

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2018 – OR – 017

AN ORDINANCE RESTRICTING DUMPSTERS FOR AN EXTENDED PERIOD OF TIME ON PROPERTIES ZONED RESIDENTIAL OR ADJACENT THERETO.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, this Council has identified a need to regulate the length of time a dumpster may be located on or adjacent to property zoned residential.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. Definition. The term “dumpster” shall mean a large trash receptacle designed to be hoisted or emptied into a truck.
2. Time Limitation. Dumpsters shall be prohibited from being placed on property zoned residential or adjacent to property zoned residential for a period greater than 30 days.
3. Exceptions. New ground up residential construction shall be excepted from this ordinance, but shall comply with all other public health and sanitation ordinances of the Town of Sellersburg, Indiana.
4. Penalty. Any person in violation of this ordinance shall be subject to a \$250.00 per day fine and reasonable attorney’s fees in prosecuting said ordinance.

5. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council and upon proper publication pursuant to Ind. Code §§ 36-5-2-10 and 5-3-1 *et seq.*
6. The Executive Secretary of this Council shall publish a copy of this ordinance, pursuant to Ind. Code § 5-3-1-2, one (1) time within thirty (30) days after the passage of this ordinance.

So Ordained this 13 day of August, 2018

[Signature page to follow]

“Aye”

“Nay”

Paul J. Rhodes
Paul J. Rhodes
Council President

Paul J. Rhodes
Council President

Brad Amos
Brad Amos
Council Vice President

Brad Amos
Council Vice President

Martina Webster
Martina Webster
Council Member

Martina Webster
Council Member

Jim LaMaster
Jim LaMaster
Council Member

Jim LaMaster
Council Member

William Conlin
William Conlin
Council Member

William Conlin
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 8/13/18

MOTION: LaMaster

SECOND: Conlin

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 8/13/18

MOTION: LaMaster

SECOND: Amos

VOTE: 5 AYE 0 NAY 0 ABSTAIN