

WARREN TOWNSHIP
ORDINANCE NO. 2018-O-12

AN ORDINANCE RELATING TO THE COLLECTION AND DISPOSITION OF GARBAGE,
REFUSE, AND ASHES WITHIN THE UNINCOPORATED AREA OF
WARREN TOWNSHIP

WHEREAS, section 210-15 of the Township Code authorizes a township board to make contracts with any person, corporation, or county for more than one year and not more than 15 years (i) relating to the composting or recycling of garbage, refuse, and ashes within the unincorporated area of the township or (ii) relating to the collection and final disposition, or relating solely to either the collection or the final disposition, of garbage, refuse, and ashes within the unincorporated area of the township, when the township board has been so authorized by the electors of the unincorporated area of the township to exercise the powers conferred by Article 210; and

WHEREAS, section 210-25 of the Township Code authorizes a township board that has been so authorized by its electors to exercise the powers conferred by Article 210 to adopt by ordinance rules and regulations relating to the collection and final disposition, or relating solely to either the collection or the final disposition, of garbage, refuse, and ashes within the unincorporated area of the township as it from time to time deems necessary and to provide penalties for the violation of those rules and regulations; and

WHEREAS, a majority of the electors of the unincorporated area of Warren Township authorized the Warren Township Board of Trustees to exercise the powers conferred by Article 210 at the regularly scheduled election held on March 20, 1990; and

WHEREAS, on May 26, 2009, Warren Township determined that an exclusive Agreement for Pickup and Disposal of Township Waste, Recycling, and Landscape Waste Removal with Waste Management North, Inc. (“Service Agreement”), for single-family residential buildings and multi-family residential buildings of eight (8) or less units in the unincorporated area of Warren Township (“Service Area”) would be in the best interest of the residents of Warren Township; and

WHEREAS, the Service Agreement expires on June 30, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF WARREN TOWNSHIP, AS FOLLOWS:

SECTION 1: Single-Family Buildings or Multi-Family Buildings of Eight (8) or Less Units. All detached single-family residential buildings and all multi-family residential buildings of eight (8) or less units in the unincorporated area of Warren Township (“Covered Units”) shall be serviced by Waste Management North, Inc., pursuant to the Service Agreement. No person or entity owning or occupying a Covered Unit shall enter into a contract or otherwise utilize services for solid waste, recyclables, or landscape waste collection with any other person or entity.

SECTION 2: Account in Owner's Name. All legal owners of the Covered Units in the unincorporated area of Warren Township shall maintain an account in his, her, or its own name with Waste Management North, Inc., regardless of whether such Covered Unit is owner-occupied or leased. Each month for which an owner shall fail to maintain an account, as required herein, shall be deemed a separate offense.

SECTION 3: Waste Disposal Licensing. No person or entity shall remove garbage, recyclables, or landscape waste from any of the Covered Units in the unincorporated area of Warren Township or transport garbage, recyclables, or landscape waste through the streets, alleys or public ways of the unincorporated area of Warren Township or in any other manner dispose of garbage, recyclables, or landscape waste originating in the unincorporated area of Warren Township as to the Covered Units without first having secured a license for performing such service from Warren Township.

SECTION 4: Penalties. Any person or entity violating any of the provisions of this Ordinance is guilty of a petty offense and shall be subject to a fine of no less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), plus attorney's fees and court costs incurred by Warren Township in enforcing the provisions of this Ordinance. A separate and distinct offense shall be deemed committed each day upon which such person or entity shall continue any such violation, or permit any such violation to exist.

SECTION 5: This Ordinance shall be in effect upon its passage, approval and publication as provided by law. All other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Ayes:	Nays:	Abstain:	Absent:
<input checked="" type="checkbox"/>	_____	_____	_____
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<input checked="" type="checkbox"/>	_____	_____	_____

Bill Gill

Mike Semmerling

Donna Radke

Ken Echtenacher

APPROVED:

By:  _____
Suzanne D. Simpson, Supervisor

ATTESTED:

By:  _____
George Miller, Clerk