

## **Ordinance 2017-15**

### **An Ordinance amending Chapter 9 of the Hope Town Code**

Whereas, the Hope Town Council has reviewed the Hope Town Code and has determined that Chapter 9 should be amended; and

Whereas, the Town Council of the Town of Hope, Indiana (Council) has accepted fees and charges for the collection and disposal of solid waste (Trash Service) for the Town of Hope, Indiana; and

Whereas, the Town Council has solicited bids for the provision of Trash Service for the Town and approved the award of a contract for such services; and

Whereas, pursuant to I.C. 36-9-23-1 and following, the Town may impose charges or fees for the collection and disposal of solid waste so long as such charges or fees are reasonable and just for such services; and

Now therefore, be it ordained by the Town Council of the Town of Hope, Indiana that Chapter 9, Article 4, Section 9-66 is added as follows

#### **Trash Pick Up Services**

Section 1. (A) Each residential user within the Town shall be charged a monthly amount for garbage and trash pickup. The garbage and trash fee shall be a separate item added to the monthly utility bill for each residential dwelling unit, with an addition administrative fee, and shall be billed and collected by the Town as follows:

Year 1: \$7.55 per home plus \$1.00 administrative fee= \$8.55

Year 2: \$7.78 per home plus \$1.00 administrative fee= \$8.78

Year 3: \$8.01 per home plus \$1.00 administrative fee= \$9.01

(B) Regardless of how payments may be designated, partial payments of the combined water bill, trash collection and sewer bill shall be applied first to the water, second to the trash collection and last to the sewer.

(B) Every person or entity who owns, possesses, or is in charge or control of, any dwelling or real property where solid waste is created or accumulated shall dispose of garbage in the manner specified in this section and subchapter. It shall not be an excuse or defense that a landowner is leasing the real property to a tenant, or it not otherwise personally using the property himself.

(C) It shall be the responsibility of the owner or occupier of each residence within the Town to insure that such property is free from trash, garbage and/or rubbish and to keep the sidewalks and alleys adjacent to such property free of trash, garbage, rubbish and /or yard waste except as otherwise provided.

(D) Each residence shall be provided and billed for one container. Additional containers can be obtained from the Town's contractor, who may assess an additional charge.

(E) Containers must be placed within five feet of the curb adjacent to the street and shall be so located so as to not be easily upset. Said containers may be placed not earlier than 24 hours to the pickup day and removed not later than 24 hours following regular trash pickup day. Containers must be removed to an area not readily visible from the street.

(F) It is unlawful for any person or business to use the container of another person or business or a town owned receptacle for the disposal of trash, garbage, rubbish or yard waste. It shall be the responsibility of the owner or occupier of the property to notify the Town Marshall of such violation.

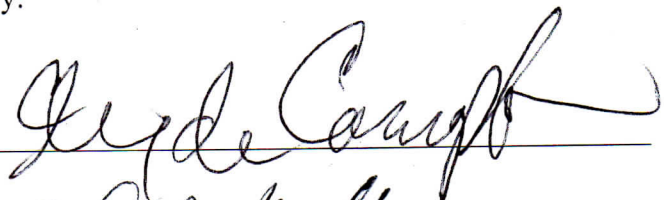
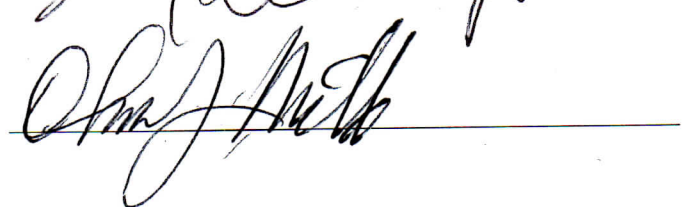
Section 2. The fees and charges in this ordinance are reasonable and just in order to provide for the provision of Trash Service to the Town of Hope, Indiana.

Section 3. The fees and charges shall be billed as a part of the monthly residential sewer bill. Unpaid fees may be collected through the same lien process as delinquent sewer fees.

Section 4. The Town Council hereby authorizes and directs the appropriate officials of the Town to take all necessary actions to implement this ordinance.

This Ordinance is hereby passed and adopted at a regular meeting of the town Council of The Town of Hope, Indiana this 21<sup>st</sup> day of November, 2017.

By:

Arlene Mark

William Johnson

Jan Bagg

Attest:

Diane Burton

Diane Burton  
Clerk-Treasurer  
Town of Hope