

# LEAF, TREE AND BRUSH REMOVAL

## **93.20 Definitions**

**Yard Waste** – Yard waste includes leaves, grass clippings, stumps, roots or shrubs with root balls, garden debris, and brush.

## **93.21 General Regulations**

To assist residents and encourage good property maintenance, the Town of Ellettsville will offer brush and leaf removal services to residents within the corporate limits of the Town each year from spring to early fall. These services are intended to help residents in disposing of small amounts of branches or severe weather damage. Residents should have brush ready for pickup on the scheduled dates. This monthly service will be provided during the first full week of each month from April till November or as determined by the Street Commissioner or designee.

Storm damaged trees will be picked up for a thirty day period after the storm damage occurs. Residents should place brush between the curb and the sidewalk. Residents should not block sidewalks or streets.

The Street Department crews reserve the right to refuse pick up of leaves, brush and storm damage for any reason that could harm equipment or personnel or if the brush is not stacked properly.

### **(A) No Christmas tree pick up**

### **(B) Leaf Pickup**

The Town will provide leaf pickup from October through December or until weather conditions prohibit this service. Bagged leaves will be picked up in the spring. Residents should rake leaves into piles between the sidewalk and the curb, and not in the street. Leaf piles should not be contaminated with grass clippings, litter, garbage or other non-organic materials, including pet waste. Residents should not park cars near leaf piles; it creates a fire hazard and makes it impossible to pick up the leaves. All leaf piles are to be at least 10 feet from any storm drain. Residents should make a conscious effort to help the Town keep storm water inlets clean and free of obstructions, litter and pollutions. Storm water drains are only for rain.

### **(C) Brush Removal**

To help ensure that the Town continues to efficiently and effectively provide these to Ellettsville residents, and to facilitate pickup by the chipper truck and Street Department employees, residents should adhere to the following rules:

1. No person owning real estate within the corporate limits of the Town shall maintain or keep yard waste materials on their property which exceed the general regulations of this section.
2. All yard waste materials, with the exception of covered compost piles that do not exceed six feet long, four feet wide and four feet high, must be removed from the property or least 30 days.
3. All brush must be placed near the curb, but not on the sidewalks or in the drainage way.
4. All brush must be placed trunk/butt-end toward the curb in a neat stack.
5. All brush must be no more that 4 feet in length in one pile one person can handle, unless it is storm damage.
6. Residents should not put brush in or on top of leaves. Resident's should keep brush in one pile and leaves in another pile.
7. Residents who hire a commercial service for tree removal or trimming should make sure the contractor hauls away all tree trimmings and debris.
8. Residents should keep any and all foreign objects out of the brush piles.
9. Root stumps, grass clippings, flowers, shrubs, garden debris, construction materials and dirt will not be picked up by the Street Department.
10. If the above conditions are not met, the brush material will not be picked up.

### **93.22 Fines and Fees**

- (A) Any person or persons violating any of the provisions of this section commits a class D ordinance violation and shall be fined each offence. Each day's violation shall constitute a separate offence. The fine for each day's offence shall be \$100.00 per day.
- (B) There shall be a minimum fee of \$250.00 for any brush removal that exceeds general regulation guidelines, requires more than five minutes to remove the materials from the site, or as determined by the Street Commissioner or designee. A fee will be posted at the residence prior to the Street Department collecting the brush. No brush will be picked up at the specified location until payment has been received by the Clerk Treasurer.
- (C) It shall be the duty of the Street Commissioner or designee upon notification of any such existing condition, to inspect the real estate in question, and if upon inspection determines that the real estate is in violation, shall issue a ten-day notice to remove the yard waste as specified in Section (D), below, and in Section 93.23.
- (D) If any owner or lessee being duly ordered as herein provide by the Street Commissioner or designee shall fail or refuse to obey the code, it shall be the duty of the Street Commissioner or designee to cause the yard waste to be removed. The Street Commissioner or designee shall keep an account of the expense thereof, which shall be reimbursed upon the sworn voucher of the Street Department Commissioner, and the Town Clerk-Treasurer shall produce a certified statement within ten business days of the actual cost incurred by the Town on the removal. The statement shall be delivered to the owner of the real estate by certified mail, and the owner shall have not more than 30 days within which to pay the amount to the Clerk-Treasurer.
- (E) If the landowner fails to pay the sum within the time prescribed, a certified copy of the statement of costs shall be filed in the office of the County Auditor, and the Auditor shall place the amount claimed on the tax duplicate against the lands of the landowner affected by the work. The amount shall be collected as taxes are collected and when collected shall be disbursed to the fund incurring the expense.

### **93.23 Notice of Violations**

Notice of violation can be posted to the violator or owner of the property by the Town Health Officer or a deputy health officer in the following ways:

- (1) Physically posted to the dwelling in violation of Code by affixing a notice of violation to the dwelling's entryway;
- (2) Delivered personally to the violator or owner of the property;
- (3) Mailed to the violator or owner of property through regular mail addressed to the landowner's last known address;
- (4) Mailed certified to the violator or owner of property addressed to the landowner's last known address.

This ordinance takes effect at 12:01 a.m. on the 3<sup>rd</sup> day following its final publication according to the procedure specified by Indiana Code 5-3-1.

This ordinance was passed and adopted by the Town Council of Ellettsville, Indiana, at the Ellettsville Fire Department on the 13<sup>th</sup> day of September, 2010.