

ORDINANCE NO. 2015-00014

RECYCLING ORDINANCE FOR OWEN COUNTY, INDIANA

WHEREAS, the Owen County Board of Commissioners finds that participation in a voluntary source separation recycling program appropriate to conserve available surrounding area landfill capacities, and;

WHEREAS, The Owen County Board of Commissioners also finds it in the best interest of Owen County to participate in a county-wide recycling program to conserve energy, recycle valuable resources, and protect the health, welfare, and environment of its citizens.

NOW THEREFORE BE IT RESOLVED AND ORDAINED:

Section 1:

It is the intent of the Owen County Board of Commissioners that there is no mandatory recycling plan established in the County in the absence of voter petition and election; therefore, participation in this plan shall be voluntary.

Section 2:

Owen County Board of Commissioners may hire a recycling center manager/operator whose responsibility will be to manage the County recycling program established under this ordinance.

Section 3:

The Owen County Board of Commissioners hereby delegated the authority to operate the Owen County Recycling Center as defined in this Ordinance and to contract with such entities as it deems necessary to carry out the purposes of this Ordinance.

Section 4:

Definitions

Garbage: any discarded materials resulting from handling, processing, storage or consumption of food.

Glass: food grade glass bottles, jars and containers and does not include window glass, drinking glasses, pyrex, chemical bottles, lightbulbs or other non-container glass.

Good Faith: reasonable efforts to adhere to the policies, standards, and rules of this Ordinance.

Hazardous Waste/Hazardous Substance: those wastes or substances defined by statute as being hazardous

Lead-acid batteries: means automotive and related batteries that are comprised of lead plates with an acid electrolyte and does not include nickel-cadmium batteries, dry cell (flashlight) batteries or batteries used in calculators, watches, hearing aids or similar devices.

Magazines: glossy print materials including catalogs

Major Appliance: residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven refrigerator, furnace, boiler, humidifier, stove, water heater, or any other item commonly referred to as a household good.

Metal Cans: tin coated steel cans, bi-metal cans, and aluminum cans used for food and other non-hazardous materials but excluding aerosol cans and cans that held paint, paint related products, pesticides or other toxic or hazardous substances.

Newspapers: matter printed on newsprint including daily or weekly publications and advertising materials but excludes glossy paper, magazines, catalogs or other similar materials.

Non-recyclable Material: all items of waste not recyclable except hazardous waste or hazardous substances.

Oversize and Bulky Waste: large items such as furniture, mattresses, carpeting, construction or demolition of materials of substantial dimensions, brush and other large items whose proportions are not easily reduced.

Preparation Standards: criteria provided establishing acceptable good faith limits for introduction of materials into the recycling center involving transport to the recycling center.

Recyclable Material: identified materials meeting preparation standards and shall include the following: aluminum cans, glass, paper, cardboard, and plastic. Also other materials determined to have economical markets available.

Refuse: combustible and non-combustible materials, including, but not limited to: paper products, wood, metal, glass, cloth and products thereof in unrecoverable conditions; litter and street rubbish not including yard waste; uncontaminated ashes; and building materials such as wood, concrete, glass, plaster and other intermixed materials produced in construction or demolition of structures.

Tires: means any rubber tires from vehicles, farm equipment, etc

Waste oil: any contaminated petroleum-derived or synthetic oil including but not limited to the following: engine and other mechanical lubricants, hydraulic and transmission fluid, metalworking fluid, insulating fluid and/or coolant

Waste Tires: means a tire that is no longer usable for its original intended purpose because of wear, damage, or defect.

Yard Waste: leaves, grass clippings, yard and garden debris, including vegetative material.

Section 5:

In accordance with this Ordinance the Owen County Recycling Center will accept the following items.

1. Recyclables such as cardboard, paper, food grade glass, magazines, metal cans, aluminum cans, newspapers, and any other recyclable material.
2. Garbage
3. Major Appliances
4. Waste tires, so long as the tire is whole. The Recycling Center will not take portions of tires or tires with major cuts.
5. Television Consoles
6. Computer Towers/Monitors. The recycling center is not responsible for the removal of any sensitive or personal information contained on the computer. It is the responsibility of the owner to remove such data prior to recycling.
7. Mattresses/Boxsprings
8. Furniture such as chairs and couches
9. Roofing shingles
10. Construction Debris
11. Lead acid batteries

Section 6:

In accordance with this Ordinance the Owen County Recycling Center will not accept the following items.

1. Paint
2. Refuse
3. Waste Oil
4. Yard Waste
5. Oversize and bulky waste
6. Hazardous Waste or Hazardous Substance
7. Light Bulbs-all styles

Section 7:

Separation of Recyclable Materials and Preparation Standards

1. All materials shall be separated according to their type.
2. Persons shall make good faith efforts to ensure recyclables and recycling containers are well-drained and reasonably clean.
3. Caps from containers shall be removed
4. Recyclables shall be bagged or otherwise contained and shall not exceed 50 pounds in weight.
5. All garbage must be properly bagged. No loose garbage will be accepted.
6. Hard book covers must be removed prior to recycling

7. The Owen County Recycling Center reserves the right to refuse any item or customer for failure to abide by the provisions of this Section.

**Section 8:
Fees**

Garbage:	33 Gallon or less	\$ 1.00 per bag
	33Gallon or more	\$ 2.00 per bag
Major Appliances:	no charge	
Passenger Tires (up to 19")		\$ 2.00
Passenger Tires (over 19")		\$ 5.00
Tractor Tires		\$10.00
Televisions-all sizes		\$15.00
Computer Towers/Monitors		\$10.00
Mattresses		\$10.00
Boxsprings		\$10.00
Chair		\$ 5.00
Sofa/Loveseat		\$10.00
Shingles		\$40.00 per sq yd.
Construction debris-NO HAZARDOUS MATERIALS		
	Small truck-debris not exceeding height of bed	\$20.00*
	Medium truck-debris not exceeding height of bed	\$30.00*
	Large truck-debris not exceeding height of bed	\$40.00*
	Trailer	\$40.00*
	Truck & Trailer	\$60.00*

*Any loads exceeding 6 inches or more above bed height will be charged an additional \$20.00

**Section 9:
Anti Scavenging Provision**

Persons (including persons employed by the Owen County Recycling Center) shall not pilfer recyclables or disturb recyclables once those materials are placed for collection. All recyclable materials placed for collection pursuant to this Ordinance shall hereupon become the property of the County. Only persons authorized by the County shall collect or handle recyclable materials once those materials have been placed appropriately for collection.

Section 10:

All funds received by the Recycling Department, from whatever source, shall be deposited into a Recycling Department account with unexpected funds not reverting to the general fund at the end of the fiscal year.

Section 11:

This ordinance supersedes all other ordinances or parts of ordinances which are in conflict with its provisions, and any such ordinance are hereby repealed

If any section, sub-section, sentence, clause, phrase or portion of this Ordinance or any license extended hereunder is for any reason held illegal, invalid, or unconstitutional by the decision of any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

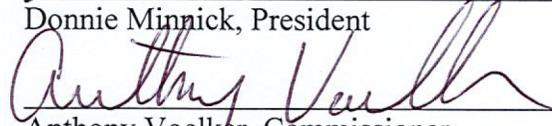
This ordinance shall be in full force and effect immediately upon its adoption and publication.

Passed and adopted by the Board of Commissioners of Owen County, State of Indiana, in a regular meeting held on the 16 day of July, 2015.

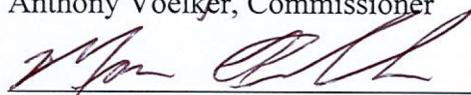
OWEN COUNTY BOARD OF COMMISSIONERS:



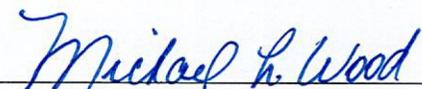
Donnie Minnick, President



Anthony Voelker, Commissioner



Marc Ruble, Commissioner

ATTEST: 

Michael L. Wood, Auditor