

THE BOARD OF COMMISSIONERS OF MIAMI COUNTY, INDIANA

GENERAL ORDINANCE NO. 6-21-2021

**AN ORDINANCE REGULATING THE ACCUMULATION AND DISPOSAL OF LITTER
ON PUBLIC OR PRIVATE PROPERTY**

The Board of the Commissioners of Miami County, Indiana, recognizes the need for an ordinance regulating the accumulation and disposal of trash and garbage on County property and rights-of-way.

The Board believes it is in the best interests of its citizens to adopt an ordinance to provide that violators will be subject to the penalty imposed for a Class A infraction, as set forth in Indiana Code 34-28-5-4.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Board of Commissioners of Miami County, Indiana, as follows:

1. Definitions.

“Litter” means all rubbish, waste matter, refuse, garbage, trash, debris, dead animals, or other discarded materials of every kind and description.

“Person” means an individual, firm, sole proprietorship, partnership, corporation, limited liability company, or unincorporated association.

“Public or private property” means the right-of-way of any road or highway or property visible from such road or highway; any body of water or watercourse or the shores thereof; any park, parking facility, playground, public service company property or transmission line right-of-way, any building, recreation area, any residential or farm properties, any timberlands or forest or landscaped areas, situated in Miami County, Indiana.

2. Prohibited acts.

2.1. It shall be unlawful for any person or persons to dump, deposit, throw or leave, or to cause or permit the dumping, depositing, placing, throwing or leaving of Litter on any public or private property in the County unless:

2.1.1. Such property is designated by the County or a governmental agency or political subdivision for the disposal of such Litter, and such person is authorized by the proper public authority to use such property; or

2.1.2. Such Litter is either placed into a litter receptacle or container installed on such property or is too large or bulky to be contained and is set out for no more than eight (8) days and awaiting trash collection; or

2.1.3. Such Litter is placed at or near the curb by the occupant of the property for the town's trash collection as provided for in this chapter.


2.2. It shall be unlawful for any person or persons to throw, dump or deposit any Litter any highway or road of the County, or any County right-of-way.

4. *Enforcement.* All Miami County law enforcement officers and Miami Health Department officials are hereby authorized, empowered and directed to enforce compliance with this Ordinance.


5. *Penalties.* Any person who violates any provision of this Ordinance shall be subject to the penalty imposed for a Class A infraction, as set forth in I.C. 34-28-5-4. Each day a violation continues constitutes a separate violation.

Adopted this 21 day of June, 2021.


BOARD OF COMMISSIONERS
OF MIAMI COUNTY



Alan Hunt, Chairman



Fred Musselman



Brenda Weaver

ATTEST:



Mary Brown, Miami County Auditor