

Otto Township
809A E 4000 S Road
Kankakee, IL 60901

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SEP 01 2005

STATE OF ILLINOIS
Pollution Control Board

August 30, 2005

Ms Dorothy Gunn
Illinois Pollution Board
100 W Randolph Street, Suite 11-500
Chicago IL 60601-3218

PCB04-186
PC# 30

Dear Ms. Gunn:

Illinois law authorizes the electors of a township to regulate night soil and garbage deposits within their township as provided in 60 ILCS 1/30-120, (the Act hereafter) which provides, "**30/120. Garbage. The electors may prevent the deposit of night soil, garbage or other offensive substances within the limits of the township. This section does apply to refuse disposal facilities regulated by the Illinois Department of Public Health and the county in which the facilities are located.**"

The electors of Otto Township, Kankakee, Illinois, met in annual meeting in Otto Township, (April 12, 2005) as provided by law. They decided in the best interests of the public health, safety, and welfare of Otto Township to adopt ordinance 2005-1 to prevent the deposit of night soil, garbage, offensive substances within the limits of Otto Township. This ordinance was published within the 20 days as specified under 60 ILCS 1/40-30. This ordinance was brought to the attention of the Kankakee County Board prior to the last vote on the Waste Management landfill.

I am requesting that the Pollution Control Board, and the IEPA consider this ordinance when making their decision on the two landfills, Waste Management's Landfill, and Tom Volini's Town and Country Landfill, that are being considered in Otto Township.

Thank you for your consideration of this request.

Sincerely,



Ronald W. Thompsen
Supervisor of Otto Township

cc: Lisa Dugan
Careen Gordon
Joyce Munie

Attachment: Otto Township Ordinance 2005-1

ORDINANCE 2005 - 1

An Ordinance Preventing the Deposit of Offensive Substances

WHEREAS, Illinois law authorizes the electors of a township to regulate night soil and garbage deposits within their township as provided in 60 ILCS 1/30-120,(the Act hereafter), which provides, "§ 30-120. Garbage. The electors may prevent the deposit of night soil, garbage, or other offensive substances within the limits of the township. This Section does apply to refuse disposal facilities regulated by the Illinois Department of Public Health and the county in which the facilities are located."; and

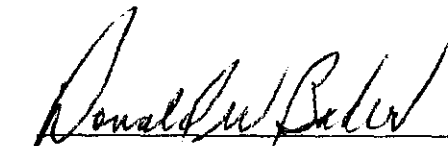
WHEREAS, the electors of Otto Township, Kankakee County, Illinois, met in annual meeting in Otto Township, as provided by law, and

WHEREAS, the electors of Otto Township consider it in the best interests of the public health, safety, and welfare of Otto Township to prevent the deposit of night soil, garbage, and offensive substances within the limits of Otto Township.

Now Therefore, the Electors of Otto Township, Kankakee, County, Illinois, hereby ordain as follows:

1. The deposit of night soil, garbage, and all other offensive substances the deposit of which may be prevented by authority of § 30-120 of the Township Code is hereby prevented and prohibited within the limits of Otto Township, Kankakee County, Illinois.
2. This ordinance shall take effect immediately; the town clerk is hereby directed to publish this ordinance within twenty days in the manner specified under 60 ILCS 1/40-30.

Dated: April 12th, 2005.



Chairman/Moderator of the 2005 Otto Township
Annual Meeting of Electors