

ORDINANCE NO. 16-2023

AN ORDINANCE TO AMEND ORDINANCE NO. 2-2019 TO MODIFY THE SCHEDULE OF SERVICE CHARGES FOR MUNICIPAL REFUSE AND GARBAGE COLLECTION UNDER CHAPTER 86 OF THE MUNICIPAL CODE OF THE CITY OF LA PORTE, INDIANA

WHEREAS, Ordinance No. 2-2019 of the City of La Porte, adopted April 1, 2019, pursuant to authority set out in Section 86-31 of the Municipal Code of the City of La Porte, Indiana, established a schedule of service charges on owners and occupants of residential and commercial property in the City of La Porte to whom municipal refuse and garbage collection is available; and,

WHEREAS, as established by public bidding, the costs incurred by the City in furnishing such collection have been changed and it is therefore necessary to adjust the schedule of service charges applicable to such collection.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Common Council of the City of La Porte, Indiana, as follows:

SECTION 1. There is hereby imposed on each owner, tenant, or occupant of residential or commercial property in the City of La Porte, Indiana, to whom municipal refuse and garbage collection is made available by said city directly, or through any person, firm or corporation with which the city may contract for the furnishing of such service, a service charge for the collection and removal of refuse and garbage according to the following schedule:

For the year of 2023:

- (a) For a one-family dwelling, \$12.99 per month.
- (b) For a multi-family or apartment dwelling of three (3) or less, \$12.99 per dwelling unit per month.
- (c) For a mobile home or trailer court, \$12.99 per dwelling unit per month.
- (d) For any dwelling unit within categories (a), (b) or (c) where the head of household has submitted to the Clerk-Treasurer proof of having had less than \$15,730.00 in household income during the last calendar year, the charge shall be \$8.83 per month for that unit. Household income shall be deemed to include all taxable income as well as Social Security benefits, Railroad Retirement benefits, Veterans Pensions and any other non-taxable income of any member of the household.
- (e) For Commercial establishments, \$12.99 per commercial unit per month.
- (f) Commercial establishments whose discharge of refuse and garbage exceeds the maximum weekly quantity specified in Section 3, below, shall not receive municipal collection service and shall not be liable for the service charges specified herein.

For the year of 2024:

- (a) For a one-family dwelling, \$13.50 per month.
- (b) For a multi-family or apartment dwelling of three (3) or less, \$13.50 per dwelling unit per month.
- (c) For a mobile home or trailer court, \$13.50 per dwelling unit per month.
- (d) For any dwelling unit within categories (a), (b) or (c) where the head of household has submitted to the Clerk-Treasurer proof of having had less than \$15,730.00 in household income during the last calendar year, the charge shall be \$8.83 per month for that unit. Household income shall be deemed to include all taxable income as well as Social Security benefits, Railroad Retirement benefits, Veterans Pensions and any other non-taxable income of any member of the household.
- (e) For Commercial establishments, \$13.50 per commercial unit per month.
- (f) Commercial establishments whose discharge of refuse and garbage exceeds the maximum weekly quantity specified in Section 3, below, shall not receive municipal collection service and shall not be liable for the service charges specified herein.

For the year of 2025:

- (a) For a one-family dwelling, \$14.04 per month.
- (b) For a multi-family or apartment dwelling of three (3) or less, \$14.04 per dwelling unit per month.
- (c) For a mobile home or trailer court, \$14.04 per dwelling unit per month.
- (d) For any dwelling unit within categories (a), (b) or (c) where the head of household has submitted to the Clerk-Treasurer proof of having had less than \$15,730.00 in household income during the last calendar year, the charge shall be \$8.83 per month for that unit. Household income shall be deemed to include all taxable income as well as Social Security benefits, Railroad Retirement benefits, Veterans Pensions and any other non-taxable income of any member of the household.
- (e) For Commercial establishments, \$14.04 per commercial unit per month.
- (f) Commercial establishments whose discharge of refuse and garbage exceeds the maximum weekly quantity specified in Section 3, below, shall not receive municipal collection service and shall not be liable for the service charges specified herein.

For the year of 2026:

- (a) For a one-family dwelling, \$14.60 per month.
- (b) For a multi-family or apartment dwelling of three (3) or less, \$14.60 per dwelling unit per month.
- (c) For a mobile home or trailer court, \$14.60 per dwelling unit per month.
- (d) For any dwelling unit within categories (a), (b) or (c) where the head of household has submitted to the Clerk-Treasurer proof of having had less than \$15,730.00 in household income during the last calendar year, the charge shall be \$8.83 per month for that unit. Household income shall be deemed to include all taxable income as well as Social Security benefits, Railroad Retirement benefits, Veterans Pensions and any other non-taxable income of any member of the household.
- (e) For Commercial establishments, \$14.60 per commercial unit per month.

- (f) Commercial establishments whose discharge of refuse and garbage exceeds the maximum weekly quantity specified in Section 3, below, shall not receive municipal collection service and shall not be liable for the service charges specified herein.

SECTION 2. There is hereby imposed on each owner, tenant, or occupant of residential or commercial property in the City of La Porte, Indiana, to whom municipal refuse and garbage collection is made available by said City directly, or through any person, firm, or corporation with which the City may contract for furnishing of such service, a sum of \$2.00 per month in order to support funding for indirect costs due to road damage. The fee will provide additional funding for street repair due to road wear from administration of the refuse and garbage collection contract.

The fees shall be deposited by the Clerk-Treasurer into the Motor Vehicle Highway Fund.

Ordinance No. 2-2019 is hereby rescinded.

SECTION 3. Section 86-33 of the Municipal Code is hereby amended to read as follows:

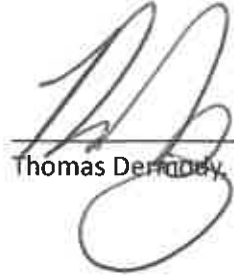
Payment of service charges, as specified, shall entitle the recipient of the service to one collection of refuse/garbage per week, not to exceed a maximum of (1) one 96-gallon cart, as provided by Waste Management. In certain instances, upon signing a small cart waiver, (1) one 64-gallon cart will be provided by Waste Management in place of the 96-gallon cart. From April 15 – October 15, residential units may have no more than three (3) biodegradable bags or bundles of yard waste in addition to their regularly scheduled refuse pick-up. Leaves are not to be included in Yard Waste collection. A bag is defined as a plastic or biodegradable sack designed to store refuse with sufficient wall strength to maintain physical integrity when wet or dry and when lifted by their top. The total weight of a bag and its contents shall not exceed thirty-five (35) lbs. A bundle is defined as a securely tied and easily handled package not exceeding four (4) feet in length nor exceeding thirty-five (35) pounds in weight. A cart is defined as an enclosed rolling container of 64, or 96 gallons (per industry standards). Collection service shall not include any of the following:

- (a) Any items not in Waste Management carts, bags (for yard waste) or bundles (for yard waste);
- (b) Auto parts, engines, tires, batteries;
- (c) Lumber, siding, plaster, drywall, paneling, loose lumber, building materials;
- (d) Any chemicals, paint, oil or Hazardous Waste (defined in contract);
- (e) Fencing, concrete, iron, steel;
- (f) Cast iron bathtubs, garage doors, bay windows;
- (g) Hazardous or medical waste.

SECTION 4. All other provisions of Chapter 86 of the Municipal Code shall remain in full force and effect.


SECTION 5. This ordinance shall be in full force and effect upon its passage and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of LaPorte, Indiana, this 15 day of May, 2023.



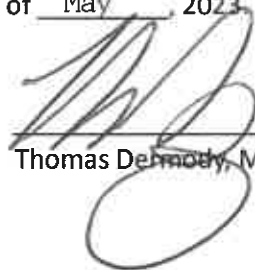
Thomas Dermody, Mayor

ATTEST:



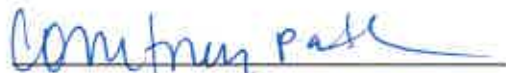
Courtney Parthun, Clerk-Treasurer

Presented to me and approved by me this 15 day of May, 2023.



Thomas Dermody, Mayor

ATTEST:



Courtney Parthun, Clerk-Treasurer