

ORDINANCE NO. 2022-5

ORDINANCE AMENDING CHAPTER 52 OF THE CODE OF ORDINANCES

IT IS HEREBY ORDAINED by the Common Council of the City of Portland, Indiana that Chapter 52, Garbage Collection, is hereby amended as follows:

Chapter 52.01 DEFINITIONS is updated as follows:

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

“DOMESTIC USE” Garbage and rubbish, as defined herein, generated by each single-family residence or apartment building of four (4) units or less within the city limits.

“GARBAGE” All and every refuse accumulation of animal, fish, fowl, fruit or vegetable matter that results from the preparation, use, cooking, or storage of meat, fish, fowl, fruit or vegetable.

“TRASH” Shall include such materials from packaging of garbage materials drained and wrapped in paper or its equivalent. It shall also include the mean tin cans, glass bottles and broken crockery, that have been used as food or beverage containers.

“RUBBISH” Such materials as ashes, cans, metalware, broken boxes, wood, leaves, grass, weeds, or litter of any kind.

“CONSTRUCTION DEBRIS” Includes, but not limited to: used building materials such as concrete, bricks, plastering laths, timbers, and all other construction substances discarded by a householder or apartment dweller. **These items will not be picked up by the City’s refuse collection crew.**

“MOBILE GARBAGE BIN (MGB)” In this chapter a mobile garbage bin (MGB) is a wheeled container used for household waste that meets the standard Z245.60 for type B containers as set forth by the American National Standards Institute (ANSI). MGBs are manufactured by various companies (Toters, Rubbermaid, and Uline, etc.) in sizes ranging from 96 to 32 gallons. These containers are designed to be used with automatic lift equipment that is installed on refuse collection trucks.

Chapter 52.02 Containers is updated as follows:

(A) Except as otherwise provided in this chapter, all garbage, rubbish, trash, and recyclable materials to be collected by the city’s refuse collection crews, shall be placed only in mobile garbage bins (MGBs) that are compatible with city refuse trucks’ automatic lift equipment. City of Portland refuse truck automatic lift equipment is only compatible with ANSI Standard Z245.60 (Type B) containers.

(B) All garbage, rubbish, trash, and recyclable material should be placed in plastic garbage bags or recycling bags (only if recyclable) before it is placed in an MGB that is set out for collection by city crews. .

(C) The City of Portland will provide one (1) 96-gallon MGB for each residence that it serves. The cost of this city issued MGB will be included in the monthly sanitation fee charged to each residence that is collected with the water/ wastewater bill. Residents may obtain additional MGBs from the street department for an additional \$5.50 per month each. A smaller 32-gallon MGB may be requested in special circumstances in place of, and for the same monthly fee as, the 96-gallon MGB.

(D) Residents of the city may use their own MGB, provided it meets ANSI Standard Z245.60 (B) to ensure compatibility with city automatic lift equipment. No additional monthly collection fees will be charged for privately owned MGBs. The city will not be responsible for any damages that privately owned MGBs may incur when handled/emptied by city crews and/or equipment.

(E) Garbage, trash, rubbish, and recycling not placed in an MGB will not be picked up by city crews.

(F) Cans, barrels and other types of containers previously used for trash collection will no longer be used for trash collection.

(G) City issued MGBs are the property of the City of Portland. Residents are responsible for the security of their city issued MGB. The city will replace city issued MGBs that are damaged by the city's collection equipment. Loss or damage of a city issued MGB resulting from negligence or abuse will be the responsibility of the property owner. The replacement cost of a city issued MGB is \$78.81 + \$20 administration fee. If such a replacement MGB is purchased, it will remain the property of the City of Portland.

Chapter 52.03 COLLECTION OF DOMESTIC TRASH ONLY is updated as follows:

(A) All garbage, rubbish, and recycling placed in the types of container outlined in § 52.02 shall be collected without regard to the number of containers at a given pick-up place, so long as the material is generated by domestic use, subject to the limitations of § 52.04.

(B) There shall be no collection of any garbage, rubbish, recycling, household rubbish, or any other waste or residue of whatsoever kind, character, or description from any business or industrial establishment. (Ord. 1986-2, passed 1-20-86) Penalty, see § 52.99

Chapter 52.04 LIMITATION OF COLLECTION is updated as follows:

(A) Other provisions of this chapter notwithstanding, rubbish of exceptional size will not be collected as part of regular refuse pick up. Such excluded matter would include but not limited to, large items of furniture or equipment, except as hereinafter provided, tree limbs or brush.

(B) Tree limbs, brush and leaves will be collected, free of charge, by the City's refuse collection crew as needed.

(C) Large item permits shall be purchased at City Hall Monday through Friday 8 a.m. to 4:30 p.m. Large items with permits will be collected as part of regular refuse pick up by the City's collection crew.

Large item permit fees are as follows:

Sofa/ Love Seat	\$15.00
Chair	\$10.00
Mattress or Box Springs	\$15.00 each

Other large items will need to be appraised by Street Department Superintendent. Each permit will be issued along with an adhesive sticker to secure permit to the item to be picked up. Large items that do not have a permit tag will not be picked up. Items not picked up shall be removed from the public view and not placed for pick-up until permit has been obtained. Persons leaving unpermitted items at the curb or alley past pick-up day shall be cited for creating a public nuisance.

Appliances such as refrigerators, stoves, washers and dryers and any other metal will be picked-up free of charge as needed.

(D) Once per quarter (4x per year) the city will accept large items, free of charge, at the Street Department building. Items will be accepted with proof of residency through both (1) Water bill (2) Driver's license. Date and times for this city clean-up will be posted accordingly.

(E) As of January 1, 2011, the following electronic items are prohibited by Indiana Code (**IC 13-20.5-10**) from being discarded by Indiana households, public (including charter) schools, and small businesses into landfills and will not be picked up by City of Portland crews:

- Televisions
- Computer monitors
- Computers (including desktops, laptops, and tablets)
- E-readers
- Fax machines
- Peripherals (including keyboards, mice, external hard drives, printers, all-in-one printer/scanner/copiers, projectors, and any other devices that are sold exclusively for external use with a computer and provide input into or output from a computer)
- DVD players (including gaming systems that are able to play DVDs)
- Digital photo frames
- Digital media players
- iPods/MP3 players
- Camcorders/cameras
- DVR/TiVo devices (including cable boxes and satellite boxes, but not satellite dishes)
- Portable GPS navigation systems

These items can be disposed of by contacting the Jay County Solid Waste Management District, 5948 W SR 67, Portland, IN 47371 <http://jaycosolidwaste.com/> 260-729-5071. Any fees charged by the waste district for disposal of electronic waste are the responsibility of the individual.

Chapter 52.05 COLLECTION SCHEDULE is updated as follows:

(A) Garbage, trash, rubbish and recycling will be picked up at least once every seven days from each single-family residence or apartment unit in buildings of four units or less within the city limits.

(B) Collection schedule will be determined by the Street Superintendent. The collection schedule can be confirmed with the Street Superintendent and at

City Hall. Changes to the schedule will be announced to the media, but does not require legal publication.

Chapter 52.06 PLACEMENT OF MOBILE GARBAGE BINS (MGBs) is updated as follows:

(A) MGBs shall be placed within five feet of the designated improved and passable alley when available or at an easily designated accessible spot within five feet of the front curb or front street if no curb.

(B) MGBs shall be placed at approved collection sites no earlier than 6:00 p.m. on the day preceding the collection day and no later than 6:00 a.m. on the day of collection.

All other provisions not amended hereby remain in full force and effect.

Chapters 52.07, 52.08, 52.09, 52.10 and 52.99 remain unchanged.

PASSED AND ADOPTED by the Common Council of the City of Portland, Indiana on this 14th day of March, 2022.