

AN ORDINANCE REGULATING THE PUBLIC DISPOSAL OF
RUBBISH AND GARBAGE IN WABASH COUNTY, INDIANA

WHEREAS, the Board of Commissioners of the County of Wabash is charged with the care, maintenance and upkeep of all property belonging to the County of Wabash; and

WHEREAS, the Board of Commissioners of the County of Wabash, is authorized and empowered by statute to regulate the traffic on, and provide for the safety of users of, the streets, roads, and highways maintained by the Board of Commissioners; and

WHEREAS, the Board of Commissioners of the County of Wabash is authorized and empowered by statute to regulate the public disposal of garbage and rubbish on any land which is situated within Wabash County and outside of corporate limits of any city and town; and

WHEREAS, the Board of Commissioners of the County of Wabash is informed and finds that the dumping and disposal of rubbish and garbage on County property and on property adjacent to the road, streets and highways of Wabash County creates a safety hazard to the public using and traveling upon county streets, roads and highways, constitutes a public health hazard in that it provides conditions conducive to the spreading of disease and the reproduction of pests and rodents, and requires extensive expenditures of public funds to clean and remove such rubbish and garbage;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the County of Wabash, State of Indiana:

Section 1. Any person, firm or corporation that dumps, discards, leaves or disposes of any rubbish or garbage on any county road, street, easement, right-of-way, or other county

property or on any property which is adjacent thereto, shall be deemed guilty of misdemeanor and punished in accordance with Statute and this Ordinance.

Section 2. Any person, firm or corporation that collects solicits the hauling of, agrees to haul, or hauls any rubbish or garbage with the intent to unload or dispose of such garbage or rubbish in violation of Section 1, of this Ordinance or in any other unlawful manner, shall be deemed guilty of a misdemeanor and punished in accordance with Statute and this Ordinance.

Section 3. Any person, firm or corporation that delivers, or allows, the delivery of, any garbage or rubbish to any person, firm or corporation, other than a governmental agency, or a regular scavenger or hauling service, without first ascertaining and retaining the name and address of such person, firm or corporation and being assured that such rubbish and garbage will be unloaded or disposed of in a lawful manner and not in violation of Section 1. of this Ordinance, shall be deemed guilty of a misdemeanor and punished in accordance with Statute and this Ordinance.

Section 4. When used in this Ordinance the following words shall have the following meanings:

(a) The term "garbage" shall mean and include 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) The term "rubbish" shall mean and include such matter as ashes, cans, metalware, broken glass, crockery, dirt, sweepings, boxes, wood, grass, weeds, or litter of any kind.

Section 5. Any person, firm or corporation who shall violate 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 Five Hundred Dollars (\$500.00), for the second offense by a fine of not more than One Thousand Dollars (\$1,000.00), and for the third and each subsequent offense by a fine of not more than One Thousand Dollars (\$1,000.00) to which may be added imprisonment for any determinate period not exceeding ninety (90) days.

Section 6. Should any section, Clause, part or parts of this Ordinance, or its application to any person, or any particular single state of facts be unconstitutional, then such decision shall effect only the Section, Clause or part, or application to such person or particular facts so declared to be unconstitutional and shall not effect the validity of the Ordinance or the remaining parts thereof.

The foregoing Ordinance was regularly introduced

Sept. 16, 1968, published in accordance with law

Sept. 16, 1968, and adopted this Sept. 16, 1968

DATED: Wabash, Wabash County, Indiana, Sept. 16, 1968

Eldon Landis

Wilbur Curless

Clarence Schuler

BOARD OF COUNTY COMMISSIONERS
COUNTY OF WABASH

ATTEST:

James A. Bricker
James A. Bricker, Auditor
Wabash County, Indiana