

**ORDINANCE NO. 2012-2**

**AN ORDINANCE PROHIBITING UNAUTHORIZED ENTRY INTO WASTE  
CONTAINERS WITHIN  
THE CITY OF MAYWOOD PARK**

**A. DEFINITIONS.**

The following words or phrases whenever used in this article shall be construed as defined in this section: (a) "Waste container(s)" means any and all containers defined or identified as being used for waste or recycling collection including but not limited to automated collection container, detachable container, drop box container, recycling container, or garbage container.

**B. UNAUTHORIZED ENTRY INTO WASTE CONTAINER.**

The City Council recognizes that there is an increasing problem involving persons who forage waste containers.

The City Council finds that there is risk to the public health and safety when:

- (1) Waste is strewn about;
- (2) Waste containers are left open to animals;
- (3) Waste containers and lids are left in roadways;
- (4) Personal information is removed from containers

The City Council further finds that entry into waste containers by unauthorized individuals may subject owners to public nuisance liabilities and identity fraud.

The City Council hereby finds that an Ordinance is needed for the preservation of the public peace, health, safety and general welfare of the residents of The City Maywood Park.

**C. UNLAWFUL SEARCH AND ENTRY---PENALTY.**

(1) It shall be unlawful for any person, except the owner or someone with the owner's consent or authorized City, County, State, or Federal personnel, or employees of the solid waste company that owns the waste container, in the performance of their duties, to rummage, explore, tamper with, move, remove, tip, deface, destroy, scavenge, or otherwise search a waste container or the contents thereof.

(2) Any and each violation of subsection (1) of this section shall constitute a separate and distinct offense punishable as provided in Section E of this ordinance.

**D. PUBLIC NUISANCE.**

Rummaging, exploring, scavenging, or otherwise searching a waste container is a violation of the provisions of this article and is hereby declared a public nuisance.

**E. VIOLATION AND PENALTY.**

(1) Any person in violation of this Ordinance shall be guilty of a violation of the City of Maywood Parks Nuisance Code and shall be punishable by fine of not more than five hundred dollars (\$500.00).

(2) Any person that continues in violation of this Ordinance shall be guilty of a separate and distinct offense for each and every violation.

The City Council hereby declares an emergency, declaring that this Ordinance is immediately necessary to secure the continued general public health and general welfare of the citizens of the City of Maywood Park, and that this Ordinance is immediately necessary to conserve, stabilize, and protect property within the incorporated area of the City of Maywood Park. The Ordinance shall take effect and be in force immediately.

PASSED AND APPROVED by the City Council of the City of Maywood Park on the 6<sup>th</sup> day of November, 2012.

/s/ Mark Hardie  
MARK HARDIE, MAYOR

ATTEST:

/s/ Julie D. Risley  
JULIE D. RISLEY, City Recorder/Treasurer