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DISPOSAL. The storage, collection, disposal and handling of refuse.

DUMP. Any land or area used for the throwing, storage, dumping and/or disposing of refuse of any sort not conforming to the requirements of a sanitary landfill.

GARBAGE. Discarded animal or vegetable food waste.

~~**RECYCLABLE MATERIALS.** The materials designated by the Mayor or his or her designee under promulgations and regulations established by him or her from time to time, a list of which designated materials shall be published in the same manner as ordinances.~~

REFUSE. All putrescible and non-putrescible solid and semi-solid wastes, except human excreta, including garbage, rubbish, ashes, abandoned automobiles, street cleanings, dead animals, offal and solid commercial, industrial and institutional wastes.

RUBBISH. All non-putrescible solid waste, excluding ashes, such as cardboard, paper, plastic, metal or glass food containers, rags, waste metal, yard clippings, small pieces of wood, excelsior, rubber, leather, crockery and other waste materials that ordinarily accumulate around a home, business or industry. It shall not include garbage, ashes, bulk refuse, dead animals, hazardous refuse, industrial waste or building waste resulting from the operations of a contractor.

(Prior Code, § 7-1) (Ord. 615, § 2; Ord. 93-21, § 1) (Ord. 2012-13, § 1)

§ 50.002 DUMPS RESTRICTED.

(A) Dumps are hereby declared to be nuisances hazardous to human health and, as such, are not suitable means of refuse disposal. No person shall establish, operate or maintain a dump, yard or other facility for the storage or disposal of refuse within the corporate limits of the city, whether or not such facility is operated for compensation or free of charge.

(B) Nothing in this section shall be construed as prohibiting any person or governmental entity from temporarily storing, on their own premises, refuse generated or produced by them on said premises incidental to the removal and disposal thereof.

(Prior Code, § 7-2) (Ord. 615, § 5; Ord. 93-21, § 2) (Ord. 2012-13, § 2)

§ 50.003 USE OF CITY DISPOSAL FACILITY.

(A) All non-residents of the city are prohibited from depositing rubbish, garbage or trash of any kind within any disposal facility established by the City.

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

99 (Ord. 2017-28, § 1; Ord. 2019-35, § 1)

100
101 (C) No person shall deposit rubbish, garbage or trash of any kind in any City disposal facility
102 which has been carried or removed to the facility for such purpose from outside the City.
103 (Prior Code, § 7-3) (Ord. 633, § 1) (Ord. 2012-13, § 3; Ord. 2019-35, § 1) Penalty, see §10.99

104
105 (D) City Yard Disposal Permits are not transferable. No person who has been issued a valid permit
106 may allow anyone else to use it for any purpose. Failure to comply with this sub-section may result in
107 cancellation of the permit and forfeiture of the permit fee.
108 (Ord. 2019-35, § 1)

109
110 (E) City Yard Disposal Permits shall not be issued to any person, organization, business or
111 contractor, whether a resident of the City or not, for disposal of rubbish, garbage or trash generated in the
112 course of such business. Rubbish, garbage or trash from projects done by a person, contractor or business
113 for hire must be disposed of properly through commercial means.
114 (Ord. 2019-35, § 1)

115
116
117 **§ 50.004 REPEALED.**

118 (Prior Code, § 7-4) (Ord. 633, § 2) (Repealed by Ord. 2012-13, § 4)

119
120
121 **§ 50.005 REFUSE DISPOSAL.**

122
123 (A) The following items will be collected by the city as a special pickup for which a fee shall
124 be determined and billed based on the actual cost in man-hours, equipment required and cost of disposal to
125 the City. There will be assessed a minimum charge of \$15.00 for special pickups. Special pickups shall be
126 made as soon as practicable after a request is received by the Department of Public Works.

- 127
128 (1) Large household appliances, white goods, water heaters and large or heavy metal
129 objects;
130
131 (2) Furniture and mattresses;
132
133 (3) Packing materials;
134
135 (4) Lawn equipment;
136
137 (5) Concrete, bricks or cement blocks;
138
139 (6) All brush or tree limbs;
140
141 (7) Carpeting;
142
143 (8) Electronics: fee of \$10.00 per item;
144
145 (9) Garbage bags or any additional containers outside of City-supplied Toter©
146 receptacle;
147
148 (10) Additional items as authorized by the Commissioner of Public Works.
149

150 (B) The following items will not be picked up or disposed of by the City:

151

152 (1) Hazardous waste, including, but not limited to, oil, gasoline, diesel fuel, antifreeze,
153 chemicals, vehicles, railroad ties, gas canisters, propane tanks and inflammable or explosive materials;

154

155 (2) Refuse from the maintenance, remodeling, demolition, burning or destruction of
156 buildings, regardless of whether the maintenance, remodeling, demolition, burning or destruction is
157 performed by the owner or by a contractor;

158

159 (3) Tree trunks, tree stumps or tree roots;

160

161 (4) Grass clippings, except as part of a composting program in compliance with state
162 statute;

163

164 (5) Debris related to construction or remodeling (interior and exterior whether
165 performed by contractor or resident).

166

167 (C) The following items will not be collected curbside but may be brought to the City Yard for
168 proper disposal:

169

170 (1) Paint;

171

172 (2) Electronics;

173

174 (3) Tires (nothing larger than a pickup truck tire);

175

176 (D) The Building Department shall:

177

178 (1) Notify each licensed contractor of the provisions of this section at the time the
179 annual license is issued, including notification that refuse from contractor operations is the responsibility
180 of the owner or contractor; and

181

182 (2) Include with each building permit issued, notification of the provisions of this
183 section and of the responsibility of the building permit holder to dispose of refuse from operations
184 conducted under the building permit.

185 (Prior Code, § 7-5) (Ord. 615, § 3; Ord. 92-16, § 1; Ord. 2002-14, § 1; Ord. 2011-38, § 9; Ord. 2012-13, §
186 5; Ord. 2019-35, § 2) Penalty, see § 10.99

187

188

189 **§ 50.006 USE OF CONTAINERS REQUIRED; EXCEPTION.**

190

191 (A) Each householder, commercial establishment or person having refuse shall obtain
192 approved containers and shall place and keep all refuse therein unless containers are provided by the city.

193

194 (B) It is unlawful to place refuse in any street, alley, stream, body of water or in any public
195 place or upon private property, whether owned by the person or entity placing the refuse, or not, unless the
196 refuse is placed in an approved container.

197 (Prior Code, § 7-6) (Ord. 615, § 3; Ord. 2012-13, § 6) Penalty, see §10.99

198

199

200 **§ 50.007 REPEALED.**

201 (Prior Code, § 7-7) (Ord. 615, § 3; Ord. 2012-13, § 7) (Repealed by Ord. 2019-35, § 3)

202
203

204 **§ 50.008 REPEALED.**

205 (Prior Code, §§ 7-8 thru 7-10) (Ord. 615, §§ 3-4; Ord. 92-14, § 1) (Repealed by Ord. 2012-13, §8)

206
207

208 **§ 50.009 COLLECTION; FREQUENCY.**

209
210

(A) Refuse shall be collected once weekly.

211
212

(B) Hotels, restaurants, institutions and commercial establishments may be required to have more frequent collection, if determined by the Board of Public Works and Safety to be essential to protect the public health.

213
214
215

(C) All residential properties containing four (4) or more dwelling units and non-residential properties, as described in § 50.007(C), may contract for collection of 2 cubic yards of refuse up to three (3) times per week by the City. The fee for the collection shall be as set out in the Fee Schedule of the Code.

216
217
218
219

(D) The fees shall be payable in the same manner and for the same time periods as sewer use charges and shall be billed, whenever practical to do so, with the regular sewer use charge billing for the premises.

220
221
222

(Prior Code, § 7-11) (Ord. 615, § 4; Ord. 92-14, § 2; Ord. 2011-38, § 8; Ord. 2012-13, § 9)

223
224
225
226

227 **§ 50.010 REPEALED.**

228 (Prior Code, § 7-12) (Ord. 615, § 4) (Repealed by Ord. 2009-13, § 1 and Ord. 2012-13, § 10)

229
230

231 **§ 50.011 REPEALED.**

232 (Prior Code, §§ 7-13 thru 7-15) (Ord. 615, § 4) (Repealed by Ord. 2009-13, § 1 and Ord. 2012-13, § 10)

233
234

235 **§ 50.012 REPEALED.**

236 (Prior Code, § 7-16) (Ord. 615, § 4) (Repealed by Ord. 2009-13, § 1 and Ord. 2012-13, § 10)

237
238

239 **§ 50.013 REPEALED.**

240 (Prior Code, § 7-17) (Ord. 615, § 4) (Repealed by Ord. 2009-13, § 1 and Ord. 2012-13, § 10)

241
242

243 **§ 50.014 REPEALED.**

244 (Prior Code, § 7-18 & 19) (Ord. 615, § 4) (Repealed by Ord. 2012-13, § 10)

245
246

247 **§ 50.015 GRASS, WEEDS AND NOXIOUS VEGETATION.**

248
249

(A) Whenever it is determined that a rank growth of grass, weeds or other vegetation exceeding 6 inches in height exists on property located in the city, the Hobart Code Enforcement Department shall be notified and it shall send a 5-day written notice to remove the vegetation to the landowner by certified mail

250
251

252 addressed to the landowner's last known address and shall post a notice of action at the residence or vacant
253 lot. For any subsequent violations a continuous abatement notice may be issued in accordance with I.C.
254 §36-7-10.1-3.

255
256 (B) If the landowner fails to remove the vegetation within the time prescribed, the city may
257 remove the vegetation. The Clerk-Treasurer shall make a certified statement of the actual cost incurred by
258 the city in the removal. The statement shall be sent to the landowner by certified mail and the owner shall
259 pay the amount to the Clerk-Treasurer's office within 10 days after receiving the statement. If the landowner
260 fails to pay the amount due within the time permitted, a certified copy of the statement of costs shall be
261 filed in the Lake County Auditor's office, the amount shall be collected as taxes are collected and disbursed
262 to the city's General Fund.
263 (Prior Code, § 7-20) (Ord. 91-24, § 2; Ord. 2006-02, § 1; Ord. 2013-22)

264
265
266 **§ 50.016 VIOLATIONS DECLARED NUISANCES; ABATEMENT.**
267

268 (A) Any dump or landfill or the transportation of refuse in violation of any provision or section
269 of this chapter is hereby declared to be a common nuisance and, as such, may be abated in any such manner
270 as nuisances are or may hereafter be abated under existing laws including, but not limited to, temporary and
271 permanent injunctive relief.

272
273 (B) The city or any designated enforcement officer hereof may institute a suit for injunction to
274 restrain any person or political subdivision from violating any provision of this chapter.
275 (Prior Code, § 7-21) (Ord. 93-21, § 3(part))

276
277
278 **§ 50.017 CUMULATIVE REMEDIES.**
279

280 The limitations and remedies of this chapter are cumulative and are in addition to all other
281 limitations and remedies prescribed by law, statute or ordinance.
282 (Prior Code, § 7-22) (Ord. 93-21, § 3(part))

283
284
285 ***REFUSE COLLECTION AND DISPOSAL***

286
287
288 **§ 50.030 RESPONSIBILITY, AUTHORITY TO CONTRACT FOR.**
289

290 (A) The collection and disposal of refuse within the corporate limits of the city shall be
291 administered, operated, conducted and/or maintained by and through the office of the Mayor and the terms
292 of the provisions of this subchapter.

293
294 (B) The city shall have the right, exercisable by its Common Council, to appoint or contract
295 with 1 or more persons, exclusively or concurrently with the activities of the city, to collect and/or dispose
296 of refuse, garbage or rubbish.
297 (Prior Code, § 7-23) (Ord. 93-21, § 4(part))

298
299
300 **§ 50.031 REPEALED.**
301 (Prior Code, § 7-24) (Ord. 93-21, § 4(part)) (Repealed by Ord. 2012-13, § 11)

302

303
304 **§ 50.032 REPEALED.**
305 (Prior Code, § 7-25) (Ord. 93-21, § 4(part)) (Repealed by Ord. 2012-13, § 11)
306
307

308 **§ 50.033 REPEALED.**
309 (Prior Code, § 7-26) (Ord. 93-21, § 4(part)) (Repealed by Ord. 2012-13, § 11)
310

311
312 **§ 50.034 CITY-ISSUED GARBAGE AND RECYCLING CONTAINERS.**
313

314 (A) The City administration, acting by and through the City Executive and Board of Public
315 Works and Safety, may issue City-owned and supplied receptacle containers for garbage and ~~post consumer~~
316 ~~recycled materials~~, specially designed to be collected by the City's fleet of automated collection trucks.
317 Such receptacle containers shall be subject to the following rules and fees:
318

319 (1) Such containers shall consist of one (1) garbage container, ~~and one (1) recycling~~
320 ~~container~~ issued for the use of the occupants of each dwelling in a structure of two (2) units or less in the
321 City. The containers shall at all times remain the property of the City, and shall be numbered and registered
322 to each address to which the container is assigned. Each resident of the City occupying a dwelling unit to
323 which one or more such containers have been issued shall, upon vacating the unit, close their account and
324 leave the container(s) behind at the unit for the use of the next occupant. The City, acting by and through
325 the Department of Public Works, shall verify that the container was left behind, and shall be entitled to
326 collect a fee from the owner of any dwelling to which containers have been registered, whenever such
327 container or containers are missing due to the failure of a resident to properly secure and maintain the
328 container at the dwelling unit to which it was registered. Such fee shall be equal to the current cost of
329 replacement of each such container, the exact amount to be specified from time to time by Ordinance in the
330 City Fee Schedule.
331 (Ord. 2019-35, § 4)
332

333 (2) Upon issuance and registration of a garbage container to a dwelling, the occupants
334 of said dwelling shall use the garbage container exclusively for the storage and collection of garbage and
335 trash, and shall use no other receptacle for that purpose of any kind. All garbage and trash shall be placed
336 within the container, and the City reserves the right to refuse collection of garbage or trash not properly
337 placed in the container.
338

339 ~~(3) Upon issuance and registration of a recycling container to a dwelling, the~~
340 ~~occupants of said dwelling shall use the recycling container exclusively for the storage and collection of~~
341 ~~post-consumer recyclables as determined by the Board of Public Works and Safety and described upon a~~
342 ~~descriptive brochure supplied with the container and displayed on the City internet web site, and shall use~~
343 ~~no other receptacle for that purpose of any kind. All recyclables shall be placed within the container and~~
344 ~~the City reserves the right to refuse collection of recyclable items or materials not properly placed in the~~
345 ~~recycling container.~~
346

347 (B) The resident occupying a dwelling to which the City has issued and registered garbage
348 ~~and/or recycling~~ containers may request one (1) additional garbage ~~or recycling~~ container from the City as
349 follows:
350

351 (1) ~~A resident may obtain issuance of a second recycling container upon request to the~~
352 ~~Department of Public Works, if available, and the execution of a receipt for same in writing, which shall~~
353 ~~evidence the registration of the additional container to the dwelling place of the resident. There shall be no~~

354 charge or fee for an additional recycling container.

355

356 (2)(1) A resident may obtain issuance of a second garbage container only upon
357 compliance with the following requirements:

358

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

362

363 (b) The resident shall also pay a monthly additional collection charge to cover
364 the cost of collection and disposal of the additional garbage and trash in the amount specified by Ordinance
365 in the City Fee Schedule.

366

367 (c) The resident shall execute a receipt for the additional container in writing,
368 which shall evidence the registration of the additional container to the dwelling place of the resident.
369 (Ord. 2015-03, § 1)

370

371 **GARBAGE COLLECTION FEE**

372

373 **§ 50.040 GARBAGE COLLECTION FEE.**

374

375 (A) A garbage collection fee shall be assessed against each resident/owner of real estate or the
376 improvements contained thereon being served by the city garbage collection service. The city garbage
377 collection service shall serve each single family residential unit and each duplex residential unit located
378 within the city. In addition, the city garbage collection service shall serve each fourplex multi-family
379 residential unit located within the city. However, pursuant to other sections of the Municipal Code, garbage
380 will not be collected from and no fee will be charged to the following:

381

382 (1) Multi-family residential units larger than a fourplex;

383

384 (2) A multi-family residential unit which is part of an apartment complex;

385

386 (3) Two or more fourplex multi-family residential units which are adjacent to each
387 other and which are owned by the same person or entity;

388

389 (4) Commercial and industrial properties.

390

391 (B) The garbage collection fee is hereby established in the flat rate amount of \$20.00 per month per
392 unit served. Eligible residential garbage collection customers age 65 or over shall be assessed a reduced flat
393 rate amount of \$15.00 per month once application is made for the reduction and eligibility is established.
394 Residents may qualify for the reduced monthly fee by applying for such reduction through the office of the
395 Clerk-Treasurer providing proof of ownership and residency at a property and proof of age. Rates are to
396 be added to the Fee Schedule of the Municipal Code. The fees established herein shall be increased by
397 three percent (3%) effective January 1, 2021 and each January 1 thereafter.

398

399 (Ord. 2019-35, § 5)

400

401 (C) The rates and charges for all units shall be prepared and billed monthly and collected by
402 the City in the manner provided by law and ordinance.

403

404 (D) The rates and charges may be billed to the tenant or tenants occupying the properties
served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the

405 owner from the liability in the event payment is not made as herein required. The owners of the properties
406 served, which are occupied by a tenant or tenants, shall have the right to examine the collection records of
407 the City for the purpose of determining whether bills have been paid by such tenant or tenants and such
408 examination shall be made at the office at which such records are kept and during the regular business hours
409 of such office.

410
411 (E) As is provided by statute, all rates and charges not paid by the 10th day of the month
412 following receipt are hereby declared to be delinquent and a penalty of ten percent (10%) of the amount of
413 the rate or charges shall thereupon attach thereto.

414
415 (F) All garbage collection accounts more than two months delinquent will be reported to the
416 Public Works Department and will result in loss of service until the account is brought current.
417 (Ord. 2008-36, § 1; Ord. 2019-35, § 5)

418
419 **SUPPLEMENTAL COLLECTION REGULATIONS**

420
421 **§ 50.050 STORING OF REFUSE.**

422
423 (A) No person shall place within the city any refuse in any street, alley or other public place,
424 or upon any private property, whether owned by the person or not, except in proper containers for collection
425 or under express approval granted by the Mayor.

426
427 (B) No person shall throw or deposit any refuse in any stream or other body of water.

428
429 (1) *Unauthorized accumulation.* Any unauthorized accumulation of refuse on any
430 premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation
431 of refuse within ten (10) days after the effective date of this subchapter shall be deemed a violation of this
432 subchapter.

433
434 (2) *Scattering of refuse.* No person shall case, place, sweep or deposit anywhere within
435 the city any refuse in such a manner that it may be carried or deposited by the elements upon any street,
436 sidewalk, alley, sewer, parkway or other public place, or into any occupied premises within the city.
437 (Prior Code, § 7-27) (Ord. 93-21, § 5(part)) (Ord. 2012-13, § 12) Penalty, see §10.99

438
439
440 **§ 50.051 POINT OF COLLECTION.**

441
442 (A) Refuse containers shall be placed for collection at ground level on the property, not on the
443 paved portion of the right-of-way of a street or alley, and accessible to and not more than ten (10) feet from
444 the side of the street or alley from which collection is made; provided that, the container may be placed for
445 collection at other than ground level and at a distance of more than ten (10) feet approved by the Mayor,
446 which approval shall include an additional charge for the extra service as agreed upon by both parties.

447
448 (B) Garbage and refuse accumulated by residents in buildings with four (4) or fewer dwelling
449 units and not collected in rear alleys shall be placed out for collection not earlier than 12:00 noon on the
450 day preceding collection. Emptied receptacles and uncollected items shall be returned to the premises at
451 the end of the day of collection and shall not be placed in the front yard.
452 (Prior Code, § 7-28) (Ord. 93-21, § 5(part)) (Ord. 2012-13, § 13)

453
454
455 **§ 50.052 COLLECTION PRACTICES AND FEES.**

456
457 (A) *Frequency of collection.*
458
459 (1) *Residential.* Garbage and refuse accumulated by residential buildings with three
460 (3) or fewer dwelling units shall be collected once each week, except on designated holidays.

461
462 (2) *Businesses. Two cubic yard containers.* All properties required to use 2 yard
463 containers shall, at their option, elect up to three (3) times per week refuse removal. All garbage and refuse
464 collected from properties required to use 2 cubic yard containers shall be placed in the container. Any such
465 user placing material outside of the 2 cubic yard container shall be charged an additional volume cost
466 incurred as determined by the Board of Public Works and Safety. Fees are to be charged per container, per
467 collection, and are listed in the fee schedule.
468 (Ord. 2019-35, § 6)

469
470 (3) *Apartment or multiple dwelling units.* Where necessary to protect the public health,
471 the Mayor shall have the authority to require that more frequent collections than twice each week be made,
472 or that additional 2 cubic yard containers be obtained. In such instance, or otherwise when reasonably
473 required by the Mayor, the person owning or operating the apartment or multiple dwelling unit shall contract
474 with a private collection service to meet the requirements of the city.

475
476 (4) *Commercial.* The Mayor may designate that a hotel, restaurant or other business
477 or commercial institution shall enter into an agreement with a private collection company authorized to do
478 business in the city and in such instance, the city shall not collect garbage and refuse from such person or
479 firm.

480
481 (B) *Use of 2 cubic yard containers.*

482
483 (1) All residential properties containing four (4) or more dwelling units, and non-
484 residential properties, including, but not limited to, businesses, schools, churches and similar uses, who
485 request city refuse collection, shall own alone or jointly with others one (1) or more than one (1) 2 cubic
486 yard containers approved by the city, and in a number to accommodate all refuse produced by the user(s)
487 of the container(s) so that no garbage is stored outside of the container, and so that it does not otherwise
488 overflow or allow the wind to blow materials out of the container. Container lids must be kept closed when
489 not in use.

490
491 (2) Apartments and multiple dwelling units required to provide a 2-cubic yard
492 container in division (B) (1) above, shall provide the container before service can begin.

493
494 (C) *Limitation of quantity.*

495
496 (1) *Residential.* The city shall collect garbage and refuse of each family during a
497 collection period.

498
499 (2) *Apartment or multiple dwelling units.* The city may collect garbage of apartments
500 or multiple dwelling units during the collection period at a fair charge based upon the average weight or
501 volume. The Mayor shall have the authority to refuse to collect unreasonable amounts or to make an
502 additional charge for such amounts.

503
504 (3) *Commercial.* The city may collect garbage and refuse of hotels, restaurants and
505 other businesses and institutions during the collection period at a fair charge based upon the average weight
506 or volume. The Mayor shall have the authority either to refuse to collect amounts or to make an additional

507 charge for such amounts.

508

509 (D) *Special refuse problems.*

510

511 (1) *Contagious disease refuse.* The removal of wearing apparel, bedding or other

512 refuse from homes or other places where highly infectious or contagious diseases have prevailed, shall be

513 performed under supervision and direction of the county's Health Officer. The refuse shall not be placed in

514 containers for regular collections. To include medical waste and needles.

515

516 (2) *Inflammable or explosive refuse.* Highly inflammable or explosive materials shall

517 not be placed in containers for regular collection, but shall be disposed of as directed by the Mayor at the

518 expense of the owner or possessor thereof.

519 (Prior Code, § 7-29) (Ord. 93-21, § 5(part)) (Ord. 2012-13, § 14)

520

521

522 **§ 50.053 VALIDITY.**

523

524 (A) *Repeal of conflicting provisions.* All ordinances or parts of ordinances in direct conflict

525 herewith are hereby repealed. This subchapter shall be deemed supplemental and additional to any other

526 ordinances now in effect.

527

528 (B) *Validation clause.* The invalidity of any section, sentence, clause or provision in this

529 subchapter shall not affect the validity of any other section, sentence, clause or provision of this ordinance

530 which can be given effect without such invalid part or parts.

531 (Prior Code, § 7-30) (Ord. 93-21, § 5(part))

532

533

534 ***RECEPTACLES***

535

536 **§ 50.065 REPEALED.**

537 (Prior Code, § 7-31) (Ord. 93-21, § 6(part)) (Repealed by Ord. 2012-13, § 15)

538

539

540 **§ 50.066 REPEALED.**

541 (Prior Code, § 7-32) (Ord. 93-21, § 6(part)) (Repealed by Ord. 2012-13, § 15)

542

543

544

545 ***SANITARY LANDFILLS***

546

547

548 **§ 50.080 DUMPING IN OTHER AREAS PROHIBITED.**

549

550 No person or political subdivision shall dump or deposit any refuse on any land or in any area,

551 public or private, within the corporate limits of the city.

552 (Prior Code, § 7-34) (Ord. 93-21, § 7(part)) Penalty, see §10.99

553

554

555 **§ 50.081 COMPLIANCE WITH SUBCHAPTER REQUIREMENTS.**

556

557 No person shall dispose of refuse or permit the disposal of refuse on land owned by him or her or

558 leased by him or her, or under his or her control, by the landfill method, or use or permit the use of sanitary
559 waste as fill for any low or submerged property.
560 (Prior Code, § 7-35) (Ord. 93-21, § 7(part)) Penalty, see §10.99

561
562

563 **RECYCLING**

564
565

566 **§ 50.095 DEFINITIONS.**

567

568 ~~For the following purposes of this subchapter, the following words and phrases shall have the~~
569 ~~meanings respectively ascribed to them by this section.~~

570

571 ~~**AUTHORIZED OR DESIGNATED RECYCLING PROGRAM.** A program for the collection and~~
572 ~~recycling of recyclable material which is instituted, sponsored and controlled by the City of Hobart.~~

573

574 ~~**BUY-BACK CENTER.** A facility established to purchase recyclables from municipalities and/or~~
575 ~~the general public and to process, store and transport same.~~

576

577 ~~**COMPOSTABLE MATERIAL.** Leaves, grass clippings, tree limbs, other yard wastes, lumber and~~
578 ~~wallboard.~~

579

580 ~~**DROP-OFF BOX.** A compartmentalized, self-contained roll-off box, which is used to collect~~
581 ~~separated recyclables. The number and size of compartments corresponds with the type and anticipated~~
582 ~~amount of recyclables.~~

583

584 ~~**ELIGIBLE HOUSEHOLDS.** All single family dwelling units and multi-family dwelling units up~~
585 ~~to 4 units per building who are receiving city refuse collection service.~~

586

587 ~~**PARTICIPATING HOUSEHOLDS.** All eligible households who place recyclable materials as~~
588 ~~part of the designated recycling program, at designated collection points, in accordance with city~~
589 ~~specifications.~~

590

591 ~~**PARTICIPATING INSTITUTION.** All schools, hospitals and other not-for-profit organizations,~~
592 ~~approved by the Mayor, for participation in the recycling and composting programs.~~

593

594 ~~**RECYCLABLES.** All items of refuse to be part of an authorized recycling program and which are~~
595 ~~intended for transportation, processing and remanufacturing.~~
596 ~~(Prior Code, § 7-36) (Ord. 93-21, § 8(part))~~

597

598

599 **§ 50.096 PROMOTION OF RECYCLING PROGRAM.**

600

601 ~~(A) The Council hereby authorizes the Mayor to develop and implement an intensive and~~
602 ~~comprehensive promotional program concerning the city recycling program.~~

603

604 ~~(B) This may include advertising, visiting neighborhood organizations, brochures, direct~~
605 ~~mailing, cable television broadcasts, school presentations, novelties and rewards and prizes, subject to~~
606 ~~Council approval.~~

607 ~~(Prior Code, § 7-37) (Ord. 93-21, § 8(part))~~

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~~§ 50.097 AUTHORIZATION TO IMPLEMENT.~~

~~———— The Executive of the City shall implement the above-described recycling program, together with any additions thereto authorized by the Common Council. The executive may, consistent with the city budget in effect, purchase necessary equipment, install necessary capital improvements, and hire and train necessary employees, to support such program.
(Prior Code, § 7-38) (Ord. 93-21, § 8(part)) (Ord. 2012-13, § 16)~~

~~§ 50.098 REQUIRED STATUS REPORT.~~

~~———— The Mayor shall, from time to time or upon request of the Council, prepare status reports during implementation, and evaluations, research, findings and recommendations concerning the on-going recycling program.
(Prior Code, § 7-40) (Ord. 93-21, § 8(part))~~

~~§ 50.099 REPEALED. See now §10.99
(Prior Code, § 7-41) (Ord. 93-21, § 8(part)) (Repealed by Ord. 2012-13, § 17)~~

~~§ 50.100 VOLUNTARY.~~

~~———— The recycling program shall be voluntary.
(Prior Code, § 7-42) (Ord. 93-21, § 8(part))~~

~~§ 50.101 CONTAINERS.~~

~~———— One (1) standard city-approved recycling container shall be provided to each eligible household by the city. The container shall be used for recyclable items and materials, only. The containers shall remain the property of the City of Hobart and each resident shall return the container issued to his or her household to the Department of Public Works at the City yard at the time of moving his or her residence. The resident shall be responsible for proper care and cleaning of the container and shall be liable for the cost of its repair, replacement or return when damage or loss of the container is caused by the resident's careless or malicious behavior.
(Prior Code, § 7-43) (Ord. 93-21, § 8(part)) (Ord. 2012-13, § 18)~~

~~§ 50.102 REPEALED.
(Prior Code, § 7-44) (Ord. 93-21, § 8(part)) (Repealed by Ord. 2012-13, § 19)~~

~~§ 50.103 COLLECTION FREQUENCY.~~

~~———— The frequency of collection of recyclables shall be determined by the Department of Public Works, but such collection of recyclables will take place for each participating household in the city on the same day as the household's refuse collection.
(Prior Code, § 7-45) (Ord. 93-21, § 8(part)) (Ord. 2012-13, § 20)~~

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~~§ 50.104 COLLECTION ITEMS.~~

~~———— The Mayor shall prepare a list of refuse items designated to be part of an authorized recycling program. Such items must be ones which are generally accepted by the recycling industry for remanufacture and refuse, and which can be cleaned, prepared and stored in a manner to protect the public health, welfare, safety or environment.
(Prior Code, § 7-46) (Ord. 93-21, § 8(part))~~

~~§ 50.105 UNAUTHORIZED COLLECTIONS.~~

~~———— It shall be unlawful for any person, other than a duly authorized employee or designee of the city, to collect or remove recyclable materials which are set out by city residents as part of the city recycling program.
(Prior Code, § 7-47) (Ord. 93-21, § 8(part)) (Ord. 2012-13, § 21) Penalty, see §10.99~~

~~§ 50.106 RECYCLABLES OWNERSHIP.~~

~~———— Upon the placement by a resident householder of recyclable materials at curbside or some other approved pick-up point for collection by the city, ownership of recyclable materials passes to the city, subject to the right of the city to reject any materials not prepared, cleaned or stored according to city specifications. Such rejected material shall remain the responsibility and property of the individual or household from which the materials originated who shall properly dispose of same forthwith.
(Prior Code, § 7-48) (Ord. 93-21, § 8(part)) (Ord. 2012-13, § 22)~~

~~§ 50.107 REPEALED.~~

~~(Prior Code, § 7-49) (Ord. 93-21, § 8(part)) (Repealed by Ord. 2012-13, § 23)~~

~~§ 50.108 REPEALED.~~

~~(Prior Code, § 7-50) (Ord. 93-21, § 8(part)) (Repealed by Ord. 2012-13, § 23)~~

~~§ 50.109 REPEALED.~~

~~(Prior Code, § 7-51) (Ord. 93-21, § 8(part)) (Repealed by Ord. 2012-13, § 23)~~

PAINT RECYCLING

~~§ 50.120 PAINT RECYCLING.~~

~~(A) The Department of Public Works of the City may, upon the order of the Mayor, establish a paint recycling program whereby persons may deliver to a site, established by said Department, unused paints of the kinds and limited to the amounts specified in writing by the Director of Public Works. Such paints shall be, to the extent practicable, reprocessed by the Department, and prepared for resale to the public. Any such paint made available for resale to the public shall be sold for a price not to exceed Five and No/100 Dollars (\$5.00) per gallon, the exact price to be charged to be determined from time to time by~~

711 order of the Mayor. Proceeds of the sale of such paint shall be accounted for in the manner required by the
712 Clerk-Treasurer and deposited in the General Fund of the City.

713
714 (B) No person shall be entitled to purchase any paint processed and made available for sale by
715 the City under subsection (A) of this section without executing, prior to sale, a form of written waiver and
716 release which shall be in substantial accordance with the following paragraph:

717
718 In consideration of the sale of paint to the undersigned person by the City of Hobart,
719 the undersigned person agrees that the City, its officials and employees, assume no
720 responsibility whatsoever for the quality, performance or safety of the product sold, that
721 the City specifically disclaims any and all warranties of any kind, express or implied,
722 including any warranties of merchantability or fitness for a particular purpose. The
723 undersigned person represents that he or she is familiar with the proper use and hazards,
724 if any, of the product sold, and further agrees to hold harmless the City of Hobart, its
725 officials and employees from and against any claim for injury or damage to person or
726 property by the undersigned person, the ultimate user of the product sold or any other
727 person arising from or caused by the use of the product sold.

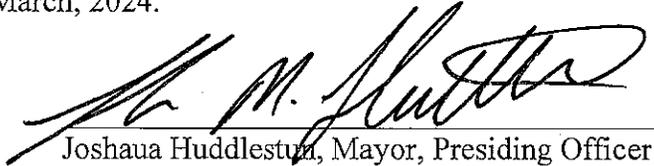
728 (Ord. 2010-30, § 1)

729
730 **§ 50.999 REPEALED.** See now §10.99
731 (Prior Code, § 7-52) (Ord. 90-42, § 5) (Ord. 2012-13, § 24) (Repealed by Ord. 2020-36, §2)

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736 *SECTION TWO:* This ordinance shall become effective upon its
737 adoption in the manner required by law, and upon publication thereof pursuant to
738 I.C. §36- 3-4-6-14(b) in two newspapers of general circulation published within
739 the City pursuant to I.C. §5-3-1-4 (a).

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

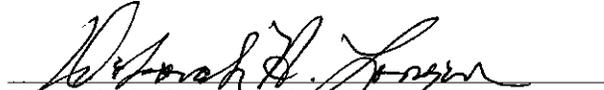
743
744 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
745 Hobart, Indiana on this 20th day of March, 2024.

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749 Joshua Huddleston, Mayor, Presiding Officer

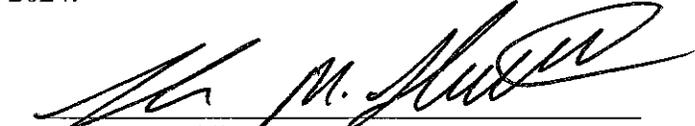
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752 ATTEST: 
753 Deborah A. Longer, Clerk-Treasurer

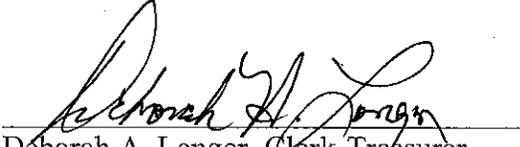
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756 PRESENTED by me to the Mayor of the City of Hobart on the 20th day of March, 2024
757 at the hour of 7:00 pm.
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Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 20th day of March 20, 2024.


Joshua Huddlestun, Mayor

ATTEST: 
Deborah A. Longer, Clerk-Treasurer