

**TITLE 6**

**HEALTH, PEACE, SAFETY AND SANITATION**

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### **HEALTH, PEACE, SAFETY AND SANITATION**

#### **Chapters:**

- 6.04 Accumulation of trash, debris, junk, garbage, inoperable vehicles, salvage or other refuse prohibited**
- 6.23 Open Burning**

## Chapter 6.04

### ACCUMULATION OF TRASH, DEBRIS, JUNK, GARBAGE, INOPERABLE VEHICLES, SALVAGE OR OTHER REFUSE PROHIBITED

#### Sections:

<b>6.04.010</b>	<b>Violation defined</b>
<b>6.04.020</b>	<b>Removal notice.</b>
<b>6.04.030</b>	<b>Abatement</b>
<b>6.04.040</b>	<b>Lien for expenses to abate public nuisance</b>
<b>6.04.050</b>	<b>Foreclosure for nonpayment of lien</b>
<b>6.04.060</b>	<b>Removal notice</b>

**6.04.010 Violation defined.** From and after the effective date of this ordinance, it shall be unlawful for any person, organization, corporation or other entity to accumulate or to allow to accumulate trash, debris, junk, garbage, inoperable vehicles, salvage or any other refuse within 300 feet of their property lines which adjoin a public street, highway, alley, and any other public thoroughfare and within 200 feet of all other property lines, unless said debris is contained within a fully enclosed structure. Such accumulation is a serious hazard to the public health and safety and the general welfare of the community and is a public nuisance. (Ord. 12-1-86-2, S1, Dec. 1, 1986)

**6.04.020 Removal notice.** It shall be the duty of the President of the Board of Trustees of the town to serve or cause to be served a notice upon the owner and occupant of any premises on which debris as described in Section 6.04.010 has accumulated in violation of the provisions of this ordinance, and to demand the abatement of said public nuisance within ten (10) days from receipt thereof. Such notice shall be served personally on the occupant of said premises, and a copy sent by regular mail to the owner, if different from the occupant. (Ord. 12-1-86-2, S2, Dec. 1, 1986)

**6.04.030 Abatement.** If the person so served does not abate the public nuisance within ten (10) days, the town may proceed to abate such nuisance, keeping an account of the expenses of the abatement and such expenses shall be charged to the owner of said property pursuant to I.C. 36-1-6-2 and any amendments thereto. (Ord. 12-1-86-2, S3, Dec. 1, 1986)

**6.04.040 Lien for expenses to abate public nuisance.** Expenses for such debris removal shall be a lien upon the property. Whenever a bill for such charges remains unpaid for sixty (60) days after it has been rendered, the clerk-treasurer may file with the recorder of Crawford County, Indiana, a statement of lien claim. This statement shall contain a legal description of the premises, the expenses and cost incurred and the date the work was completed and a notice that the town claims a lien for this amount. Notice of such lien claim shall be mailed to the owner of the premises, if his address is known; provided, however, that failure of the clerk to record such lien, claim, or to mail such notice, or failure of the owner to receive such notice shall not affect the right to foreclose the lien for such charges as provided in Section 6.04.050. (Ord. 12-1-86-2, S4, Dec. 1, 1986)

**6.04.050 Foreclosure for nonpayment of lien.** The property subject to a lien for unpaid charges as aforesaid shall be sold for nonpayment of the same and the proceeds of the sale shall be applied to pay the charges after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure actions shall be brought in the name of the town. The town attorney is authorized and directed to institute such proceeds in the town in any court having jurisdiction of such matters, against any property for which the bill has remained unpaid sixty days after the filing of the notice of lien as aforesaid. (Ord. 12-1-86-2, S5, Dec. 1, 1986)

**6.04.060 Removal notice.** It has been determined that you are in violation of Marengo Town Ordinance No. 12-1-86-2 and your prompt attention to this matter would be appreciated.

REASON OR TYPE OF VIOILATION:

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A COPY OF SAID ORDINANCE SHALL BE ENCLOSED ALONG WITH REMOVAL NOTICE TO ALL PARTIES INVOLVED.

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TOWN MARSHALL  
MARENGO INDIANA

(Ord. 12-1-86-2, Removal notice, Dec. 1, 1986)

## Chapter 6.23

### OPEN BURNING

#### Sections:

- 6.23.010 Unlawful to burn trash or leaves due to emergency situation**
- 6.23.020 Penalty for violation**

**6.23.010 Unlawful to burn trash or leaves due to emergency situation.** Due to a emergency situation existing in our area “Due to Extremely Dry Conditions” it shall be unlawful for any kind of trash or leaves to be burned in the Town of Marengo. (Ord. 11-6-87-1, Nov. 6, 1987)

**6.23.020 Penalty for violation.** Violators of this ordinance may be fined up to \$250.00 plus the cost of a fire fun by the Marengo Fire Department. (Ord. 11-6-87-1, Nov. 6, 1987)