

CITY OF O'FALLON, ILLINOIS  
ORDINANCE NO. 3847

ORDINANCE AMENDING THE 2014  
CODE OF ORDINANCES, CHAPTER 98:  
SECTION 98.13, OBSTRUCTIONS

**WHEREAS**, the City currently maintains, as part of its Code of Ordinances, Chapter 98, Streets and Sidewalks; and

**WHEREAS**, there are no provisions addressing roll-off containers; and

**WHEREAS**, it is in the best interest for the safety of motorist commuting in the City to require a permit be issued by the City prior to the placement of the roll-off containers.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:

Chapter 98 Streets and Sidewalks of the City of O'Fallon Code of Ordinances is hereby amended as follows:

Section 98.13 OBSTRUCTIONS, is hereby repealed in its entirety and replaced with the following:

98.13 OBSTRUCTIONS.

(A) *General prohibition.*

(1) No person shall place or cause to be placed or erected on any public ground, or in any public street, alley or sidewalk in the city any debris, materials or obstruction, except as may be permitted by this chapter.

(2) It shall be the duty of the police to exercise a vigilant supervision over such places and to notify any person found making such deposit, or responsible for the same, to remove the offending matter at once.

(B) *Exemptions.*

(1) Roll-off containers may be temporarily placed in the street or public right of way provided such roll-off container:

(a) Shall be used exclusively for garbage or refuse operations. For the purpose of this division (B), the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*GARBAGE*: Has the same meaning as provided under ILCS Ch. 625, Act 5, § 1-123.7.

*REFUSE*: Has the same meaning as provided under ILCS Ch. 625, Act 5, § 1-169.5.

(b) Shall not be placed on the street public right of way for more than 14 days. Requests for an extension will be given full consideration and may be approved up to 14 days;

(c) Shall not exceed 8 feet 6 inches in width;

(d) Shall be placed parallel to and within 12 inches of the curb, or as close as practicable to the right edge of the right-hand shoulder;

(e) Can only be placed in an area on the public right of way that would normally be used for parking;

(f) Shall not be placed on the roadway at any place where official signs prohibit parking, unless expressly authorized by permit;

(g) Shall not be placed within 30 feet of any intersection or within 15 feet of a fire hydrant;

(h) Shall have reflective barricades placed one at the front corner closest to the traffic lane side and two at the rear, being one at each corner, of the roll-off container and shall remain in place until the roll-off container is removed.

(i) Shall not block any sidewalk;

(j) Shall only be placed in front of and not over any property line of the property it is being used on/at.

(2) The company or resident that places or causes to be placed the roll-off container shall be responsible for any damage from its placement to the street, curb, drainage structures or any public infrastructure.

(3) A permit issued by the City will be required prior to the placement of the roll-off container, at no cost.

(C) Cargo Containers cannot be placed in public right-of-way, unless there are circumstances that would prohibit placement on private property as outlined in Chapter 158, § 158.038 (Y) and only then, when approved by the City by permit. If that approval and permit are obtained, then the placement must comply with the provisions outlined in Chapter 98, § 98.13 (B) (1) b thru j.

(D) *Removal of obstructions; notice; building materials in street.* The Director of Public Works or his or her designee may move any obstruction on any street or sidewalk of the city; but, before doing so, he or she shall notify the person responsible therefore to remove such obstruction within a reasonable time after being notified. Any person engaged in erecting a

building or fence or improving any lot on such street may deposit materials thereon and contiguous to the street for such length of time as may be necessary for the work. The obstruction shall not extend to more than one-half of the width of the sidewalk, street or alley adjacent to such improvement and the gutter shall always be left free and unobstructed. Such person shall, at night, keep a red or yellow light on such material.

(1999 Code, § 98.14) (Ord. 3784, passed 12-3-2012) Penalty, see § 10.99

Upon its passage and approval, this Ordinance shall be in full force and effect ten (10) days after its publication in pamphlet form as required by law.

Passed by the City Council this 3rd day of November 2014.


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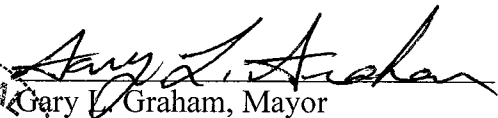
ATTEST:

Approved by the Mayor this 3rd day

(seal)

of November 2014.

  
Philip A. Goodwin, City Clerk

  
Gary L. Graham, Mayor



ROLL CALL:	McCoskey	Meile	True	Albrecht	Mausner	Hausman	Drolet	SUB TOTALS
Aye	X	X	X	X	X	X	X	7
Nay								0
Absent								0

ROLL CALL:	Roach	Bennett	Cardona	Hursey	Holden	Cozad	Gerrish	SUB TOTALS	SUM OF TOTALS
Aye	X	X	X	X	X	X		6	13
Nay								0	0
Absent							X	1	1