

AGENDA

Erie Village Board Meeting

April 11, 2023

Roll Call

Approval of minutes of March Meeting

Approval of Treasurer's report for March

Approve paying bills

Correspondence

Public comment

Economic Development Director's Report

Vote to pass the Community Revitalization Strategy Plan

Discuss Rise Up application for BDD

Vote to accept Economic Development Director's resignation

Closed session to discuss personnel and possible land acquisition

Police Report

Public Works

Approve streets/ roads to be bid for repairs

Approve raise for part time worker

Approve permission for public works to hire summer workers

Discuss potential cell tower

Discuss engineers for subdivision work

Approve bid of \$50,449.60 to Helm Civil for work on 7th Ave. and 13th St.

Approve resolution to use MFT funds for \$50,449.60 to Helm Civil for road work on 7th Ave. & 13th St.

Approve bid for cleaning drying beds

Approve purchase of barricades

Discuss/ Vote JMTR Addition Final Construction Drawings

Village Attorney Report

Vote on outdoor burning ordinance

President's Report

Approve mayor and deputy clerk to be authorized on all accounts at TCM bank

Public comment

Committee Reports

Adjournment

MEETING WILL BE HELD AT VILLAGE HALL AT 6:00 PM

TABULATION OF BIDS					Helm Civil	Stichter Construction
WHITESIDE COUNTY LETTING for the Village of Erie March 27th, 2023 @ 10:30 am 23-00000-01-GM (7th Ave & 13th St)					2283 Bus. Hwy. US 20 East PO Box 750 Freeport IL 61032 815-235-2200	9680 Lyman Rd Erie IL 61250 309-314-0078
ITEMS	QTY.	UNIT	EACH	ENGINEER'S TOTAL	\$/unit	\$/unit
HMA Surface Removal	380	SY	\$15.00	\$5,700.00	\$15.00	\$12.00 \$4,560.00
BIT MATLS TACK CT	1,892	LB.	\$1.00	\$1,892.00	\$0.55	\$1,040.60 \$1.50 \$2,838.00
HMA SC IL-9.5, MIX C N50	401	Ton	\$110.00	\$44,110.00	\$109.00	\$43,709.00 \$109.00 \$43,709.00
				\$51,702.00	\$50,449.60	\$51,107.00

LOW BIDDER

LAW OFFICE OF WILLIAM R. SHIRK, P.C.

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April 5, 2023

Marcia Smith
President, Village of Erie

Via email

Dear Marcia:

For next meeting, I am attaching the revised ordinance regarding open burning. Please note I added paragraph D to Section 1 and made changes to the section regarding supervision of burning and an amendment to another section of the code that has definition of open burning.

Any changes or questions before the meeting, please advise. Thank you.

Very truly yours,

Law Office of William R. Shirk, P.C.



William R. Shirk

WRS:dm

ORDINANCE NO. _____

ORDINANCE TO AMEND TITLE 6, CHAPTER 8
ESTABLISHING BURNING RESTRICTIONS
FOR THE VILLAGE OF ERIE

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF ERIE, WHITESIDE COUNTY, ILLINOIS, as follows:

SECTION ONE: Title 6 entitled Health and Sanitation, shall be amended to add Chapter 8 which shall read in full as follows:

6-8-1: PROHIBITED; NUISANCE DECLARED:

- A. The burning of any garbage, waste, refuse, rubbish, or substance of any kind other than Landscape Waste, and clean dry paper products, within the Village limits is hereby declared a nuisance and prohibited. This prohibition shall also include the burning of any prohibited material in a "burn barrel" or other container used for the purpose of holding garbage, waste, refuse, rubbish, or any other thing for the purpose of burning. "Burn barrel" means any container of any type used for the containment while burning or any material, substance, or thing.
- B. Nothing in this Article shall be construed to prohibit the burning of fuels for cooking purposes, fuels in a domestic fireplace, recreational fires in a fire pit, campfire, or the like while burning clean wood, ceremonial bonfires authorized by the corporate authorities and the Fire Department, provided that no garbage shall be burned in any such cases.
- C. Furthermore, the restrictions herein on burning shall not apply to the Village and nothing in this Chapter shall be construed to prohibit the Village of Erie from burning any garbage, waste, refuse, rubbish or substance of any kind within the Village limits as long as such burning has been approved by the Board of Trustees of the Village of Erie.
- D. Landscape Waste in this Chapter is defined as leaves, grass, tree limbs, shrubbery cuttings, and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees. Landscape Waste shall not include agricultural waste, commercial trade waste or disastrous debris as such terms are defined by the Illinois Environmental Protection Agency and the Illinois Pollution control Board.

6-8-2: EXCEPTIONS: Open burning shall be prohibited within the corporate limits of the Village except as permitted under the following conditions and subject to any other laws adopted by the Village:

A. The burning of Landscape Waste which is the combustion of Landscape Waste in such a way that the product of the combustion is emitted to the open air, shall be permitted but only:

1. Between the hours of nine o'clock (9:00) A.M. prevailing time and six o'clock (6:00) P.M. on Tuesdays, Thursdays, and Saturdays, and
2. On the premises on which such waste is generated, and
3. That the burning does not occur within six feet (6') of any street or alley, on any street, sidewalk, alley or public ditch, and
4. When the burning is constantly attended and supervised by a competent and responsible person over the age of 16 years until such burning is completely extinguished, and
5. When such burning does not create a visibility hazard on streets, roadways, alleys, public sidewalks or railroad tracks, and
6. The only Landscape Waste that can be burned are trees, leaves, and brush. No cut grass or weeds, and
7. No burn piles on the Village streets or right of ways.

B. The burning of dead dry patches of grass and weeds to promote new growth and clear the ground which is the combustion of patches of grass and weeds in such a way that the product or the combustion is emitted to the open air, shall be permitted but only:

1. Between the hours of nine o'clock (9:00) A.M. and six o'clock (6:00) P.M. prevailing time on Tuesdays, Thursdays, and Saturdays, and
2. When the burning is constantly attended and supervised by a competent and responsible person over the age of 16 years until such burning is completely extinguished, and
3. When such burning does not create a visibility hazard on streets, roadways, alleys, public sidewalks or railroad tracks.

C. The burning of clean cardboard and clean dry paper products which is the combustion of clean dry paper products in such a way that the product of the combustion is emitted to the open air, shall be permitted but only:

1. Between the hours of nine o'clock (9:00) A.M. and six o'clock (6:00) P.M. prevailing time on Tuesdays, Thursdays and Saturdays, and
2. On the premises where such waste is generated, and

3. That the burning does not occur within six feet (6') of any street or alley, on any street, sidewalk, alley or public ditch, and
4. When the burning is constantly attended and supervised by a competent and responsible person over the age of 16 years until such burning is completely extinguished, and
5. When such burning does not create a visibility hazard on streets, roadways, alleys, public sidewalks or railroad tracks, and
6. The only products burned are clean paper products free of any plastics or other foreign material, and
7. The burning of clean paper products is contained in such a way as to not constitute an ignition hazard outside of the container.

6-8-3: PARTIAL INVALIDITY: If any section, subdivision, sentence or clause of this Article is for any reason, held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Chapter, or the Title, which it amends.

6-8-4: PENALTY: Any person, firm, or corporation who shall violate any of the provisions of this Article shall, upon conviction, be fined neither less than fifty dollars (\$50.00) or more than seven hundred fifty dollars (\$750.00) for each offense, and each day on which such a violation occurs or continues shall be considered to be a separate offense. In addition, the Village may, at its sole discretion, seek any other remedy at law or in equity to restrain or enjoin violations of this Article.

SECTION TWO: Section 6-6-1-2 in Title 6, Chapter 6 entitled Solid Waste Disposal is deleted in its entirety and shall hereinafter state as follows:

6-6-1-2: Open burning is defined by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board is hereby prohibited for all garbage, rubbish, waste, Landscape Waste, agricultural waste and commercial or trade waste except as provided by Section 6-8-1 of this Code and the rules and regulations of the Illinois Pollution Control Board and the Illinois Environmental Protections Agency regarding open burning.

SECTION THREE: This ordinance shall be in full force and effect from and after its passage and approval as required by law.