

ORDINANCE NO. 2015- 03

**An Ordinance to Amend the City of Hobart Municipal Code Concerning  
City-Supplied Refuse and Recycling Containers**

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) has previously cooperated with the City Executive in completing a program of supplying standardized City-Issued garbage and recycling containers to residents occupying dwellings of four (4) units or less in the City, such containers being specifically designed to allow the garbage and recycled materials to be collected by the City’s fleet of automated garbage and recycling trucks; and

WHEREAS, some residents have requested the issuance of additional garbage and recycling containers, and the Council desires to establish a policy under which additional containers may be supplied when required and to promulgate rules regulating their issuance and any applicable fees for same; and

WHEREAS, the Council, through this Ordinance, desires to encourage residents to carefully use the garbage and recycling containers they have been issued, and to encourage reduction in garbage volume through the regular recycling of recyclable items and materials.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana as follows:

*SECTION ONE:* The Municipal Code of the City of Hobart, Indiana (“Code”) is hereby amended by adding a new section in Chapter 50 on GARBAGE, REFUSE AND WEEDS, under the Sub-Chapter on *Refuse Collection and Disposal* to be designated §50.034 and entitled “CITY-ISSUED GARAGE AND RECYCLING CONTAINERS” and which shall read as follows:

**§50.034. CITY-ISSUED GARBAGE AND RECYCLING CONTAINERS.**

(A) The City administration, acting by and through the City Executive and Board of Public Works and Safety, may issue City-owned and supplied receptacle containers for garbage and post-consumer recycled materials, specially designed to be collected by the City’s fleet of automated collection trucks. Such receptacle containers shall be subject to the following rules and fees:

1. Such containers shall consist of one (1) garbage container, and one (1) recycling container issued for the use of the occupants of each dwelling in a structure of four (4) units or less in the City. The containers shall at

47 all times remain the property of the City, and shall be  
48 numbered and registered to each address to which the  
49 container is assigned. Each resident of the City occupying  
50 a dwelling unit to which one or more such containers have  
51 been issued shall, upon vacating the unit, leave the  
52 container(s) behind at the unit for the use of the next  
53 occupant. The City, acting by and through the Department  
54 of Public Works, shall be entitled to collect a fee from the  
55 owner of any dwelling to which containers have been  
56 registered, whenever such container or containers are  
57 missing due to the failure of a resident to properly secure  
58 and maintain the container at the dwelling unit to which it  
59 was registered. Such fee shall be equal to the current cost  
60 of replacement of each such container, the exact amount to  
61 be specified from time to time by Ordinance in the City Fee  
62 Schedule.

63  
64 2. Upon issuance and registration of a garbage  
65 container to a dwelling, the occupants of said dwelling shall  
66 use the garbage container exclusively for the storage and  
67 collection of garbage and trash, and shall use no other  
68 receptacle for that purpose of any kind. All garbage and  
69 trash shall be placed within the container, and the City  
70 reserves the right to refuse collection of garbage or trash  
71 not properly placed in the container.

72  
73 3. Upon issuance and registration of a  
74 recycling container to a dwelling, the occupants of said  
75 dwelling shall use the recycling container exclusively for  
76 the storage and collection of post-consumer recyclables as  
77 determined by the Board of Public Works and Safety and  
78 described upon a descriptive brochure supplied with the  
79 container and displayed on the City internet web-site, and  
80 shall use no other receptacle for that purpose of any kind.  
81 All recyclables shall be placed within the container and the  
82 City reserves the right to refuse collection of recyclable  
83 items or materials not properly placed in the recycling  
84 container.

85  
86 (B) The resident occupying a dwelling to which the City  
87 has issued and registered garbage and/or recycling containers may  
88 request one (1) additional garbage or recycling container from the  
89 City as follows:

90  
91 1. A resident may obtain issuance of a second  
92 recycling container upon request to the Department of

Public Works, if available, and the execution of a receipt for same in writing, which shall evidence the registration of the additional container to the dwelling place of the resident. There shall be no charge or fee for an additional recycling container.

2. A resident may obtain issuance of a second garbage container only upon compliance with the following requirements:

i. The resident shall pay a one-time registration fee, in the amount specified by Ordinance in the City Fee Schedule, to the Clerk-Treasurer to cover the cost of registration and delivery of the container.

ii. The resident shall also pay a monthly additional collection charge to cover the cost of collection and disposal of the additional garbage and trash in the amount specified by Ordinance in the City fee Schedule.

iii. The Resident shall execute a receipt for the additional container in writing, which shall evidence the registration of the additional container to the dwelling place of the resident.

*SECTION TWO:* The Municipal Code of the City of Hobart, Indiana (“Code”) is hereby amended by adding the following new items to the City Fee Schedule:

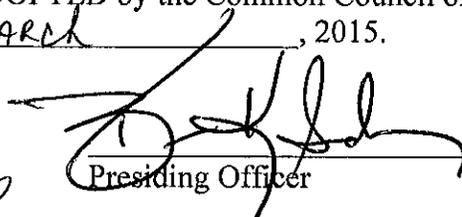
<i>Description</i>	<i>Code Section</i>	<i>CURRENT FEES (2015)</i>
Registration Fee for Additional Garbage Container	§50.034 (B)(2)(i)	\$ 20.00
Monthly Additional Garbage Collection and Disposal Fee (per garbage container)	§50.034 (b)(2)(ii)	\$ 11.95 mo.
Monthly Additional Garbage Collection and Disposal Fee for Senior Citizens	§50.034 (b)(2)(ii)	\$ 7.18 mo.

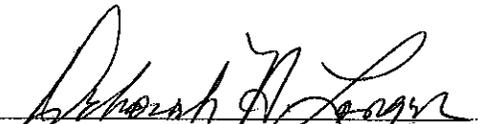
(per garbage container)  
(subject to determination of eligibility)

SECTION THREE: This Ordinance shall take effect upon its adoption.

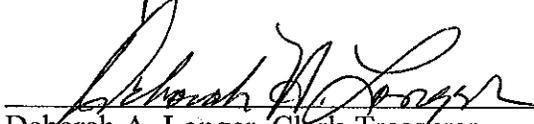
SECTION FOUR: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 4<sup>th</sup> day of MARCH, 2015.

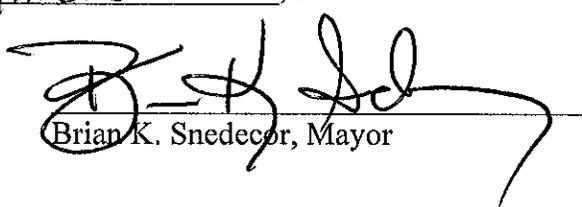
  
\_\_\_\_\_  
Presiding Officer

ATTEST:   
Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 4<sup>th</sup> day of MARCH, 2015 at the hour of 6:45 pm

  
Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 4<sup>th</sup> day of MARCH, 2015.

  
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Brian K. Snedecor, Mayor

ATTEST:   
Deborah A. Longer, Clerk-Treasurer