

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 945

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE USE OF THE TOWN DUMPSTER UNIT AND GARBAGE FACILITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND REPEALING ALL ORDINANCES OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has implemented, by Contract, a program for the collection of garbage, trash, refuse, and recyclables within the Town of St. John; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has entered into a Contract with Wastehaul, Inc., to provide for garbage and refuse disposal for the Residents of the Town of St. John; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has further reviewed the matters pertaining to the use of the Town Dumpster Unit and Garbage Facilities at the Town Public Works Facility; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that it is necessary to establish regulations for the use of the Town Dumpster Unit and Garbage Facilities located at the Town Public Works Facility; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has further determined that it is necessary and advisable to establish regulations for the use of the Town Dumpster Unit and Garbage Facilities located at the Town Public Works Facility as a result of careful examination and review of the costs to the Town, and its Resident Taxpayers, for payment of the same; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has further determined that it is necessary and advisable to establish regulations for the use of the Town Dumpster Unit and Garbage Facilities located at the Town Public Works Facility in order to provide a reasonable policy for the disposal of refuse and debris at the Town Dumpster Unit and Garbage Facilities located in the Town Public Works Facility, as well as to provide a schedule of items that would be accepted at the Public Works Facility; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, now deems it necessary and advisable to establish regulations for the use of the Town Dumpster Unit and Garbage Facilities located at the Town Public Works Facility in order to promote the public health, safety, comfort, morals, and general welfare and well-being of the Residents of the Town, and in order to maintain reasonable control in the usage, maintenance and

payment for the Town Dumpster Unit and Garbage Facilities under the Contract entered into for Garbage and Refuse Disposal Services with Wastehaul, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, THAT:

SECTION ONE: These Regulations shall be known, and may be cited, as the "TOWN DUMPSTER UNIT AND GARBAGE FACILITIES REGULATIONS", for the Town of St. John, Lake County, Indiana.

SECTION TWO: USE.

- A. The Town Dumpster Unit and Garbage Facilities shall be located in a place determined by the Town Council or Public Works Director to be appropriate within the Public Works Facility of the Town. The Town Dumpster Unit and Garbage Facilities shall be available and open for use by Residents of the Town only from 7:00 A.M. to 4:00 P.M., Monday through Friday of each week, excluding Holidays, and from 7:00 A.M. to 12:00 P.M., on each Saturday, excluding Holidays. The Town Dumpster Unit and Garbage Facilities will not be available and open for use by the Residents of the Town on those days and times in the event a declared Holiday falls on such date and time, and the Town Hall is closed to the Public.
- B. The Town Dumpster Unit and Garbage Facilities are available for miscellaneous use by Residents of the Town of St. John, only. The Town Dumpster Unit and Garbage Facilities shall not be available for use in dumping activities by contractors, of any type, whether Resident or non-resident. The Town Dumpster Unit and Garbage Facilities are also prohibited for use by non-residents of the Town. In order for a Resident of the Town to use the Town Dumpster Unit and Garbage Facilities, the Resident shall be required to provide proof of a Town Water or Sewer Billing, by way of presentation of a paid receipt of the Water or Sewer Utility Billing Departments of the Town.
- C. It shall be unlawful for the following materials to be deposited and dumped into the Town Dumpster Unit and Garbage Facilities, namely:
1. Dirt, brick, sand, and concrete;
 2. White goods;
 3. Yard waste, of any type;
 4. Liquids, of any type;
 5. Any and all types of special or hazardous waste materials;
 6. Debris or materials of any type as utilized for dumping by contractors.

SECTION THREE: PENALTIES.

The violation of any provision of this Ordinance, as amended from time to time, shall be punished by a Fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00). Every day any violation of this Ordinance, as amended from time to time, shall continue, shall constitute a separate offense. The Fine provided for in this Section shall be the maximum Fine which may be imposed for each separate violation.

SECTION FOUR:

That all existing Ordinances, Guidelines, Regulations, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION FIVE:

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION SIX:

That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, and its publication in accordance with applicable laws.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, THIS 28 DAY OF February, 1994.

TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL

Carl Brown
Carl Brown, President
Kenneth D. Gembala
Kenneth D. Gembala, Member
Douglas E. Patterson
Douglas E. Patterson, Member

ATTEST:

Judith L. Companik
Judith L. Companik,
Clerk-Treasurer