

# **Town Hall - Ordinances**

## **TRASH**

### **ORDINANCE 98-1 AN ORDER ESTABLISHING A RESIDENTIAL USER REFUSE COLLECTION FEE**

#### **REPEALING AND REPLACING 85-1; 92-2b; 93-1, 96-4**

PURPOSE: This Ordinance repeals and replaces Ordinances 85-1, 92-2b, 93-1, 96-4, and incorporates for clarity and ease of understanding the terms of said ordinances.

#### ARTICLE I

##### DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a difference in meaning:

(A) Curbside Collection. Collection in a standard container as defined herein at or near the street adjacent to the premises served or at such other location as the Town may direct.

(B) Refuse. By way of example including, but not limited to, such items as discarded containers, organic matter, paper and small solid objects, any putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods including ashes, cans, metalware, broken glass, crockery, dirt sweeping, boxes, wood, grass, weeds, limbs and brush capable of being placed in a standard container as also defined herein, and any other items that might be defined as refuse under the terms and conditions of a contract for refuse collection services which may be entered into by the Town Council as authorized herein which contract shall be on file in the office of the Town of Camden, Indiana.

(C) Residential Unit. An occupied or unoccupied single family residential dwelling unit specifically including, but not limited to, a mobile home and each individual housekeeping or dwelling unit of a multi-family building.

(D) Standard Container. The term "standard container" shall mean a leak proof container of 30 gallon capacity having a tightly fitting lid and side handles of sufficient strength and size to enable to collect or to easily lift and empty the container or a 30 pound capacity bag.

#### ARTICLE II

##### HEALTH AND SAFETY CONCERNS

The Town Council of the Town of Camden now finds as follows:

(A) In the interests of the health, safety and general welfare of the Town, it is necessary to make available curbside collection from refuse from structures consisting of residential units of five units or less; and

(B) Structures consisting of six or more residential units are of a different character and have a different need than structures consisting of five residential units or less; and

(C) Structures consisting of six residential units are more better served by methods other than curbside collection.

### ARTICLE III

#### SCOPE OF SERVICES, FEE AND BILLING

Scope of Services. Curbside collection of refuse shall be available to structures consisting of residential units of five units or less under the terms and conditions of this Ordinance and under such reasonable rules and regulations as the Town Council of the Town of Camden may adopt.

(A) Scope of Services. Curbside collection of refuse shall be available to structures consisting of residential units of five units or less under the terms and conditions of this Ordinance and under such reasonable rules and regulations as the Town Council of the Town of Camden may adopt.

(B) Fee (1) Section (b) Fee.

(1) There is hereby imposed a user fee of ~~\$6.50~~ per month (see Ordinance 2006-2 for rate change) upon each residential unit contained in a structure consisting of not less than two or more than five residential units.

(2) There is hereby imposed a user fee of ~~\$6.50~~ per month (see Ordinance 2006-2 for rate change) upon each residential unit contained in a structure consisting of only one residential unit.

(3) The user fees established herein shall be imposed on, and be the obligation of the owner of record as shown in the office of the Recorder of Carroll County, Indiana, of the residential unit or units.

(C) Billing. The user fees imposed herein shall be due and payable at the Office of the Town Council of the Town of Camden as and when charges for water consumption and water service charges are due and payable.

### ARTICLE IV

#### DELINQUENCY CHARGE; LIEN

(A) If the net fee imposed pursuant to this Ordinance is not paid within ten (10) days of its billing date as indicated conspicuously on the billing referred

to in Article III (C) above, there shall be assessed a delinquency charge in the amount of 10% of the net fee which delinquency charge and net fee shall be immediately due and payable. If the fee and delinquency charge are not paid as required by this subchapter, these amounts, together with a reasonable attorney fee, may be recovered by the Town in a civil action in the name of the Town. The fee imposed, pursuant to the subchapter, is hereby made alien against the corresponding lot, parcel of real estate, building or premises which is subject to the user fee herein established. The Clerk-Treasurer of the Town of Camden shall certify such lien to the Auditor of Carroll County, Indiana, or to such other county official as necessary in order to evidence said lien.

## ARTICLE V

### COLLECTION

(A) The fees as provided for in this subchapter shall be paid as they become due at the office of the Clerk-Treasurer of the Town of Camden. All such collections shall be and constitute a separate and distinct fund from other funds of the water, sewage or any other utility and shall not be merged or commingled therewith, but such collections and receipts shall be applied in the manner required by ordinances authorizing outstanding bonds payable from revenues of sanitary service.

## ARTICLE VI

### AUTHORITY OF TOWN COUNCIL

(A) The Town Council of the Town of Camden shall enter into agreements and shall have such other authority as is necessary to effectuate the purposes of this chapter.

(B) The Town Council shall make such reasonable rules and regulations, and revise and amend them from time to time as the Board may deem advisable to effectuate the purposes of this subchapter.

(C) To facilitate the collection of the fee imposed by this Ordinance, the Town Council, in its discretion, may show the amount of the residential refuse collection fee upon or together with statements rendered by the water utility of the Town of Camden. The failure or omission to render any statement or bill shall not in any manner relieve the owner of the residential unit, building or premises of the obligation to pay any fee under this subchapter or in any manner affect the lien therefore.

(D) A copy of the schedule of user rates and charges shall at all times be kept on file in the office of the Clerk-Treasurer of the Town of Camden and shall be open for public inspection. The user fees shall be extended to cover any additional residential units hereafter subject to the fee as established herein without the necessity of any hearing or notice.

ARTICLE VII

INCREASE IN UNITS

(A) Owners of property subject to the fees provided for herein shall report any increase in the number of residential units on the property to the Clerk-Treasurer of the Town of Camden at the completion of construction or occupancy, whichever first shall occur.

(B) No person shall utilize the services provided herein except in the manner prescribed by this ordinance and the rules and regulations of the Town Council of the Town of Camden.

(C) A violation of this Ordinance may be enforced pursuant to any action authorized by law including, but not limited to, the procedures stated above.

(D) A person who violates the provisions of this Ordinance shall be subject to such civil penalties as are provided under the laws of the State of Indiana, this Ordinance, or other municipal ordinances of the Town of Camden, Indiana.

ARTICLE VIII

SETTING FEES FOR TRASH PICK-UP

It is further ORDAINED that the amount necessary for trash pick-up per month shall be added to the water bill of each resident of Camden, Indiana, as required by the Waste Management Contract.

Dated this 14<sup>th</sup> day of April 1998.

CAMDEN TOWN COUNCIL

TOWN OF CAMDEN

Ralph Rohrbaugh, President

Andrew Robison

Joe Wallace

Attest: Thomas Hedde

Clerk-Treasurer

