

**LEGAL NOTICE**

ORDINANCE #9-2011  
AN ORDINANCE PROHIBITING UNAUTHORIZED DUMPING  
AT THE KNIGHTSTOWN RECYCLING CENTER.

WHEREAS, the Town Council of the Town of Knightstown, Indiana, has heretofore established a recycling center location at; and

WHEREAS, the purpose of said recycling center is for the deposit of only materials designated as recyclable by the Henry County Solid Waste District, hereinafter referred to as "recyclable materials" in designated receptacles at designated times; and

WHEREAS, the Town Council has been made aware of often and repeated dumping of non-recyclable materials at the recycling center location, resulting in difficulty by the Henry County Solid Waste District agents to be able to gain access to receptacles and contaminating deposited recyclables materials requiring all materials deposited to be placed in an approved landfill and further resulting is the loss of the recyclable materials; and

WHEREAS, in an effort to impede and prohibit the unauthorized dumping of non-recyclable materials at the designated recycling center, the Town Council of Knightstown, Indiana, believes that said unauthorized dumping should constitute a violation of the Code of Ordinances of Knightstown, Indiana; and

WHEREAS, within the Code of Ordinances of Knightstown, Indiana, there exists Title V, Chapter 50 entitled "Garbage," which is deemed by the Town Council of Knightstown, Indiana, to be the appropriate location within the Code of Ordinances of Knightstown, Indiana, to add said prohibition; and

WHEREAS, the Town Council of Knightstown, Indiana believes so amending Title V, Chapter 50 by the addition of subsection 50.03 to prohibit the dumping of non-recyclable materials at the recycling center within the Town of Knightstown, Indiana, should be adopted with a penalty to be associated with the violation of said ordinance to be in the best interest of the health, safety, and welfare of the citizens of Knightstown, Indiana.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF KNIGHTSTOWN, INDIANA, AS FOLLOWS:

SECTION I

Title V, Chapter 50 is hereby amended with the addition of Subsection 50.03 as follows:  
50.03

Unauthorized Depositing of Materials at the Recycling Center.

The depositing of materials of a non-recyclable nature at the currently designated recycling center location or at such other locations designated by the Town Council of Knightstown, Indiana, is strictly prohibited. All materials not designated by the Henry County Solid Waste District as recyclable materials shall be deemed non-recyclable materials and prohibited from being deposited at the designated recycling center, at its current location or any future designated recycling center location.

SECTION II

Title V, Chapter 50 Section 50.99 shall be amended with the addition of the following provision:

Any person violating any provision of subsection 50.03 shall be fined in the amount of \$100.00 for the first violation, \$150.00 for the second violation, and \$250.00 for the third and all subsequent violations, which fines are to be paid through the Knightstown Ordinance Violations Bureau. Should any violator fail to pay said fines as designated above, civil action may be initiated against said person or persons for violation of subsection 50.03 which, in addition to any fines or cost determined by the Court to be reasonable, the violator(s) shall pay all attorney fees associated with said prosecution.

SECTION III

The ordinance shall be in full force and effect from and after its approval and due publication according to law.

Adopted this 15th day of September, 2011.

TOWN OF KNIGHTSTOWN, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative: Terry Guerin, Tony True, Clyde South, Cassandra Steele, Bob Weber

Voting Opposed: None

Attest: Judy Haines, clerk-treasurer

This instrument was prepared by Gregg H. Morelock, BRAND DAVIS & MORELOCK, P.O. Box 6, West South Street, Greenfield, IN 46140.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Gregg H. Morelock. (10/05)