

Kane County Recycling and Hauler Licensing Ordinance (95-157) Synopsis

To address recycling opportunities for residents and businesses, the Kane County Board adopted a mandatory recycling ordinance (Kane County Code, Chapter 11, Article 4) in 1994, under authority of the Illinois Code (Public Act 86-962; 55 ILCS 5/5-8002 to 5-8007). The ordinance applies to haulers, businesses, and residential properties, requiring the separation of waste streams (recycling, trash, & yard waste). It further specifies the hauler licensing requirement and fee schedule, as well as a tonnage reporting requirement (required from the haulers by the county).

Mandatory Recycling

Haulers: The ordinance requires that haulers operating in the County be licensed by the County and report annual weight data on all materials collected. It further requires haulers to provide recycling service to all clients served with trash service, including municipal residential, commercial, institutional, industrial and multi-family residential accounts.



Waste and Recycling Dumpsters at a Business

Commercial businesses: The ordinance requires any commercial businesses, wherein commerce is conducted (both profit and not for profit, including, but not limited to, stores, markets, offices, restaurants, shopping centers, theaters, schools, churches, government offices, and manufacturing facilities) in Kane County to separate and recycle materials, and to arrange collection services for those materials by a licensed hauler.

Multi-family dwellings: The ordinance requires that the managing body or owner of all apartments, condos, and like-dwellings provide recycling service along with trash service to the residents of that dwelling, and further requires the residents to comply by separating the recyclables from the trash and placing them in the correct receptacle.

Hauler licensing, reporting, and enforcement

The Ordinance further stipulates that Kane County annually license all waste and recycling haulers within the County, and specifies that annual hauler tonnage reports be completed. Hauler licensing also provides the County with insight into collection patterns and market conditions, as well as an opportunity to advance diversion efforts through direct hauler outreach. The hauler tonnage reports have historically provided the County with an understanding of waste and recycling tonnages by sector to ensure proper planning for collection and infrastructure needs.

The Kane County Recycling Coordinator manages the licensing of haulers, collection of tonnage data on an annual basis, and enforcement on compliance with the ordinance. The County Recycling Coordinator is responsible for enforcement, which includes the following steps: non-compliant businesses, apartment complexes, institutions, etc. are identified based on reports or complaints from tenants; management is contacted and informed of ordinance; steps towards reaching compliance in a timely manner are discussed and a plan is made; educational materials are offered to assist with client or resident education; and upon reaching compliance an inspection is completed and a compliance certificate is issued. The Ordinance includes provisions for penalties for non-compliance which may be pursued if voluntary compliance cannot be achieved, including issuance of fines and/or suspension of the hauler license.

Hauler obligations under local and state law

As a result of the licensing requirements for haulers in Kane County, waste haulers should be knowledgeable of the requirement to provide separate recycling service to all of their accounts. Haulers should also be aware of the 2014 Illinois Solid Waste Hauling and Recycling Program Act (415 ILCS 12/1 et. seq.), requiring that waste haulers provide or offer commercial recycling services to commercial accounts. The County's Recycling Coordinator will continue to encourage hauler representatives to inform non-compliant commercial and residential account holders of the requirements of the Kane County Ordinance.

Licensing Fees

In 2019 the ordinance was amended to increase the hauler licensing fee in accordance with the Illinois Code. Fees had previously not been raised since the ordinance was originally adopted. A tiered schedule of fees intentionally places less financial burden on the smaller haulers.

Hauler Licensing Requirements & Fees				
Number of Trucks used in Kane County	Application	Tonnage Report	Base Fee	+ Fee per vehicle
1 Truck	Required Due Nov. 30	Required Due Jan. 31	Exempt	Exempt
2-5 Trucks	Required Due Nov. 30	Required Due Jan. 31	\$100	\$25
6+ Trucks	Required Due Nov. 30	Required Due Jan. 31	\$500	\$50

Twenty-one private sector hauling companies were issued hauler licenses in 2021, with a total truck count of 266 vehicles, and fees totaling \$17,025.00 for 2021.

Additional information

- [Kane County Ordinance](#)
- [Ordinance FAQs for Apartments](#)
- [Ordinance FAQs for Businesses](#)
- [Ordinance FAQs for Haulers](#)
- [Penalties for non- compliance](#)

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