

**COMMON COUNCIL OF THE CITY OF HOBART
ORDINANCE NO. 2019 - 35**

**An Ordinance Amending the Municipal Code of the City of Hobart Relating to
Garbage, Refuse and Weeds and to Provide for Fees and Charges
for Certain City Services and Activities.**

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) has been advised that some of the fees and charges previously established and contained in the Hobart Municipal Code (“Code”) are no longer sufficient to defray the actual costs of administering the various permit, licensure and other administrative activities related to them; and

WHEREAS, the Public Works Department and the Police Department of the City have proposed new fees or fee amendments more closely reflecting the true cost of supporting the operational and administrative activities of the Departments for which fees have been established; and

WHEREAS, the Council has received and considered said proposals and desires to make its determination of new fees effective and to spread same upon the public record through this Ordinance;

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

SECTION ONE. Chapter 50 of the Code entitled “GARBAGE, REFUSE AND WEEDS” in the sub-chapter entitled “GENERAL PROVISIONS,” §50.003 entitled “USE OF CITY DISPOSAL FACILITY” is hereby amended by striking out the language in sub-sections (B) and (C) thereof and inserting the following new language in such sub-sections, and adding new subsections (D) and (E) as follows:

§ 50.003 USE OF CITY DISPOSAL FACILITY.

* * *

(B) Any resident of the City desiring to deposit rubbish, garbage or trash of any kind within any disposal facility established by the City shall first obtain a City Yard Disposal Permit. Such permit shall be issued by the Clerk-Treasurer for semi-annual periods from January 1st to June 30th and from July 1st to December 31st, or fraction thereof, upon application for same in writing upon the form prescribed for this purpose by the Clerk-Treasurer. The applicant must demonstrate his or her residency in the City by presenting a valid driver’s license or government-issued identification instrument showing an address within the City. The ownership of real estate within the City is not sufficient to allow the issuance of a permit without actual residence within the City. Persons residing outside the corporate limits of the City, but owning a

49 home or investment properties in the City of Hobart will not be issued a
50 dump permit.

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52 (C) No person shall deposit rubbish, garbage or trash of any
53 kind in any City disposal facility which has been carried or removed to
54 the facility for such purpose from outside the City.

55
56 (D) City Yard Disposal Permits are not transferable. No
57 person who been issued a valid permit may allow anyone else to use it
58 for any purpose. Failure to comply with this sub-section may result in
59 cancellation of the permit and forfeiture of the permit fee.

60
61 (E) City Yard Disposal Permits shall not be issued to any
62 person, organization, business or contractor, whether a resident of the
63 City or not, for disposal of rubbish, garbage or trash generated in the
64 course of such business. Rubbish, garbage or trash from projects done
65 by a person, contractor or business for hire must be disposed of properly
66 through commercial means.

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68 **SECTION TWO.** Chapter 50 of the Code entitled “GARBAGE, REFUSE
69 AND WEEDS” in the sub-chapter entitled “*GENERAL PROVISIONS*,” §50.005
70 entitled “REFUSE DISPOSAL” is hereby amended by striking the language in
71 sub-sections (A) through (D) of that Section and inserting in lieu thereof the
72 following new language:

73
74 **§ 50.005 REFUSE DISPOSAL.**

75
76 (A) The following items will be collected by the City as a
77 special pickup for which a fee shall be determined and billed based on
78 the actual man-hours, equipment required and cost of disposal to the
79 City. There will be assessed a minimum charge of \$15.00 for special
80 pickups. Special pickups shall be made as soon as practicable after a
81 request is received by the Department of Public Works:

- 82
83 (1) Large household appliances, white goods, water
84 heaters and large or heavy metal objects;
85
86 (2) Furniture and mattresses;
87
88 (3) Packing materials;
89
90 (4) Lawn equipment;
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92 (5) Concrete, bricks or cement blocks;
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94 (6) All brush or tree limbs;
95
96 (7) Carpeting;
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98 (8) Electronics fee of \$10 per item

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- (9) Garbage bags or any additional containers outside of City-supplied Toter© receptacle.
- (10) Additional items as authorized by the Commissioner of Public Works.
- (B) The following items will not be picked up or disposed of by the City:
 - (1) Hazardous waste, including, but not limited to, oil, gasoline, diesel fuel, antifreeze, chemicals, vehicles, railroad ties, gas canisters, propane tanks and flammable or explosive materials;
 - (2) Refuse from the maintenance, remodeling, demolition, burning or destruction of buildings, regardless of whether the maintenance, remodeling, demolition, burning or destruction is performed by the owner or by a contractor;
 - (3) Tree trunks, tree stumps or tree roots;
 - (4) Grass clippings, except as part of a composting program in compliance with state statute;
 - (5) Debris related to construction or remodeling (interior and exterior whether performed by contractor or resident).
- (C) The following items will not be collected curbside but may be brought to the City Yard for proper disposal:
 - (1) Paint;
 - (2) Electronics;
 - (3) Tires (nothing larger than a pickup truck tire);
- (D) The Building Department shall:
 - (1) Notify each licensed contractor of the provisions of this section at the time the annual license is issued, including notification that refuse from contractor operations is the responsibility of the owner or contractor; and
 - (2) Include with each building permit issued, notification of the provisions of this section and of the responsibility of the building permit holder to dispose of refuse from operations conducted under the building permit.

149 **SECTION THREE.** Chapter 50 of the Code entitled “GARBAGE,
150 REFUSE AND WEEDS” in the sub-chapter entitled “*GENERAL PROVISIONS,*”
151 §50.007 entitled “REFUSE CONTAINERS; SPECIFICATIONS.” is hereby
152 repealed.
153

154 **SECTION FOUR.** Chapter 50 of the Code entitled “GARBAGE,
155 REFUSE AND WEEDS” in the sub-chapter entitled “*REFUSE COLLECTION*
156 *AND DISPOSAL,*” §50.034 entitled “CITY-ISSUED GARBAGE AND
157 RECYCLING CONTAINERS” is hereby amended by striking the language in
158 sub-section (A)(1) and inserting in lieu thereof the following new language:
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160 **§ 50.034 CITY-ISSUED GARBAGE AND RECYCLING**
161 **CONTAINERS.**

162 * * *

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164
165 (A) (1) Such containers shall consist of one (1) garbage
166 container, and one (1) recycling container issued for the use of the
167 occupants of each dwelling in a structure of two (2) units or less in the
168 City. The containers shall at all times remain the property of the City,
169 and shall be numbered and registered to each address to which the
170 container is assigned. Each resident of the City occupying a dwelling
171 unit to which one or more such containers have been issued shall, upon
172 vacating the unit, close their account and leave the container(s) behind at
173 the unit for the use of the next occupant. The City, acting by and through
174 the Department of Public Works, shall verify that the container was left
175 behind, and shall be entitled to collect a fee from the owner of any
176 dwelling to which containers have been registered, whenever such
177 container or containers are missing due to the failure of a resident to
178 properly secure and maintain the container at the dwelling unit to which
179 it was registered. Such fee shall be equal to the current cost of
180 replacement of each such container, the exact amount to be specified
181 from time to time by Ordinance in the City Fee Schedule.
182

183 **SECTION FIVE.** Chapter 50 of the Code entitled “GARBAGE,
184 REFUSE AND WEEDS” in the sub-chapter entitled “*GARBAGE COLLECTION*
185 *FEE,*” §50.040 entitled “GARBAGE COLLECTION FEE” is hereby amended
186 by striking the language in sub-section (B) and inserting in lieu thereof the
187 following new language, and adding a new subsection to be denominated sub-
188 section (F) as follows:
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190 **§ 50.040 GARBAGE COLLECTION FEE.**

191 * * *

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194 (B) The garbage collection fee is hereby established in the
195 flat rate amount of \$20.00 per month per unit served. Eligible residential
196 garbage collection customers age 65 or over shall be assessed a reduced
197 flat rate amount of \$15.00 per month once application is made for the

198 reduction and eligibility is established. Residents may qualify for the
199 reduced monthly fee by applying for such reduction through the office of
200 the Clerk-Treasurer providing proof of ownership and residency at a
201 property and proof of age. Rates are to be added to the Fee Schedule of
202 the Municipal Code. The fees established herein shall be increased by
203 three percent (3%) effective January 1, 2021 and on each January 1st
204 thereafter.

205 * * *

206
207 (F) All garbage collection accounts more than two months
208 delinquent will be reported to the Public Works Department and will
209 result in loss of service until the account is brought current.

210
211 **SECTION SIX.** Chapter 50 of the Code entitled “GARBAGE, REFUSE
212 AND WEEDS” in the sub-chapter entitled “*SUPPLEMENTAL COLLECTION*
213 *REGULATIONS,*” §50.052 entitled “COLLECTION PRACTICES” is hereby
214 amended by renaming it “COLLECTION PRACTICES AND FEES” and said
215 section is further amended by striking the language in sub-section (A)(2) and
216 inserting in lieu thereof the following new language:

217
218 **§ 50.052 COLLECTION PRACTICES AND FEES**

219 * * *

220
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222 (2) *Businesses. Two cubic yard containers.*
223 All properties required to use 2 yard containers shall, at
224 their option, elect up to three (3) times per week refuse
225 removal. All garbage and refuse collected from
226 properties required to use 2 cubic yard containers shall
227 be placed in the container. Any such user placing
228 material outside of the 2 cubic yard container shall be
229 charged an additional volume cost incurred as
230 determined by the Board of Public Works and Safety.
231 Fees are to be charged per container, per collection, and
232 are listed in the fee schedule.

233
234 **SECTION SEVEN.** The Fee Schedules for the City of Hobart, 2019 are
235 hereby amended as follows:

236
237 Under Dumping Permit §50.003 (page 5):

238
239 \$25.00 Semiannually (January – June; July – December)
240 Proof of residency required.

241
242 Under Garbage Collection Contracted with City for residential
243 properties containing 4 or more dwelling units §50.009 (page 6):
244

245 Once per week pick-up: \$60.00 per month (2-yard
246 container)

247
248 Twice per week pick-up: \$100.00 per month (2-yard
249 container)

250
251 Each additional pick-up: \$60.00 per container

252
253 *Increases 3% annually each January.*

254
255 Under Garbage Collection Fee (Residential) §50.040 (page 7):

256
257 \$20.00 per month per unit

258
259 City Garbage Collection services shall serve each
260 single family residential unit and each duplex
261 residential unit and each fourplex multi-family
262 residential unit located within the City.
263 Eligible residential garbage collection customers
264 age 65 or over shall be assessed a reduced flat rate
265 amount of \$15.00 per month once application is
266 made for the reduction and eligibility is established.

267
268 *Increases 3% annually each January.*

269
270 Under Garbage Collection Fee (Residential) §50.034 (page 7):

271
272 Registration Fee for Additional Garbage Container: \$35.00

273
274 Monthly Additional Garbage Collection and Disposal Fee
275 (per garbage container): \$20.00 per month.

276
277 Monthly Additional Garbage Collection and Disposal Fee
278 for Senior Citizens subject to determination of eligibility
279 (per garbage container): \$15.00 per month

280
281 *Increases 3% annually each January.*

282
283 Under Paint (Recycled) §50.120 (page 8):

284
285 2020 Rate: \$5.00 per gallon

286
287 Under Police Officer Application (page 10):

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289 Application Fee: \$40.00

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Under Refuse Disposal §50.005 (page 11):

\$25.00 Semiannually (January – June; July – December)
Proof of residency required.

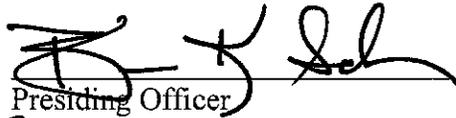
Special Pick-ups: billed based on actual cost for man-hours,
and equipment required for pickup and cost of disposal.
Certain exclusions apply. Minimum charge of \$15.00 per
pickup.

Special Pick-ups: Electronics: \$10.00 per item

SECTION EIGHT. This ordinance shall become effective January 1,
2020.

SECTION NINE. All other 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 4th day of December, 2019.



Presiding Officer

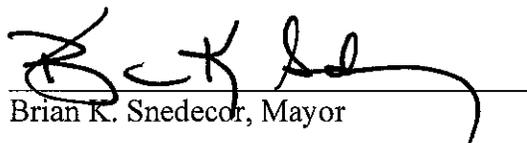
ATTEST: 
Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 4th day of
December, 2019 at the hour of 7:15 pm

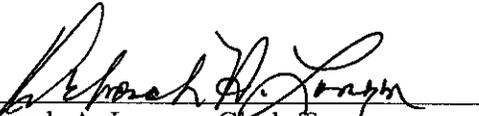


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
of Hobart on this 4th day of December, 2019.



Brian K. Snedecor, Mayor

ATTEST: 
Deborah A. Longer, Clerk-Treasurer