

PUBLIC HEALTH AND SAFETY

ORDINANCE NO. 01-2002

ORDINANCE ESTABLISHING RATES AND CHARGES  
FOR THE COLLECTION OF TRASH FOR THE TOWN OF WOLCOTT, INDIANA

WHEREAS, the Council of the Town of Wolcott, Indiana, has determined that a clean and well-maintained town is necessary for the safety and welfare of its citizens; and

WHEREAS, the Town of Wolcott is responsible to insure that trash and refuse within the Town of Wolcott, Indiana, are collected and removed; and

WHEREAS, the Council of the Town of Wolcott has previously accepted and entered into a contract for the provision of trash and refuse collection service within the Town of Wolcott for the use and benefit of the citizens of the Town of Wolcott, Indiana; and

WHEREAS, that, to date, the cost for collection and removal of trash and refuse has been paid by regular tax levy on the property owners in the Town of Wolcott, and the cost to provide a service within the Town continues to increase, and considering that the cost of trash service does not necessarily correlate with property tax values, it is deemed inequitable to have property owners absorb the increasing costs through property taxes; and

WHEREAS, after due consideration of the estimated cost for the provision of trash and refuse collection service within the Town of Wolcott, Indiana, the Council of the Town of Wolcott has determined that in the best interest of its citizens, it is necessary that the Council of the Town of Wolcott to adopt an ordinance establishing fees and charges for the use of the trash and refuse collection service.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Wolcott, White County, Indiana, as follows:

SECTION I  
Trash Collection

1. The Town of Wolcott shall arrange for a company or companies to collect trash from the buildings and residences within the town limits on a regular weekly basis, or at such other times as may be determined by the Council of the Town of Wolcott.
2. Trash and Trash Container shall be defined as specified in the contractual agreement between the Town of Wolcott and its agent(s).

SECTION II  
Rates and Charges

1. The owner and/or the occupant of each residence or residential unit or other non-family dwelling located within the Town of Wolcott which are currently being provided Trash Collection Service by the Town or its agent(s) shall continue to be provided Trash Collection Service by the Town or its agent(s) unless specified differently in the contractual agreement between the Town and its agent(s). Each single residential unit and other non-family dwelling shall be assessed a fee of **\$6.00** per month due and payable at the same time as the Water and Wastewater bills are due and payable. The fee per month for Trash Collection Service will increase Two Dollars (\$2.00) annually until the actual contractual charge per residential unit is met, but no more than the actual contractual rate per residential unit, as prescribed by Indiana Code.
2. Rates and charges herein may be collected by the Town of Wolcott in the same manner as other utility rates and charges are collected. Any delinquent or unpaid rates and charges may be assessed and collected according to the provisions of Indiana Code as amended.

SECTION III  
Revenues

1. All revenues generated from the collection of fees for trash collection as provided above shall be paid in the Office of the Clerk-Treasurer of the Town of Wolcott.
2. Upon receipt of all such revenues, the Town Clerk-Treasurer shall deposit such revenues into the General Fund.
3. The Council of the Town of Wolcott shall utilize such revenues deposited in the General Fund in such manner and for such purposes and in the manner required for appropriation and expenditure of funds as provided by law.

SECTION IV  
Penalties

1. In the event that any owner, person or occupant of any business or residence shall fail, refuse or neglect to pay any fees due hereunder for Trash Collection Service, such owner, person or occupant shall be notified in writing by the Clerk-Treasurer of such delinquency and shall have 10 days to pay the amount due in full.
2. It shall be unlawful for any person to use the container of another person, business, or residence for the disposal of trash not generated at the building or residence owning or possessing the container.

3. It shall be unlawful for any person to deposit, dump or leave trash, garbage or debris not generated at a residence, business or property within the boundaries of the Town of Wolcott at a residence, business or property within the boundaries of the Town of Wolcott.

SECTION VI  
Effective Date

1. This Ordinance shall be in full force and effect upon final hearing according to law and passage by the Council of the Town of Wolcott, Indiana, as described in IC 5-3-1-4. The rates established herein shall remain in effect until amended or changed by the Council of the Town of Wolcott. This ordinance shall amend or revoke any previously adopted ordinances in conflict herewith.

Passed and adopted by the common Council of the Town of Wolcott, White County, State of Indiana, this \_\_\_\_\_ day of January, 2002.

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Attest:

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Linda S. Bajzatt, Clerk-Treasurer