

ORDINANCE NO. O-C-24-4

**AN ORDINANCE TO DISSOLVE THE PERRY COUNTY SOLID WASTE  
MANAGEMENT DISTRICT**

WHEREAS, the Board of Commissioners of the County of Perry ("Commissioners") formed the Perry County Solid Waste Management District ("District") on August 1, 1990 through its legislative powers and in accordance with authority promulgated by I.C. § 13-21 et. seq. ; and,

WHEREAS, the District is a single county solid waste management district as that term is defined in the relevant portions of the Indiana Code; serving Perry County ("County") and,

WHEREAS, I.C. § 13-21 allows Commissioners to dissolve the District; and,

WHEREAS, specifically, I.C. § 13-21-15-1(a) authorizes solid waste management districts consisting of only one (1) county to be dissolved in accordance with I.C. § 13-21-3-1(d)(1) and I.C. § 36-1-8-17.7(b); and,

WHEREAS, on December 30, 2024, the Perry County Council affirmed their support for dissolution of the District by a unanimous vote, as required by I.C. § 13-21-3-1(d)(1)(B); and,

WHEREAS, on December 30, 2024, the Commissioners held a Public Hearing on the dissolution of the District, with Notice of said Hearing having been given in accordance with I.C. § 5-3-1. A copy of the Plan for the Dissolution of the District has been made available to the public via the County's website and upon request, all of which conforms to the requirements of I.C. § 36-1-8-17.7(b); and,

WHEREAS, the Commissioners believe it is in the best interest of the County for the functions of the District to be carried about by a newly formed County Department under their direct authority, and that doing so will enable the services currently provided by the District to be delivered in a more efficient and economical manner, all of which is a benefit to the citizens of Perry County.

**NOW, THEREFORE, BE IT ORDAINED BY THE PERRY COUNTY BOARD OF  
COMMISSIONERS AS FOLLOWS**

1. The Perry County Solid Waste District ("District") is dissolved, effective December 31, 2024, at 11:59p.m
2. The Plan for the Dissolution of District is as follows:
  - a. **Effective Date.** Effective December 31, 2024, at 11:59p.m., the District shall cease to operate and all of its assets, obligations, and duties will be transferred to the Board of Commissioners, and which will be administered by the Perry County Solid Waste, a new department within County government, created specifically for this purpose to be known as Perry County Solid Waste. Operation of Perry County Solid Waste shall be effective January 1, 2025, at 12:01am.
  - b. **Staff and employees.** All staff and employees shall interview and follow normal county hiring procedures to be re-hired as county employees.
  - c. **Description of Assets and Obligations.** As of November 1, 2024, Commissioners were still ascertaining the exact assets and obligations of District. All assets will be

transferred to Perry County as of the effective date of dissolution and shall be used to provide the services previously provided by the District.

- d. **Description of Services.** The District performs all services as previously provided by District. Commissioners will assume responsibility for providing these services after the effective date of the dissolution. The outlined services may be amended by the Board of Commissioners in the future.
  - e. **Drop-Off Recycling Sites.** There are currently drop-off co-mingled recycling sites at (2) two locations throughout the County. These sites are Cannelton and Branchville. These sites shall remain operational.
  - f. **Education and Awareness.** Commissioners shall strive to continue to educate the public as to the services offered by Perry County Solid Waste.
  - g. **Website.** Information on recycling sites, suggestions for reduction of waste, and community recycling resources are kept on a website and a Facebook page.
3. The Perry County Code of Ordinances ("Code") contains a certain Chapter 50, Section 20 through Section 23, entitled, "County Solid Waste Management District"; said sections are hereby repealed and shall be deleted from the Code.
  4. If this Ordinance contradicts any other Section or portion of the Code, this Ordinance shall be controlling.
  5. Any place in the Code where the District is mentioned or referenced shall be amended to conform with the intent and effect of this Ordinance.
  6. If any part of this Ordinance is determined to be void, invalid, or otherwise unenforceable, the remaining portions of this Ordinance shall nonetheless remain in full force and effect.
  7. The Perry County Solid Waste is hereby established, effective January 1, 2025, at 12:01am.
  8. This Ordinance shall take effect as stated above and shall remain in effect until otherwise ordained by the Commissioners.

IN WITNESS THEREOF, the Board of Commissioners of the County of Perry, Indiana has adopted this Ordinance this 30<sup>th</sup> day of December, 2024.

BOARD OF COMMISSIONERS OF THE  
COUNTY OF PERRY, INDIANA

By: 

By: Rebecca Horn

By: Randy K. King

ATTEST:

Kris Hammack, Perry County Auditor