

ORDINANCE 3903

AN ORDINANCE AMENDING CHAPTER 95 OF THE CITY CODE

WHEREAS, the City of New Castle ("City") provides solid waste collection service for single family residences and multifamily residences consisting of up to four (4) dwelling units; and,

WHEREAS, as part of its collection service, the City will collect brush and limbs cut by the owner of a residence and placed curbside if prior arrangements are made between the owner and the City; and

WHEREAS, the City Code should be amended to more specifically set forth the conditions under which the City will collect brush and limbs that are placed curbside.

NOW THEREFORE BE IT ORDANIED by the Common Council of the City of New Castle, Indiana as follows:

Section 95.07 (B) of the City Code shall be amended to read as follows:

(a) Brush. Brush and limbs collected and cut by the owner or occupant of the residence, and not a third-party contractor, must be cut and placed at curbside. Arrangements must be made by contacting the city Street Department for the pick-up of such materials on an individual basis. Brush and limbs must be placed curbside in one (1) pile that does not exceed four feet (4') in height and ten feet (10') in length. All limbs and brush within the pile must not exceed five feet (5') in length. The Street Department will not collect brush and limb unless it is situated in a manner that conforms with this subsection.

(b) Brush or limbs shall not be accumulated or placed curbside in a quantity or manner that exceeds the requirements permitted this Section for removal by the Street Department.

(c) The owner or occupant of a property, upon which any pile of brush or limbs is accumulated or placed curbside, in a quantity or manner that exceeds the requirements permitted under this Section, shall be responsible for the removal of the brush or limbs. If the owner or occupant does not remove the brush or limbs within five (5) days after being notified by the City to do so, the person shall be assessed a fine in the amount of no less than two hundred fifty dollars (\$250.00), in addition to any other remedy available to the City under this Code or Indiana law.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage and publication as required by law and shall be enforced upon the posting of appropriate signage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS
____ DAY OF _____, 2023.

Greg York, Presiding Officer,
Common Council, City
of New Castle, Indiana

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ATTEST:

Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2023

Greg York, Mayor of the City
of New Castle, Indiana