(Passed 9-0)

ORDINANCE 02-40

TO AMEND TITLE 6 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "HEALTH AND SANITATION"
(Amending Chapter 6.04 - Refuse and Yard Waste Collection by the City)

WHEREAS, Title 6 of the Bloomington Municipal Code sets forth refuse and yard waste collection by the City of Bloomington; and

WHEREAS, the Sanitation Revenue Review Committee has recommended that the following changes be approved by the Common Council;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Section 6.04.010 of the Bloomington Municipal Code, entitled "Definitions," shall be amended as follows:

A. The definition "City sanitation decal" shall be deleted and replaced with the following:

(a) "City trash pick up tag" and "City yard waste pick up tag" means any adhesive sticker or tag distributed solely by the city of Bloomington or its agents which shall bear an identification mark established by the city.

SECTION II. Section 6.04.030 of the Bloomington Municipal Code, entitled "Precollection Practices," shall be amended as follows:

A. Subsection (a) of that provision shall be deleted and replaced with the following:

(a) Garbage. All garbage, before being placed in garbage cans for collection shall have drained from it all liquids and shall be wrapped. Garbage must be free of vermin and pests.

B. The following subsections shall be added to that provision:

(d) Recycling. Recycling collection is provided free of charge to recipients of City trash and refuse collection. Collection occurs every other week on the customer's regular trash day. Recyclable items must be sorted into the following three categories and each category must be placed into a separate paper sack or bin.

(1) Paper Products. Paper products include mixed office paper, newspapers and inserts, phone books, magazines, paperboard and corrugated cardboard. Paperboard and cardboard must not have wax, plastic or foam coating. All staples, wood and styrofoam must be removed from cardboard and paper products. All paper products must be dry.

(2) Metal Cans and Glass Containers. This category includes metal food and beverage cans, glass jars and bottles of all colors. It does not include wire hangers, window glass or light bulbs. All containers and cans must be clean, rinsed out and with the lids removed.

(3) Plastic Bottles #1 and #2. Includes all #1 and #2 recyclable plastic bottles. It does not include bowls, tubs, cups, bags, wraps or foams. All bottles must be clean, rinsed out and with the lids removed.

(e) Yard waste, recyclables and other refuse must be separated from one another when placed at the curb for collection. It is a violation of this chapter to mix these items, subject to fines as set forth in Section 6.04.060 of this chapter. The sanitation department will not collect these items if they are mixed together.

SECTION III. Section 6.04.040 of the Bloomington Municipal Code, entitled "Refuse Containers," shall be amended by deleting subsection (e) of that provision and replacing it with the following:

(e) A city sanitation trash pick up tag must be placed on every refuse container or suitable article every week before collection. The city shall provide trash pick up tags, for a charge of one dollar ($1.00) each, through retailers in Bloomington. No items of refuse shall be collected by the sanitation department without the approved sanitation trash pick up tag affixed thereto.

SECTION IV. Section 6.04.045 of the Bloomington Municipal Code, entitled "Yard Waste Receptacles," shall be amended as follows:

A. Subsection (b)(1) shall be deleted and replaced with the following:

A watertight metal, hard plastic or other approved container with a tight fitting cover, which shall be of a size not to exceed thirty-two (32) gallons in capacity. A single container, when filled, shall not weigh more than forty (40) pounds. Approval of containers shall be by the Director of the Sanitation Department.

B. Subsection (b)(2) shall be deleted and replaced with the following:

A two-ply wet strength paper bag to be securely sealed with a yard waste pick up tag described in subsection (c) below. Bags shall be of a size not to exceed thirty-two (32) gallons in capacity. A single bag, when filled, shall not weigh more than forty (40) pounds. Approval of containers shall be by the Director of the Sanitation Department.

C. Subsection (c) shall be deleted and replaced with the following:

The city shall provide yard waste pick up tags for a charge of twenty-five cents ($.25) each through retailers in Bloomington, one of which must be placed on every container, bag or bundle containing yard waste. During the free leaf collection period in the fall of each year, residents may obtain free two ply wet strength paper bags from the city. Those bags may be filled with leaves and placed out for collection without the required yard waste pick up tag. The bags may not contain trash or other refuse.

SECTION V. The following section shall be added to the Bloomington Municipal Code and shall read as follows:

6.04.047 Large Items and Appliances.

(a) Large items. Two city sanitation trash pick up tags must be placed on every large item placed out for collection. Large items may be placed at the curb on the customer's regular refuse/trash day. Large items include sofas, chairs, tables, and similar items. Items such as clothesline poles and swing sets must be broken down before being placed at the curb. Construction materials, tires, automobile parts, and electronics such as televisions and computer equipment are not included and will not be collected. The city shall provide trash pick up tags, for a charge of one dollar ($1.00) each, through retailers in Bloomington. These are the same trash pick up tags as are placed on refuse containers. No large items shall be collected by the sanitation department without the approved sanitation trash pick up tags affixed thereto.

(b) Large Appliances. Two city sanitation trash pick up tags must be placed on every appliance placed out for collection. Appliances may be placed at the curb on the last Friday of each month of the year. Customers must call the sanitation department by 5:00 p.m. on Thursday and inform them that they are setting the appliances out for collection. Appliances include refrigerators, stoves, washers and dryers and similar items. Construction materials, tires, automobile parts, and electronics such as televisions, home entertainment equipment and computer equipment are not included and will not be collected. The city shall provide trash pick up tags, for a charge of one dollar ($1.00) each, through retailers in Bloomington. These are the same trash pick up tags as are placed on refuse containers. No appliances shall be collected by the sanitation department without the approved sanitation trash pick up tags affixed thereto.

SECTION VI. Section 6.04.050 of the Bloomington Municipal Code, entitled "Collection Practices," shall be amended by deleting subsection (b) of that provision and replacing it with the following:

(b) Collection shall be made from all places of residence within the city limits except for the following:

(1) buildings containing more than four residential units;
(2) residences located above or in the same structure as a business or businesses;
(3) residential units located on private streets.

However, collection may be provided to the above listed residences if specifically authorized in writing by the Director of Public Works. Before authorizing such collection, the Director of Public Works may require terms and conditions to protect the city and residents. The Director of Public Works may revoke such authorization in writing at his or her discretion.

SECTION VII. Section 6.04.060 of the Bloomington Municipal Code, entitled "Enforcement Procedures," shall be amended by deleting section (c) of that provision and replacing it with the following:

(c) Schedule of Fines:

The following fine schedule shall apply to violations of section 6.04.070 of this chapter:

Correction period allowed from date of NOV: 24 hours
Fine during correction period: $10.00
Daily fine assessed after correction period has elapsed: $15.00

The following fine schedule shall apply to all other violations of chapter 6.04:

Correction period allowed from date of NOV: 7 days
Daily fine during correction period: $25.00
Daily fine assessed after correction period has elapsed: $50.00

SECTION VIII. Section 6.04.070 of the Bloomington Municipal Code, entitled "Removal of Refuse and Yard Waste Containers," shall be deleted and replaced with the following:

6.04.070 Removal of Refuse, Yard Waste and Recycling Containers.

Containers, bags and other articles to be picked up shall not be placed upon the street or sidewalk so as to be visible from the street more than twenty-four hours prior to the time when such refuse, yard waste or recycling is to be collected and it shall be removed from the street or sidewalk on the same day as the collection is made. If a containment area is permanently located in an alleyway, such area shall be located so as not to hinder refuse, yard waste or recycling pick-up or traffic by pedestrians or vehicles.

Section IX. This ordinance shall be in full force and effect on and after its passage by the Common Council of the City of Bloomington and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 11th day of December, 2002.

CHRIS GAAL, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 12th day of December, 2002.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 12th day of December, 2002.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Chapter 6.04 of the Bloomington Municipal Code entitled "Refuse and Yard Waste Collection by the City." It codifies existing procedures for the collection of recyclables and implements a year-round program for the collection of large items and appliances. It sets the price for collecting those large items and appliances at $2 and codifies the existing, 25-cent price for yard trash/yard waste pick up tags. The ordinance also requires that garbage shall be free of vermin and pests, and decreases the maximum weight of refuse and yard waste containers from one hundred pounds to forty pounds. Finally, it defines which residential units are eligible for refuse and yard waste collection by the city and establishes a schedule of fines for violation of these provisions.

Signed copies to:
legal(5) Sanitation BMC file CA/CA(2)
controller Public Works file