

CHAPTER 12

SOLID WASTE AND SANITATION

Article 1. Definitions. In addition to definitions contained elsewhere in The Code, the following definitions shall apply:

Sec. 12-101. Open Dump. The term "open dump" shall have the meaning contained in 329 IAC 10-2-128.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12-102. Refuse Bin. The term "refuse bin" shall mean a metal receptacle having an internal volume one cubic yard or greater, by actual measurement, which temporarily receives and holds solid waste for ultimate disposal either by unloading into the body or loading hopper of a solid waste collection vehicle or by other means. [Source 16 CFR 1301.4(b)]

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12- 103. Solid Waste Collector. The term " solid waste collector" shall mean any person who collects solid wastes from another person or from any location in Marion County.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12- 104. Solid Waste Processing Facility. The term " solid waste processing facility" shall have the meaning contained in 329 IAC 10-2-178.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Article 2. Solid Waste Storage And Disposal.

Sec. 12-201. No open dumps shall be operated by any person within Marion County.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12-202. No person shall deposit or place any garbage, rubbish, junk vehicle or hazardous materials:

(a) upon property owned by another without the approval of the owner of such property,
or

(b) in or adjacent to any road, street, alley, or other public place unless it is in proper containers for collection.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12-203. All solid waste shall be stored for collection in such a manner as not to:

(a) constitute a fire, health or safety hazard ;

(b) provide food or harborage for vectors; or

(c) create a litter problem.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12-204. Solid waste storage containers and refuse bins shall be:

- (a) Water-tight, clean and maintained in good repair with an outside smooth, non-porous surface so as not to absorb solid waste liquids;
- (b) Equipped with fly-tight lids and shall be kept covered at all times except during when being emptied or receiving waste; and
- (c) Cleaned such that discharge liquid resulting from the cleaning of solid waste storage containers is discharged to a sanitary sewer or other approved disposal site.
- (d) An owner of a refuse bin must collect solid waste within seven days of the day provided for its collection and removal.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12-205. A person who controls any premises upon which a solid waste storage container is located or a person on whose behalf there is maintained a solid waste storage container may not allow solid waste to remain uncollected for seven days beyond the day provided for its collection and removal. Solid waste may not be stored outside the container.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12- 206.

- (a) All solid waste storage containers provided by a solid waste collector for the use of commercial establishments shall be periodically cleaned and sanitized by the solid waste collector to prevent odors and accumulation of organic residues in the container which may attract and provide a food supply or breeding place for vectors.
- (b) Solid waste storage containers shall not be returned by a solid waste collector to a retail or wholesale food processing plant or store until such containers have been cleaned thoroughly and sanitized in an approved manner.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12-207. In addition to the other requirements of this Chapter, the following requirements apply to refuse bins:

- (a) Refuse bins shall meet the requirements of the Ban of Unstable Refuse Bins, 16 CFR 1301 *et seq.*, U.S. Consumer Products Safety Commission
- (b) The name and telephone number of the owner of each refuse bin shall be clearly and legibly labeled in a visible place on the side of each refuse bin.
- (c) Refuse bins may not encroach upon or obstruct any portion of a public right of way constructed for vehicular traffic. All refuse bins must be placed on a site which is paved or graveled for adequate drainage.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Article 3. Solid Waste Transportation And Processing Requirements.

Sec. 12-301. The transportation of solid waste through and upon the roads, streets, alleys and thoroughfares and the storage of solid waste awaiting final disposal shall be conducted in such a manner as not to create a health hazard.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12-302. The person who operates a solid waste collection vehicle shall immediately clean up all spills caused by his operations.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]

Sec. 12-303. It shall be unlawful for any person owning or in charge of a solid waste processing facility to cause, permit or allow the pollution of the air or water, create a vermin harborage or cause or contribute to a public nuisance or hazard to the public health as a result of the operation of the solid waste processing facility.

[Gen.Ord. 13-1996(A) Passed 9/18/96 Effective Date 11/1/96]