

ORDINANCE NO. 2003- 5

**AN ORDINANCE PROHIBITING BLOWING GRASS CLIPPINGS  
AND PLACING DEBRIS IN PUBLIC ROADWAYS**

Comes now the Town Council of Boswell, and makes the following recitals and ordains as follows:

*WHEREAS*, the Town Council of Boswell, Indiana, has a pervasive problem with persons blowing grass clippings, leaves, and other debris into the street, which clogs the storm sewers, costing the Town of Boswell unnecessary expense in correcting these problems and removing said debris;

*NOW THEREFORE BE IT ORDAINED* by the Town Council of Boswell, Indiana, as follows:

**I. Dumping of trash and debris.** It shall be unlawful for any resident or non-resident persons or businesses to blow, sweep, place or deposit any garbage, debris or refuse, including, but not limited to construction material or structural debris, rock, earth or sod, grass clippings, shrub clippings, leaves, vines, small trees, brush, limbs, burn barrels, tires, animal carcasses or parts thereof, appliances, and hazardous waste, whether generated by households or business; in street or public right-of-way, in and around the Town of Boswell, Indiana.

**II. Exceptions.** The Town Council of Boswell may, as it deems necessary, allow for exceptions to Paragraph (1), to enable the collection of leaves, lawn or shrub clippings, vegetation, earth or sod, or other debris as needed and for the limited time frames specified by the Town Council of Boswell. This Ordinance shall not be intended to prevent persons from placing bags of trash or large items of debris on the public right-of-way for trash collection by private contractors, except that such trash, debris, or other materials, shall not be placed in the roadway or on upon the public sidewalks and shall be placed out a reasonable time before the scheduled pick-up and any remaining items, promptly removed after the scheduled pick-up.

**III. Enforcement and Penalty.** The Town Marshal and all other duly authorized Law Enforcement Officers charged with enforcing the Town's Ordinances may issue an Appearance Ticket and Complaint, stating the date and time of violation, the name and address of the person violating this Ordinance, and ordering that person to appear on a certain date and time in Benton Circuit Court in Fowler, Indiana, for the purpose of a trial thereon, if contested. In the event that the person accused of violating this Ordinance wishes to admit the violation, he or she may pay such fine at the Boswell Town Hall.

Any costs, billings, or charges incurred in the removal of any such refuse, trash, or debris, will be billed to the property owner and will be due within thirty (30) days, together with the following penalty provisions: