

**GARY SANITARY DISTRICT
BOARD OF COMMISSIONERS
RESOLUTION #SD 08-41**

**A RESOLUTION ESTABLISHING A GARBAGE COLLECTION
FEE FOR THE COLLECTION OF TRASH, GARBAGE, AND
REFUSE WITHIN THE CITY OF GARY, INDIANA**

WHEREAS, pursuant to Indiana Code § 36-9-30-5, the Gary Sanitary District (the "District") is authorized to contract for the collection or disposal of solid waste; and

WHEREAS, the District desires to provide for the public health and welfare of the residents of the City of Gary, Indiana (the "City") by the collection and disposal of solid waste; and

WHEREAS, pursuant Indiana Code § 36-9-30-21 and § 36-1-3-8(6), the District may impose service charges or fees for the collection and disposal of solid waste so long as such charges or fees are reasonable and just for such services; and

WHEREAS, the District has investigated the cost of providing trash collection services and determined an amount to be charged for such services, that amount herein determined to be reasonable and just; and

WHEREAS, the District has held a public hearing as provided by IC 36-9-30(21)(f) and has received comments from all members of the public wishing to be heard.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE GARY SANITARY DISTRICT, as follows:

SECTION 1. The Board of Commissioners now finds that all requirements for the adoption of a trash collection fee have been met.

SECTION 2. The Board of Commissioners now finds that the proposed fee as adopted herein is determined to be reasonable and just for the provision of trash collection services.

SECTION 3. Trash Collection.

Definitions. The following words, terms and phrases, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garbage means all putrescible animal solid and vegetable solid wastes resulting from the processing, handling, preparation, cooking, serving, or consumption of food or food materials.

Trash means all non-putrescible solid waste, including ashes, paperboard, paper, rags, small pieces of metal and wood, excelsior, rubber, leather, crockery, and other waste materials that ordinarily accumulate around a home. It shall not include garbage, bulk refuse, dead animals, hazardous materials, industrial waste, or building waste resulting

Garbage Collection Fee

A garbage collection fee shall be assessed for each parcel of real estate or building served by the city garbage collection service. The city garbage collection service shall serve each single-family residential unit and each multi-family unit containing no more than four (4) family living units on a single parcel of land. However, garbage will not be picked up from and no fee will be charged to a multi-family residential structure of more than four (4) family living units. The fee is established for a single family residential unit and for multi-family units not to exceed four units at a charge of \$13.00 per month per unit served. The fee shall be reduced to \$7 per month per unit served in the event that the head of such household is over the age of 65 years, or is disabled. In order to qualify for the reduced fee, the head of such household who is over the age of 65 years or is disabled must provide written proof of his or her eligibility at the Gary Sanitary District offices.

Charges to the customer shall not commence before _____, 200__ or as the Board of Commissioners deems necessary.

Regardless of how payments may be designated, partial payments of combined trash collection, recycling and sewer bill shall be applied first to the trash, recycling and heavy trash collection bill, and second to the sewer bill. A copy of this resolution shall be kept on file in the office of the Finance Director of the District, Office of the Board Administrative Office, and the Controller of the City.

SECTION 4. Upon adoption by the Board of Commissioners of the District, this resolution shall be in full force and effect. All prior Resolutions or parts thereof which may be inconsistent with any provision of this Resolution are hereby repealed.

PASSED AND ADOPTED by the Board of Commissioners of the Gary Sanitary District on the 23rd day of September, 2008.

GARY SANITARY DISTRICT BOARD OF COMMISSIONERS

MAYOR/SPECIAL ADMINISTRATOR

PRESIDENT

VICE-PRESIDENT

DIRECTOR

SECRETARY

COMMISSIONER

COMMISSIONER