

(35-45-3-2)

LITTERING

TITLE 35

HAZARDOUS MATERIALS

ARTICLE.

45. WASTE DISPOSAL REGULATION, ch. 3.

ARTICLE 45

WASTE DISPOSAL REGULATION

CHAPTER.

3. LITTERING, 35-45-3-2.

CHAPTER 3

LITTERING

SECTION.

35-45-3-2. Littering.

35-45-3-2. Littering.

(a) The following words and terms shall be defined for the purposes of this section as set forth below.

(1) "Garbage" means putrescible wastes resulting from the consumption, cooking, growing, handling, preparation or storage of food.

(2) "Hazardous material" means explosives, pathological wastes and radioactive chemicals and materials, but is not limited to those items.

(3) "Refuse" means all putrescible and non-putrescible solid wastes and includes ashes, dead animals, construction and industrial ashes, rubbish, and street sweepings.

(4) "Rubbish" means all non-putrescible wastes, including ashes, boxes, broken glass, cans, crockery, dirt, grass, metalware, wood shavings or litter of any kind.

(b) No person shall throw or deposit any garbage, hazardous material, refuse or rubbish upon or along any highway, sidewalk, gutter or public place in the Town.

(c) No person shall allow any garbage, hazardous material, refuse or rubbish to accumulate upon any premises within the Town or upon or along the sidewalk, gutters or highways immediately abutting any premises, or upon or along any public place. Every owner, occupant or lessee of property within the Town shall dispose of such materials and not allow them to accumulate. The accumulation of garbage, hazardous material, refuse or rubbish constitutes a public nuisance which shall be abated according to the procedures set forth in state law.

(d) No person shall transport any garbage, hazardous material, refuse or rubbish upon or along any highway, sidewalk, gutter or public place in the Town if that garbage, hazardous material, refuse or rubbish is on, upon or within a vehicle, vessel or container which allows those items to leak, drop, spill or scatter upon or along any highway, sidewalk, gutter or public place in the Town.

(e) The Board may set the schedule for the collection of trash.

No person shall set trash out for collection which:

(1) contains more than thirty (30) pounds in one bag;

- (2) contains broken glass, corn cobs, or apples; or
- (3) is infested by insects.

(f) Any person who violates any provision of this section shall be deemed to have committed an ordinance violation and, upon conviction, shall be fined not less than Twenty-Five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00) in addition to court costs. Each day a violation continues constitutes a separate ordinance violation.

Statutory history:

- (a)-(d) New material.
- (e) Order of Jan. 7, 1980; Order of Aug. 28, 1978.
- (f) New material.

Parallel citation:

IC 35-45-3-2. Littering.

Cross-reference:

IC 34-1-52-1 et. seq.
(Nuisances-Abatement
procedure).
IC 36-7-10-3. (Weeds
and rank vegetation).