

See 2

ORDINANCE 1-1979

AN ORDINANCE REGULATING THE PUBLIC DISPOSAL OF GARBAGE AND RUBBISH AT VARIOUS COLLECTION AND PICK-UP SITES SITUATED INSIDE OR OUTSIDE THE CORPORATE LIMITS OF ANY CITY OR TOWN IN DECATUR COUNTY, STATE OF INDIANA, AND PROVIDING PENALTIES FOR VIOLATION THEREOF:

BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF DECATUR COUNTY, STATE OF INDIANA, AS FOLLOWS:

ARTICLE 1
DEFINITIONS

Section 1.1 Definition of terms. The following words used in this ordinance shall for the purpose of this ordinance have the meanings respectfully ascribed to them in this article, unless a different meaning is clearly indicated.

- A. "Carbage" shall mean rejected food wastes including every waste accumulation of animal, fruit or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables.
- B. "Rubbish" shall mean such matters as ashes, cans, small metalware, broken glass, crockery, dirt, sweepings, boxes, wood, grass, weeds or litter of any kind.
- C. "Scavenging" means the uncontrolled picking of materials.
- D. "Persons" shall mean individuals only and shall not include any business enterprise whether a sole proprietorship, partnership or corporation.

ARTICLE 2
DISPOSAL

Section 2.1 All persons residing within the County of Decatur, State of Indiana, outside the city limits of the City of Greensburg, Indiana, shall be permitted to drop or dump garbage and rubbish into the collection or pick-up bins situated at various sites within Decatur County, Indiana, provided always that said garbage or rubbish is bagged, tied or boxed.

Section 2.2 No commercial garbage or rubbish shall be permitted to be dumped or dropped at any collection or pick-up site in Decatur County, Indiana.

Section 2.3 No scavenging shall be permitted at any of the collection or pick-up sites within Decatur County, Indiana.

ARTICLE 3

ENFORCEMENT

Section 3.1 It shall be the duty of the Decatur County Attorney to cause proceedings to be commenced against the person or persons violating the provisions of this ordinance and to prosecute to final termination.

Section 3.2 Any (citizen) or uniformed officer appointed or elected by any city, town, county or the State of Indiana, including conservation officers, may cause any person to be served a legal notice of violation of this ordinance.

ARTICLE 4

PENALTIES

Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and, on conviction, the violator shall be punished for the first offense by a fine of not more than \$100.00; for the second offense by a fine of not more than \$500.00; and for the third and each subsequent offense by a fine of not more than \$1,000.00.

ARTICLE 5

REPEAL AND DATE OF EFFECT

Section 5.1 All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in force and effect immediately upon its adoption and its publication as provided by law.

ARTICLE 6

UNCONSTITUTIONALITY CLAUSE

Section 6.1 Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Section 6.2 Passed and adopted by the Commissioners of
Decatur County, State of Indiana, on this June / 1 day of June,
1979.

Burton Springer

Max C. Jordan

Paul E. Carter

ATTEST:

Charles Jordan
Auditor of Decatur County