

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4751

AMENDING VARIOUS SECTIONS IN DIVISIONS 1 (GENERALLY) AND 2 (MUNICIPAL COLLECTION AND DISPOSAL SERVICE) IN ARTICLE IV (SOLID WASTE) IN CHAPTER 98 OF THE MICHIGAN CITY MUNICIPAL CODE  
&  
CREATING SEC. 50-509 AND SEC. 50-510 IN ARTICLE XXV (UTILITIES) IN CHAPTER 50 OF THE MICHIGAN CITY MUNICIPAL CODE REGARDING SOLID WASTE/GARBAGE

WHEREAS, the Mayor and the Director of Refuse for the Sanitary District have made certain recommendations to the Common Council regarding amendments to Article IV (Solid Waste) in Chapter 98 and also to creating certain sections in Chapter 50 of the Michigan City Municipal Code; and

WHEREAS, the Common Council having considered such recommendations, believes that said recommendations are in the best interest of the City and residents herein and desires to implement the same.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA as follows:

1. The amendment(s) as set forth in “**Exhibit A**,” which is attached hereto and incorporated herein, shall be made to Division 1 (Generally) and Division 2 (Municipal Collection and Disposal Service) in Article IV (Solid Waste) in Chapter 98 of the Michigan City Municipal Code.
2. Sec. 50-509 and Sec. 50-510 are hereby created in Article XXV (Utilities) in Chapter 50 of the Michigan City Municipal Code and shall read as follows:

**Sec. 50-509. Fee for Additional Cart(s).**

If a determination is made by the Refuse Director that an apartment complex or business does not have the space for a private dumpster, the fee established by Sec. 98-144(c) for each additional cart is \$120.00 annually for an apartment/business. With the exception of the first year, which may be prorated on a monthly basis, the annual fee shall not be prorated. Any fees paid pursuant to this Section are nonrefundable once deposited. If an annual fee is not paid within thirty (30) days of a new calendar year, the additional cart shall be forfeited and the City shall reclaim the additional cart. The apartment/business must pay any/all unpaid fees under this Section before being afforded additional carts.

**Sec. 50-510. Special Pick-Up Fee(s).**

The fee established by Sec. 98-148 shall be as follows:

- (a.) Three (3) Tons and Over: The City will not provide a special pick-up for any solid waste weighing three (3) tons or more. The property owner shall be solely responsible for securing their own dumpster or making their own arrangements for disposal and/or hauling to a landfill.
- (b.) Under Three (3) Tons: The City may provide special pick-up for solid waste that meets the rules and regulations as established by the Sanitary District.
  - (1.) Prior to December 31 of each year, the Sanitary District, by and through the Board of Commissioners for the Sanitary District, shall establish all rules and regulations for special pick-ups and set any and all fee(s) for special pick-ups, which shall include, but not be limited, to a minimum

mobilization fee of at least \$25.00 per trip to a customer's address, cost of manpower and equipment, and the City's direct landfill cost.

- (2.) The Sanitary District shall provide copies of any and all rules and regulations for special pick-ups and related fees, including any amendments to the same, to the Mayor and Common Council within thirty (30) days of adoption.
3. Pursuant to I.C. 36-4-6-14 and I.C. 5-3-1 et seq., the City Clerk shall publish notice of adoption of this Ordinance not later than thirty (30) days after approval of the same by the Mayor.
4. This Ordinance shall take effect January 1, 2025.

This Ordinance shall be effective upon passage by the Common Council, approval by the Mayor, and any necessary publication.

INTRODUCED BY: /s/Don Przybylinski, President  
Michigan City Common Council

/s/Dr. Vidya Kora, Member  
Michigan City Common Council

/s/Greg Coulter, Member  
Michigan City Common Council

/s/Tim Bietry, Member  
Michigan City Common Council

/s/Daisy Lee, Member  
Michigan City Common Council

/s/Bryant Dabney, Member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 19th day of November, 2024 by vote of 8 to 0.

/s/Don Przybylinski, President  
Michigan City Common Council

**Approved**/Vetoed (circle choice) by me, this 20<sup>th</sup> day of November, 2024.

/s/ Angie Nelson Deutch, Mayor  
City of Michigan City, Indiana

ATTEST:

/s/ Gale A. Neulieb, Clerk  
City of Michigan City, Indiana

*Prepared by Corporation Counsel Upon Request*