

ORDINANCE NUMBER 3379
AN ORDINANCE REGULATING THE DISPOSAL OF
MEDICAL WASTE AND HUMAN DISCHARGE

WHEREAS, the disposal of medical waste and human discharge is a public health concern; and

WHEREAS, the City of New Castle has a duty to protect the health and safety of the citizens of the City as well as the employees of the City of New Castle; and

WHEREAS, the disposal of solid trash in the City of New Castle is not an automated system, but rather, involves City employees who are exposed to injury and disease; and

WHEREAS, the City desires to develop a system that accommodates all of its citizens without unreasonable burden or cost.

NOW THEREFORE, be it resolved by the Common Council of the City of New Castle that the disposal of medical waste and human waste or discharge shall be governed as follows:

I. Definitions.

a. Medical waste is hereby defined to be any medical instrumentality or substance used in the treatment or care of human or animal illness or injury. This includes, but is not limited to, syringes and needles, gauze and bandages, fluid bags, catheters, swabs, or cotton used in the care of treatment of human injuries or illnesses.

b. Human discharge shall be defined to include, but is not limited to bodily waste, urine, blood, saliva, partially digested food or skin.

c. Approved medical container shall mean a container approved by the City of New Castle, the Henry County Board of Health or other agency authorized to give approval.

d. Sealed shall be defined to mean properly and securely closed so as to prevent contents from easily spilling or removal without intentional opening.

II. General Provisions.

1. It shall be unlawful to dispose of any form of medical waste or human discharge without placing same in an approved container which prevents third party contact with said items or waste. In the case of disposable diapers, gauze, bandages, rags or towels, tubing, cotton swabs and cotton, and other similar items, an approved container would be a sealed plastic bag or other container that prevents contact by third parties with the items contained therein.

2. Syringes, needles, glass items, razor blades, scalpels, and other similarly sharp objects must be disposed of in a sealed container that cannot be penetrated by the object contained therein.

III. Enforcement.

A. In the event it is determined that an individual has violated this ordinance, the individual shall be subject to a fine not exceeding \$100 and shall further be responsible for the reimbursement to the City of any costs incurred as a result of said violation. Said costs include, but are not limited to, those associated with the treatment and testing of any employee injured as a result of said violation.

B. In the event of violation of this ordinance, the City may, in its discretion, discontinue the pick up of trash and garbage from the address or location where the violation occurred. That said termination of curbside trash and garbage pick up shall continue until the City receives assurances that said violation shall not reoccur.

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 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 provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS 17th DAY OF February, 2004.

Tom Nipp
Tom Nipp, Presiding
Officer, Common Council, City
of New Castle, Indiana

AYE	NAY
<u>Scordia York</u>	_____
<u>Donald E. Hamilton</u>	_____
<u>Todd S. Viday</u>	_____
<u>Louise D. Pierce</u>	_____
_____	_____
<u>Jeff Horrold</u>	_____
<u>Richard Hahn</u>	_____

ATTEST:
Janice Lavanway
Janice Lavanway,
Clerk-Treasurer

APPROVED BY ME THIS 17th DAY OF February, 2004.