

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 020

AN ORDINANCE REPEALING AND REPLACING § 51.01 OF THE CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA.

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

WHEREAS, this Council has determined a need to repeal and replace the Location of Dumpsters section of the Code of Ordinances for the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. Section 51.01 of the Code of Ordinances is hereby repealed and replaced with the following:

§ 51.01 LOCATION OF DUMPSTERS; PLACEMENT AND STORAGE OF CONTAINERS.

(A) No refuse or garbage collection service will be provided for private or commercial dumpsters, other than town dumpsters that may be located at the wastewater treatment plant for Town use.

(B) Refuse containers for weekly trash collection shall be placed for collection at ground level accessible from the street or alley from which collection is made and placed at a minimum of three (3) feet from any obstruction with the front of the receptacle facing the direction of collection. No variation from this section shall be permitted unless for good cause approved by the Street Commissioner.

(C) Receptacles for trash and yard waste shall not be kept on sidewalks or within the public right of way except within 12 hours before and after the day of usual pick up by the trash collectors.

(D) Regular storage of trash and yard waste receptacles shall not be within the front yard of the residence to be collected unless permitted for good cause approved by the Street Commissioner.

(E) Any person or landlord violating any provision of this chapter shall be subject to the following escalating penalties, which shall run on a yearly basis renewing each year:

1st Offense: The Town will issue a written warning.

2nd Offense: \$25.00 fine.

3rd Offense: \$50.00 fine.

4th Or More: \$100.00 fine per offense.

2. This ordinance shall be in full force and effect thirty (30) days after 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 its publishing in the News and Tribune or another acceptable publication.
3. The Executive Secretary is hereby charged with the responsibility of causing said ordinance to be published per Indiana law.

So Ordained this 25th day of September, 2023.

[Signature page to follow]

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 9/25/23

MOTION: Mobley

SECOND: Czarnecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 9/25/23

MOTION: Czarnecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

