

STATE OF INDIANA
BEFORE THE BOARD OF THE
CLARK COUNTY SOLID WASTE MANAGEMENT DISTRICT

RESOLUTION NO. 2024 – 002

A RESOLUTION CLARIFYING THE POLICY FOR PROVIDING CURBSIDE RECYCLING SERVICES TO MULTIFAMILY PROPERTIES WITHIN THE DISTRICT.

WHEREAS, the Clark County Solid Waste Management District a/k/a Clark County Recycling (hereinafter this “District”) is a duly-authorized and properly established District pursuant to Ind. Code § 13-11-2-7 and Ind. Code § 13-21-3 *et seq.*; and,

WHEREAS, pursuant to Ind. Code § 13-21-3-12(a)(17), this District may adopt resolutions; and,

WHEREAS, Clark County, Indiana; City of Jeffersonville, Indiana; Town of Clarksville, Indiana; Town of Sellersburg, Indiana, and the District have previously entered into an interlocal cooperation agreement for the implementation of curbside recycling services to be administered by the District; and,

WHEREAS, the District, through the request for proposals process, has previously entered into a contract (the “Contract”) with a third-party subcontractor (the “Subcontractor”) to perform the collection services; and,

WHEREAS, due to the significant growth of multifamily and apartment complexes within the service area of curbside recycling, the District desires to clarify its policy specific to providing curbside recycling for said types of complexes; and,

WHEREAS, Section 2(o) of the Contract states:

Responsible Party for Billing (“Responsible Party”): The owner of the real estate, apartment complex, building and/or home shall be the party that is responsible to pay the curbside recycling billings issued by the District.

WHEREAS, Section 2(p) of the Contract states:

Single Family Residential Household: A house, apartment, condominium, townhouse, residential structure/building, residential garage, residential barn or residential outbuilding wherein persons, either individuals or families, reside on a regular basis and comprise a single-family household.

NOW THEREFORE BE IT RESOLVED by this Board of the Clark County Solid Waste Management District the following:

1. The owner of the apartment or multifamily (the “Owner”) complex is responsible for paying a curbside recycling fee of (\$34) each year times the number of units within each complex.
2. Per the Contract, it is the responsibility of the Subcontractor to provide curbside recycling service to the complexes to retrieve, empty, and return the recycling bins on a weekly pre-determined schedule.
3. The District acknowledges that every complex is different and if the Owner of a complex desires some other means of service then the Owner, Subcontractor, and Executive Director of the District shall meet to determine how, and if, another means of service is possible (i.e. point(s) of collection).
4. If an alternate means of services is agreed upon by all parties (“Alternative Service Agreement”), it will be at no additional cost to the District. Each Alternative Service Agreement will set forth the agreement and will not go into effect until properly executed by all parties.
5. The Executive Director of the District is hereby given the authority to execute an Alternative Service Agreement and is further charged with responsibility of maintaining a copy of same for the District’s records.

6. Each apartment building that receives a certificate of occupancy (“CO”) prior to January 1 of the following year will be assessed the curbside recycling fee of (\$34) per unit for the same year of service (i.e. CO issued on or before December 31, 2024 shall be assessed a fee and provided service starting January 1, 2025).

7. The apartment and multifamily complex owners shall be responsible for purchasing the necessary individual recycling bins for their tenants, which is the same standard for single-family homes.

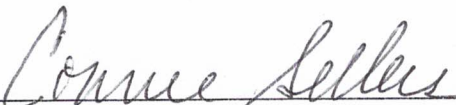
8. This Resolution shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this District.

SO RESOLVED this 17th day of July, 2024.

[Signature page to follow]

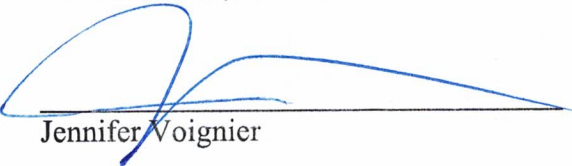
“Aye”

“Nay”



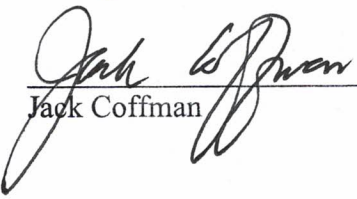
Connie Sellers, President

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Jennifer Voignier

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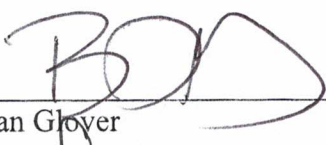


Jack Coffman

Jack Coffman

Steve Doherty

Steve Doherty



Bryan Glover

Bryan Glover



Scott Anderson

Scott Anderson

Mike Moore

Mike Moore



Attested by: Darla Stahl