

ORDINANCE NO.: 19, 2022

An Ordinance of the Common Council of the City of Valparaiso, Indiana Amending Section 53 of the Valparaiso Municipal Code Concerning Refuse and Recycling

Whereas, the Valparaiso City Council ("Council") previously adopted Section 53 of the Valparaiso Municipal Code concerning the regulation of Refuse and Recycling within the City of Valparaiso, Indiana ("City");

Whereas, the Council has made certain amendments to Section 53 of the Valparaiso Municipal Code including Ordinance 21-2005, Ordinance 22-2005, Ordinance 26-2005 and Ordinance 21-2012.

Whereas, the Council desires to make certain additional changes to Section 53 of the Valparaiso Municipal Code;

Now, Therefore, Be it and it is Hereby Ordained by the Common Council of the City of Valparaiso, Indiana, as follows:

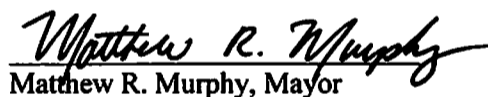
Section 1. That Section 53 of the Valparaiso Municipal Code of the City of Valparaiso, Indiana, shall be amended as follows: See Exhibit A

Section 2 Conflicting Ordinances. Any ordinance or provision of any ordinance of the City of Valparaiso, Indiana, in conflict with the provisions of this Ordinance is hereby repealed.

Section 3. Severability. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval by the Mayor of the City of Valparaiso and publication as required by law.

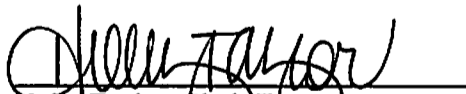
PASSED by the Common Council of the City of Valparaiso, Indiana, by a 6-1 vote of all members present and voting, this 12th day of September, 2022.


Matthew R. Murphy, Mayor

ATTEST:


Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 12th day of September, 2022 at the hour of 7:18 o'clock P.M.


Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this 12th day of September, 2022 at the hour of 7:18 o'clock P. M.


Matthew R. Murphy, Mayor

CHAPTER 53: REFUSE AND RECYCLING

Section

General Provisions

- 53.01 Definitions
- 53.02 Rules and regulations
- 53.03 Administration
- 53.04 Enforcement
- 53.05 Refuse/garbage collection fee

Scope of Work

- 53.10 General description
- 53.11 Hours of operation
- 53.12 Recyclable materials
- 53.13 Recycling containers
- 53.14 Yard waste
- 53.15 Automated collection system
- 53.16 Refuse originating outside of the city
- 53.17 Units collected
- 53.18 Depositing on public streets or sidewalks
- 53.19 Accumulation on private premises; disposal unit
- 53.20 Construction debris
- 53.21 Bulk items
- 53.22 Abandoned or unattended appliances
- 53.23 Dumpsters
- 53.24 Contractors

Solid Waste Management

- 53.35 Fees and revenues
- 53.36 Extra services
- 53.99 Penalty

GENERAL PROVISIONS

§ 53.01 DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APARTMENT COMPLEX. A single residential structure with more than four (4) separate living units or multiple adjacent structures that are part of a larger residential complex or grouping with a combined total of more than four (4) separate living units. Although not solely determinative, common ownership of multiple adjacent residential structures that contain more than four (4) separate living units shall be indicative of an Apartment Complex.

BULK ITEMS. All appliances, furniture, mattresses, children's play equipment and/or solid waste material with a weight or volume greater than that allowed by a disposal unit.

CITY. The City of Valparaiso, Porter County, Indiana.

CONTRACTORS. Any paid business or individual, or any business or individual that as part of their craft or employment performs work on any property located within the City.

CONSTRUCTION WASTE. At a minimum, construction waste is lumber, windows, glass, doors, concrete, pavers, tile, drywall, landscape refuse, rubber mulch, grout, tarps, pallets, compounds, drywall mud, shingles, gutters, asphalt, cement blocks, duct work, water heaters, wiring, furnaces, plastic piping, copper piping, sewer piping, flooring, particle board, ceramic tile, vinyl

flooring, hardwood flooring, joists, trusses, radiators, steel piping, cabinetry, laminate and Formica counter tops, rubber boots (sleeves for piping), bricks, clay tiles, rubber roofing material, tar and asphalt, gravel, paneling, plumbing fixtures, treated lumber, deck material, fencing, swimming pools, cellulose ceiling tiles, insulation, chain link fence, tin ceiling, rebar, wire mesh, light fixtures, all siding, sheeting, window treatments and carpets.

CURBSIDE. Within three (3) feet immediately adjacent to street pavement or alley pavement and gutter.

CUSTOMER.

- (1) **RESIDENTIAL CUSTOMER** is any person residing in the City's corporate limits provided that the resident is not residing in any structure with more than four (4) separate living units or within an Apartment Complex. A **RESIDENTIAL CUSTOMER** shall receive full garbage and recycling services from the City's Public Works Division as defined in this Chapter.
- (2) A **BUSINESS CUSTOMER** is an owner of a: i) commercial or industrial structure; ii) Apartment Complex, or iii) structure that contains an institutional or non-profit organization, which produces any type of garbage and/or recycling as defined in this Chapter and has entered into a contract for garbage and/or recycling services with the City as defined in this Chapter.

DISPOSAL UNIT. The wheeled container(s) selected and approved by the Board of Public Works and Safety for the purpose of disposing of refuse.

DUMPSTERS. Any container larger than 96 gallons used for the collection of any and all types of refuse.

EXECUTIVE DIRECTOR. The Executive Director of the Public Works Division, Valparaiso City Services, City of Valparaiso, Indiana or his or her authorized deputy, agent or representative.

HAZARDOUS WASTES. Wastes defined and designated as hazardous by the USEPA, IDEM and/or the Porter County Health Department.

HOUSEHOLD CONSTRUCTION AND DEMOLITION DEBRIS. Waste materials from do it yourselfers and/or a contractor, interior and exterior household construction, remodeling and repair projects, including, but not limited to, concrete, drywall, plywood and paneling pieces, lumber and other building materials; windows and doors; cabinets; carpeting; tile; disassembled bathroom and kitchen fixtures.

IDEM. The Indiana Department of Environmental Management.

MAY. The action referred to is permissive.

MEDICAL WASTES. Isolation wastes, infectious agents, blood products, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and/or unused medications.

REFUSE.

- (1) The terms **GARBAGE, REFUSE, RUBBISH, SOLID WASTE, TRASH** and **WASTE** shall be identical in meaning, unless more specifically defined in this Chapter.
- (2) All discarded and unwanted household and kitchen wastes, including, but not limited to, food, food residues, and materials necessarily used for packaging, storing, preparing, and consuming food items that are normally defined as garbage, and all waste materials resulting from the usual routine or domestic housekeeping, including, but not limited to, aluminum and steel cans; glass containers; plastic containers; crockery and other containers; metal; paper of all types, including newspapers, books, magazines and catalogs; boxes and cartons; cold ashes; furnishings and fixtures; textiles and leather; toys and recreational equipment; and similar items.
- (3) All non-spoilable solid and semisolid wastes, including bulky refuse, except for the following items:
 - a) Liquids;
 - b) Liquid or water carried wastes which are normally disposed of in sanitary sewer systems;
 - c) Human waste, except for disposable diapers;
 - d) Hazardous wastes;
 - e) Medical wastes; and
 - f) Large animal and farm animal waste.

RECYCLABLES or **RECYCLABLE MATERIAL(S).**

- (1) The following materials are ACCEPTABLE for recycling:
 - a) Empty and clean plastic containers, bottles, tubs or jugs with the recycle triangle number of 1-5,7;

- b) Paper products such as newsprint, corrugated cardboard, chip board, magazines, catalogues and mixed paper;
 - c) Empty and clean aluminum, tin, bimetal and steel cans; and
 - d) Clean glass.
- (2) The following materials are ***NOT ACCEPTABLE*** for recycling and include, but are not limited to, aerosol cans; latex or oil-based paint cans; oil containers; Styrofoam; trash; plastic beverage rings and containers; hazardous waste and medical waste containers; construction wastes and demolition debris; and yard wastes.

SHALL. The action referred to is mandatory.

USEPA. The United States Environmental Protection Agency.

YARD WASTE. Leaves, limbs, sticks, and other vegetative matter, plants or trees and grass clippings.

('89 Code, § 70.01) (Am. Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12)

§ 53.02 RULES AND REGULATIONS.

The City's Board of Public Works and Safety shall promulgate such rules, regulations as may be necessary to effectuate the operation and intent of this Chapter.

§ 53.03 ADMINISTRATION.

The Executive Director of the Public Works Division, Valparaiso City Services, shall be responsible for the administration and carrying into effect the provisions of this Chapter.

§ 53.04 ENFORCEMENT.

The authority for enforcing any and all provisions of this Chapter shall be the City's Board of Public Works and Safety, the Executive Director and/or his or her designee and the City's Code Enforcement Department.

§ 53.05 REFUSE/GARBAGE COLLECTION FEE.

- (A) A refuse/garbage collection fee shall be assessed against each Residential Customer and Business Customer.
- (B) Refuse/garbage will not be picked up from and no fee will be charged to the following property unless the owner elects to enter into a contract for refuse/garbage collection service with the Public Works Division:
 - (1) Apartment Complex
 - (2) Business properties
- (C) Once per week refuse/garbage collection services may be offered to business properties. Business customers are required to enter into a contract for refuse/garbage collection services either with a private trash hauler or with the City. The owner must request such service from the Public Works Division and must generate no more refuse/garbage than can be contained in three (3) disposal units. The Board of Public Works and Safety may implement rules and regulations concerning the collection of refuse/garbage from business properties.
- (D) The Public Works Division does not provide refuse/garbage collection services to properties located on private roads.
- (E) A refuse/garbage collection fee is hereby established as follows:
 - (1) For residential refuse/garbage collection, a flat rate amount of \$19.50 per month per disposal unit served.
 - (2) Residential refuse/garbage collection customers qualifying as low-income residents shall be assessed a reduced flat rate fee of \$9.75 per month. To qualify as a low-income resident, a resident must have an income level no greater than 150% of the federally established poverty guidelines. Residents may qualify for the reduced monthly fee by applying for the reduction through the Public Works Division.
 - (3) Additional disposal units will be charged at an additional \$14.65 per month per disposal unit.
 - (4) For the collection of business customer refuse/garbage, a flat fee of \$24.40 per month for each disposal unit up to the maximum of three (3) disposal units per business customer.
 - (5) If a customer requires a return trip by the Public Works Division for the collection of refuse/garbage through no fault of the City, a flat fee of \$45.00 per trip will be charged to the customer.
- (F) The refuse/garbage collection fee shall be billed and collected by the Valparaiso City Services in conjunction with sanitary sewer and water billing. All refuse/garbage collection fees shall be due upon billing by the Valparaiso City Services and if not paid within 30 days, shall be subject to a penalty of 10%. Should nonpayment exceed 30 days, the Valparaiso City Services may assess a \$25

penalty and initiate collection activities. All collection costs incurred by Valparaiso City Services, including reasonable court costs, collection expenses and legal fees, shall be reimbursed by the customer.

- (G) The fees collected pursuant to this section shall be deposited by the City Clerk-Treasurer into the General Fund of the City. An amount within the City's General Fund equivalent to the revenue(s) generated by the net fees collected pursuant to this section shall be allocated solely and exclusively used and appropriated for road maintenance and repair and sidewalk and pathway installation, maintenance, and repair.
- (H) The new refuse/garbage collection fee established by this section shall be in force and effect as of the bills dated October 5, 2022 and October 25, 2022. All prior refuse/garbage collection fees established shall remain in full force and effect until the beginning of the consumption period for the billing date.

(Ord. 22-2005, passed 5-9-05; Am. Ord. 26-2005, passed 5-9-05; Am. Ord. 21-2012, passed 8-27-12)

SCOPE OF WORK

§ 53.10 GENERAL DESCRIPTION.

- (A) The Public Works Division provides weekly curbside collection and disposal-processing services of all residential and business customer refuse as defined herein.
- (B) The Public Works Division provides bi-weekly curbside collection and disposal-processing services of all residential customer recyclables and yard waste collection as defined herein and approved.
- (C) The Public Works Division does not provide collection and disposal-processing services for Business Customer recyclables and yard waste as defined herein.
- (D) Any changes to the boundaries or service area as the result of events including, but not limited to, annexation; zoning actions; site plan approvals; or construction, shall be communicated to and approved by the Board of Public Works and Safety and/or the City's Common Council.
- (E) All collection points receiving the aforementioned services shall be required to prepare all materials for collection and/or disposal into proper disposal units. The Public Works Division will collect only properly prepared disposal units. Customers will be provided one (1) disposal unit. Additional disposal units may be provided for an additional fee as described in this Chapter.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12)

§ 53.11 HOURS OF OPERATION.

- (A) The workday for the Public Works Division commences at 7:00 a.m.
- (C) On official holidays no services will be provided. Official holidays are established by the Board of Public Works and Safety. Services will be provided either on the working day previous or immediately following the holiday, as determined by the Executive Director.
- (D) Official holidays are:
 - (1) New Year's Day;
 - (2) Memorial Day;
 - (3) Independence Day;
 - (4) Labor Day;
 - (5) Thanksgiving Day; and
 - (6) Christmas Day.

(Ord. 21-2005, passed 4-25-05)

§ 53.12 RECYCLABLE MATERIALS.

- (A) Recyclable materials, as defined herein, that are set out for collection shall be collected and marketed by the City. Residential customers may place amounts of accepted recyclable materials in a large yellow lid wheeled disposal unit with a weight or volume no greater than that allowed for by the disposal unit. One (1) disposal unit will be provided per recyclable collection point. A request for additional disposal units will be charged \$14.65 per month per requested unit up to the maximum of three (3) disposal units per residential customers. Plastic bags are never accepted for curbside pick-up. Disposal units are the property of the City.
- (B) When recyclable materials (including but not limited to; appliances, scrap metal, aluminum/tin cans, and the like) are placed at curbside, they become the property of the City and no person/persons other than City employees/authorized City representatives or

the residential user may remove such materials, except as otherwise provided by the Board of Public Works and Safety. Recyclable materials and containers may not be left at the curbside collection point, or any point on the street for more than a 24-hour period.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12) Penalty, see § 53.99

§ 53.13 RECYCLING DISPOSAL UNITS

- (A) The Public Works Division shall provide to each residential customer collection point a disposal unit to be used for the collection of recyclables. An additional recycling disposal unit may be provided at a charge of \$14.65 per month per requested unit up to the maximum of three (3) disposal units per residential customer.
- (B) The Executive Director shall have the authority to identify additional recyclable articles under the solid waste management program.
- (C) Recycling disposal units, as provided by the Public Works Division, shall remain the property of the City.
- (D) Recycling disposal units shall remain with the dwelling unit even upon changes of customers or transfer of ownership.
- (E) Recycling disposal units must be placed within five (5) feet of the collection point by 7:00 a.m. on the scheduled refuse collection day and returned to storage by 7:00 p.m. on that day.
- (F) Recycling disposal units may not be at the curbside collection point, or any point, on the street for more than a 24-hour period.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12) Penalty, see § 53.99

§ 53.14 YARD WASTE.

- (A) Yard waste shall be collected throughout the City in a timely fashion and on a schedule established by the Executive Director.
- (B) Brush, tree limbs and/or branches must be cut to no more than four (4) feet in length and no more than three (3) inches in diameter. The cut brush, tree branches and/or limbs must be bundled with string or twine and each bundle cannot exceed 50 pounds in weight.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12)

§ 53.15 AUTOMATED COLLECTION SYSTEM.

- (A) Disposal units are the property of the City. If a disposal unit is damaged through normal use it will be replaced and/or repaired at no cost. If the disposal unit is damaged by fire, chemicals, vehicles or other abnormal reasons, lost or stolen the full replacement cost of the disposal unit may be charged to the customer requesting service.
- (B) As property of the City, the disposal units are to remain at the customer's property and must not be removed.
- (C) Customers must use the disposal unit as provided by the City for disposing of residential, retail, commercial and/or office refuse.
- (D) Customers are responsible for cleaning the disposal unit.
- (E) All refuse must be placed in the disposal unit.
- (F) Disposal units must be placed within five (5) feet of the curbside collection point by 7:00 a.m. on the scheduled refuse collection day.
- (G) Disposal units may not remain at the collection point, in front of a building or residence for any period longer than 24-hours after the scheduled refuse collection day.
- (H) Disposal units must be at least three (3) feet from any obstruction (telephone poles, mail boxes, cars, and the like).
- (I) Disposal unit lids must be closed.
- (J) If the Executive Director determines the need of a second container, one (1) will be provided at the charge described in this Chapter. If a customer has two (2) containers, they must be placed at least three (3) feet apart.
- (K) For pick-up of large bulk items and household construction and demolition debris that will not fit into the disposal unit, the Public Works Division must be notified 48 hours prior to regular refuse collection to schedule an additional pick-up. A trip charge of \$10.00 for each scheduled additional pick-up and a \$15.00 fee per cubic yard of refuse in excess of a disposal unit will be assessed to the customer.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12) Penalty, see § 53.99

§ 53.16 REFUSE ORIGINATING OUTSIDE OF THE CITY.

No person(s) shall dump refuse, yard wastes or other unwholesome items generated outside of the City's corporate limits either anywhere within the City or for collection and disposal-processing services by the Public Works Division unless authorized by the Board of Public Works and Safety and/or the Executive Director. At the discretion of the Board of Works and Public Safety, a minimum of \$500.00 fine per occurrence per day or not more than the maximum fine allowed under state law per violation shall be assessed onto any person(s) who willfully or negligently violates any provision of this Section.

(Ord. 21-2005, passed 4-25-05) Penalty, see § 53.99

§ 53.17 DISPOSAL UNITS COLLECTED.

Collection shall be the disposal units provided by the City and assigned to the customer only. No other containers will be picked up, including refuse outside or on top of the unit. Additional units are available upon request and at the monthly rate as established by the Board of Public Works and Safety and the City's Common Council.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12)

§ 53.18 DEPOSITING ON PUBLIC STREETS OR SIDEWALKS.

It shall be unlawful for any person or firm to throw, put, or place any trash, yard waste, garbage, and other unwholesome and/or waste materials into and upon any of the streets, alleys, gutters, storm sewers, ditches or sidewalks in the City.

(Ord. 21-2005, passed 4-25-05) Penalty, see § 53.99

§ 53.19 ACCUMULATION ON PRIVATE PREMISES; DISPOSAL UNITS.

- (A) All persons having, making, or accumulating trash, yard waste, or other unwholesome and waste materials, shall keep the same in disposal units provided by the City and shall place the disposal units at the designated location for weekly collection.
- (B) It shall be unlawful to set any container larger than a City disposal unit curbside, excepting that a dumpster shall be allowed for apartment complexes, commercial, retail and office complexes when the City disposal unit(s) is/are not acceptable in size and/or cost or as otherwise approved by the Executive Director.
- (C) Dumpsters are permitted for construction debris and large volume waste. Dumpsters may not be placed on City streets, sidewalks or rights-of-way without written permission from the Executive Director.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12) Penalty, see § 53.99

§ 53.20 CONSTRUCTION DEBRIS.

- (A) Household construction and demolition debris not to exceed three (3) cubic yards may be placed in suitable containers that are in good condition, have secure handles for lifting, are water tight sufficient to keep out rain water, do not exceed 30 gallons and/or 30 pounds or in bundles not exceeding two (2) feet in diameter by four (4) feet in length. The Executive Director or designee may determine that the amount of construction and/or demolition debris is too much for the City to pick up and may require a private hauler be used to remove the debris. A fee, as established by the Board of Public Works and Safety, is charged for the collection of construction debris and may be paid at the Public Works Division.
- (B) Construction and demolition debris may not be at the curbside collection point or any point on the street for more than a 24-hour period.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12) Penalty, see § 53.99

§ 53.21 BULK ITEMS.

Bulk items will be picked up on the designated collection day and at the designated location. Bulk items pick-up must be requested either by telephone or e-mail at least 24-hours prior to the collection day.

(Ord. 21-2005, passed 4-25-05)

§ 53.22 ABANDONED OR UNATTENDED APPLIANCES.

- (A) Abandoning or leaving freezers, refrigerators, iceboxes, ice chests, and other major appliances is subject to the regulations as set forth in this Chapter. The provisions of this Chapter shall apply to any freezers, refrigerators, iceboxes, ice chest, dryer, washer, or any other major appliances having a capacity of one and one-half (1 ½) cubic feet or more.
- (B) No person, firm, corporation, or organization shall abandon any refrigerator, freezer, icebox, ice chest, or other appliance anyplace within the City.
- (C) No person shall leave any refrigerator, freezer, icebox, ice chest, or other appliance any place out-of-doors without the doors removed.

- (D) The purpose of this Chapter is to prevent individuals from being trapped in a refrigerator, freezer, icebox, ice chest, or other major appliance.
- (E) Any person, firm, corporation, or organization that shall desire to have a refrigerator, freezer, icebox, ice chest, or other major appliance removed must:
 - (1) Request a pick-up from the Public Works Division at least 24-hours prior to collection day;
 - (2) Remove the door(s); and
 - (3) Place the refrigerator, freezer, icebox, ice chest, or other major appliance within three (3) feet of the curbside.
- (F) Appliances will only be picked up on regular trash collection day.
- (G) Appliances may not be left at the curbside collection point, or any point on the street for more than a 24-hour period.
- (H) At the discretion of the Board of Works and Public Safety, any person(s) who willfully or negligently violates any provision of this Section shall be assessed a \$500.00 minimum fine per occurrence per day or not more than the maximum fine allowed under state law per violation.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12) Penalty, see § 53.99

§ 53.23 DUMPSTERS.

Any person who desires to place a dumpster on public property must obtain a permit from the Public Works Division. The permit will be issued based on the following criteria:

- (A) Prior to the locating of any dumpster on or in a public street or alley in the City, all refuse companies must obtain a permit from the Executive Director. Permits shall be issued for a maximum period of ten (10) days and are renewable for additional periods of ten (10) days at the discretion of the Executive Director. Dumpsters may not be placed within 50 feet of an intersection or in such a manner and fashion so as to cause traffic safety problems by unreasonably blocking the normal flow and pattern of traffic. No dumpster may be placed so as to block a public sidewalk.
- (B) The refuse company shall provide barricades and/or traffic control devices meeting the minimum criteria contained in the *Manual on Uniform Traffic Control Devices for Streets and Highways* in the State of Indiana. Refuse companies shall be responsible for installing and maintaining the required barricades and/or traffic control devices.
- (C) The refuse company shall sign a liability statement assuming all risks associated with the placement of the dumpster in any public street or alley and shall provide to the Executive Director proof of liability insurance which shall name the City as a co-insured with liability limits determined by the Executive Director.
- (D) Failure to follow any of these policies shall be reason for denial or revocation of a permit and a pattern or practice of violating these regulations shall be grounds for denial of future permits to a refuse company.
- (E) A refuse company may appeal any decision of the Executive Director concerning these regulations to the Board of Public Works and Safety.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12) Penalty, see § 53.99

§ 53.24 CONTRACTORS.

The City will not clean up or pick up any form of yard waste, construction and demolition debris or refuse left on a property by a contractor or their agent.

(Ord. 21-2005, passed 4-25-05) Penalty, see § 53.99

SOLID WASTE MANAGEMENT

§ 53.35 FEES AND REVENUES.

- (A) The Board of Public Works and Safety shall charge a fee in support of the City's Solid Waste Management & Recycling Program. The fees shall be reasonable and periodically reviewed in order to sustain the solid waste collection and disposal activities and services provided by the Public Works Division.
- (B) Fees will be charged for the following items:
 - (1) Refuse in excess of the provided disposal unit;

- (2) Monthly refuse collection; and
 - (3) Disposal units – replacement for abnormal use.
- (C) Fees will be charged for the bi-weekly curbside collection and disposal-processing services for residential customer recyclables.
- (D) The solid waste management fee shall be payable monthly and shall be billed, whenever practical to do so, with the *Valparaiso City Services Utility Bill* associated with charges for water, wastewater, stormwater and other services.
- (E) The solid waste management fee imposed under this Chapter may be temporarily waived for the period of time, as is concurrent with the period of the temporary cessation of water service. The temporary waiver for fees imposed under this chapter will cease upon resumption of water services.
- (F) The solid waste management fees imposed under this Chapter may only be refunded for the period of time that is concurrent with the period of the temporary cessation of service, owing to extended absence for the residential customers. In order to determine the length of time for which a refund may be made, the following apply:
- (1) No refund will be given for any month in which there is evidence of more than minimum water consumption; and
 - (2) No refund will be given without reasonable documentation of actual absence, which may include but not be limited to out-of-state utility bills, active bank accounts and the like.
- (G) The solid waste management fee and other fees shall be approved by the Board of Public Works and Safety, and charged according to the published schedule and shall remain in effect as indicated until the time as they may be modified or rescinded by passage and adoption of an ordinance, pursuant to the terms of Indiana law.
- (H) Fees.

VALPARAISO REFUSE AND RECYCLING FEE SCHEDULE

	Current Rate	New Rate
Standard Monthly Fees		
Residential - Refuse + Recycling	\$12.00	\$19.50
Residential - Low Income Qualified	\$8.00	\$9.75
Additional Refuse and/or Recycling Units	\$9.00 per unit per mo.	\$14.65 per unit per mo.
Bushosa Patron Refuse	\$15.00	\$24.40
Miscellaneous Fees		
Return Trip Fee		\$45.00
Large Bulk/Household Construction Items		\$15 per cu. Yd. + \$10 pick-up fee
Illegal Dumping *		\$500 per occurrence per day *
Disposal Unit Replacement		Actual cost of container

* At the discretion of the Valparaiso Board of Works and Public Safety. A minimum fine of \$500 up to the maximum as allowable by State Law.

- (I) The Board of Public Works and Safety sets the cost for mulch sales and disposal.
- (J) Residential customers choosing to not use the City's solid waste management service are still required to pay the monthly fee.
- (K) Apartment Complex, offices, retail, restaurants, commercial, and similar types of businesses are not required to use the solid waste management service, but may do so through a contract with the City.
- (L) Revenues from fees and charges collected under this Chapter shall be deposited into the City's General Fund and shall be used exclusively for the purchase of equipment, supplies, transfer station fees and other expenses as directly related to the cost of collecting, handling, transporting and disposing of refuse and recyclables by the City's Public Works Division.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12) Penalty, see § 53.99

§ 53.36 EXTRA SERVICES.

The Executive Director may designate "clean up days" in which extra trash, bulk item pick-up and/or recycling services are provided by the Public Works Division. Dates, times, rules, and guidelines may be established and promoted by the Public Works Division. Extra services may be provided for neighborhood cleanup, roadside cleanup, community festivals and events.

(Ord. 21-2012, passed 8-27-12)

§ 53.99 PENALTY.

Violations of any provisions of this Chapter are subject to a \$500.00 fine per occurrence per day and are administered through the City's Ordinance Violations Bureau.

(Ord. 21-2005, passed 4-25-05; Am. Ord. 21-2012, passed 8-27-12)