways or other public property, except in a sanitary landfill approved by the Illinois Environmental Protection Agency.

- c. Conducting any waste-storage, waste-treatment or specifically waste-disposal operation, unless such operation is within the scope of the exceptions granted by 415 ILCS 5/21(d).
  - d. Disposing, treating, storing or abandoning any waste or transporting any waste into Christian County for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of 415 ILCS 5/1, et seq., and all regulations and standards thereunder.
  - e. Failing or refusing to pay any fee imposed by 415 ILCS 5/21, et seq.
  - f. Conducting a landscape waste composting operation, unless exempted by the provisions of 415 ILCS 5/21(q).
  - g. Causing or allowing the storage or disposal of coal combustion waste, unless exempted by the provisions of 415 ILCS 5/21(r).
  - h. Conducting any vegetable by-product treatment, storage, disposal or transportation operation in violation of regulation, standard or permit requirement adopted under 415 ILCS 5/1, et seq., subject to the limitations of 415 ILCS 5/21(a).
- 2.
- a. Each violation of this ordinance shall be punishable as a petty offense by a fine not to exceed the maximum prescribed by 55 ILCS 5/5-1113, with a first violation of this ordinance to be punishable by a fine of not less than \$50.00; a second or subsequent violation of this ordinance shall be punishable by a fine of not less than \$100.00.
  - b. Each day that violation of this ordinance occurs or is allowed to continue shall be a separate violation, with each separate violation be subject to a separate penalty, as provided for herein.
- 3.
- a. The Inspectors of the Christian County Solid Waste Management Department and the Sheriff and Deputy Sheriffs of Christian County are hereby empowered to enforce this ordinance by the issuance of tickets specifying the specific violation alleged and are hereby given discretion to determine whether the violation shall be dealt with by the issuance of a written warning or by the issuance of a ticket.
  - b. The Inspector of the Christian County Solid Waste Management Department or the Sheriff or Deputy Sheriff of Christian County who shall issue a ticket shall have the discretion to determine whether the ticket may be disposed of by paying the minimum required fine to the Circuit Clerk, or whether a Court appearance will be required.

- c. All tickets issued hereunder shall be delivered by the issuer to the Circuit Clerk, who shall assign to the same a case number for each ticket and shall notify both the State's Attorney, the issuer and the offender of all Court dates for each ticket.
  - d. Upon the issuance of a ticket hereunder, a violation of this ordinance shall be prosecuted by the State's Attorney as a petty offense, pursuant to the Illinois Code of Criminal Procedure.
  - e. All tickets issued hereunder must be prosecuted within 12 months of issuance.
4. The terms used herein shall have the same meaning as given to those terms in the Illinois Environmental Protection Act, 415 ILCS 5/1, et seq.

Enacted this 12th day of March, 1998

  
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William C. Curtin, Chairman  
Christian County Board

ATTEST:   
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Terry Ryan  
Christian County Clerk