

TOWN OF MONROE,
STATE OF INDIANA

ORDINANCE No.: 2023- 5

SHORT TITLE: AN ORDINANCE REGARDING SANITATION FEES
FOR THE TOWN OF MONROE

WHEREAS, Indiana Code §36-1-3, *et seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, the Town of Monroe is a municipality within the State of Indiana and Indiana Code §36-5-2-2 provides that the Town Council for the Town of Monroe (hereinafter referred to as the "Town Board") is the legislative body for the Town of Monroe;

WHEREAS, the Town Council is responsible for the public safety and general welfare for the residents within the Town of Monroe;

WHEREAS, the Town of Monroe has contracted for residential trash pickup and recycling for many years;

WHEREAS, the removal of garbage is for more than the mere convenience of individual residents, but rather to protect public health of the entire Town of Monroe by minimizing or eliminating a source of unsightly disease and odor within the Town;

WHEREAS, a systemic refuse disposal scheme within the Town benefits the entire community, including those residents not generating garbage, by protecting the health and safety of all citizens;

WHEREAS, without the ability to require every resident in the Town to participate in the Town's uniform collection system, the Town would be unable to tackle the health problems associated with the accumulation of garbage;

WHEREAS, the Town of Monroe charges a user fee for the service of trash collections to the residents of the Town; and

WHEREAS, the fees are based on the actual cost to the Town of collecting, treating, and disposing of garbage in a sanitary manner;

NOW THEREFORE, BE IT ORDAINED by the Town Council for the Town of Monroe, Adams County, Indiana:

SECTION 1. That a user fee is hereby established for the trash collection and it will be added to the monthly utility bill and that amount may change from year to year according to the cost of collection in the Town.

SECTION 2. That the fee payments are due monthly with their normal utility bill payable to the Town of Monroe.

SECTION 3. That unpaid fees may be assessed by the Town against real property as provided in Indiana Code § 36-9-23-31 through § 36-9-23-34. If fees assessed against real property are not paid within sixty (60) days, a penalty of ten percent (10%) of the amount of the garbage fees attached to the delinquent fees. The fee amount, the penalty, and reasonably attorneys' fees may be recovered in a civil action in the name of the municipality.

SECTION 4. That the trash funds collected by the Town of Monroe will be deposited into the Town of Monroe's General Trash Fund.


SECTION 5. That rates approved by this Ordinance shall be in full force and effective with utility bills due after January 1, 2024.


SECTION 6. That the trash and recycling fee shall be a fixed cost of \$14.95 per month. Thereafter, the fee shall be calculated each year. Any adjustments of the aforementioned fee will be approved during a public meeting of the Town Council for the Town of Monroe. Additionally, any adjustment will be noted in the minutes from such meeting and reference this Ordinance.

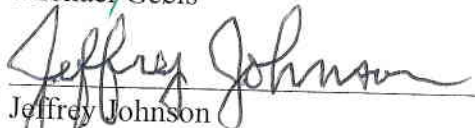
SECTION 7. This Ordinance shall be in effect after its passage by the Town Council for the Town of Monroe.

Duly adopted by the Town Board of the Town of Monroe, Adams County, Indiana at its regular meeting on this 14th day of December, 2023, with the following vote of 3 Yes and 0 Nays.

Town Board for the Town of Monroe,
County of Adams, State of Indiana


Debra Giessler


Michael Geels


Jeffrey Johnson

ATTEST:


Rachel Tague, Monroe Clerk-Treasurer