

RESOLUTION NO: 23-04

**OF THE CITY OF FRANKLIN, INDIANA BOARD
OF PUBLIC WORKS AND SAFETY**

**RESOLUTION ADOPTING A POLICY FOR RESIDENTIAL CURBSIDE
LEAF AND LIMB COLLECTION FOR THE CITY OF FRANKLIN**

This Resolution dated the 1 day of May, 2023 by the Board of Public Works and Safety for the City of Franklin is as follows:

WHEREAS, the City of Franklin ("City") residential curbside trash collection and recycling contract with its vendor does not provide for removal of yard debris from residents' home other than vegetation and brush that fits within provided totes; and

WHEREAS, the Board of Public Works and Safety ("Board") desires to encourage residents to dispose of leaves and limbs generated from their properties so they are not carried by the elements into public right-of-way and drainage facilities; and

WHEREAS, to encourage proper disposal, the Board further desires to provide residents within the City's corporate boundaries with curbside leaf and limb collection and mulching/chipping services as an economic and environmentally responsible alternative to burning or depositing leaves and limbs in land-fills; and

WHEREAS, the City provides the care and maintenance of its trees and debris in City right-of-way; and

WHEREAS, the Board further desires the parameters of the leaf and limb collection program for its residents and to discourage the abuse of the collection services by commercial contractors or residents; and

WHEREAS, the Board has determined that it is in the City's best interests to establish a policy for residential leaf and limb collection and mulching/chipping services that will promote the efficiency of City removal crews and minimize service costs; and

NOW THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City of Franklin, Indiana, that the following policy for the residential curbside leaf and limb collection and mulching/chipping services is adopted by the City of Franklin;

1. **Period of Collection.** Limbs shall be collected from residential properties on a regular basis the months of March through November, and in the months of December through March as weather and staffing permits. Leaves shall be collected from residential properties between October 1st and December 6th each year, at the discretion of the City and dependent upon weather conditions.
2. **Yard Waste/Debris Eligible for Collection.** Leaves and tree limbs smaller than eight (8) inches in diameter and shorter than ten (10) feet generated by the property owner from the residential property are eligible for collection. "Tree limb" means a limb removed from the trunk of a tree. Tree trunks, tree stumps, root balls, landscape waste such as ornamental and nonornamental grass and grass clippings, weed trimmings, garden flowers and vegetation, used mulch, or mixed piles of leaves, tree limbs and landscape waste are not eligible for collection. The City of Franklin ("City") staff have the right to refuse to remove any yard waste deemed ineligible for collection, mulching or chipping.
3. **Paid Contractor Services.** All contractors who receive payment to perform leaf removal, tree trimming, or tree removal services on a residential property shall be responsible for removing all raked and cut debris from the property generated as part of their services. The City shall not collect and remove leaves and tree limbs generated from residential property through paid contract labor. "Contractor" means any person age 18 or older who performs trimming or removal services, whether as a primary, secondary, or occasional source of income. "Payment" means remuneration of any nature or kind received in return for the services rendered and includes exchange of property or services. The City has a right to request documentation from a contractor or property owner to confirm payment.
4. **Unpaid Contractor Services.** All residential property owners who receive leaf removal, tree trimming, or tree removal services from a contractor for no payment are responsible for removing and disposing of the cut debris generated by the contractor and the City has a right not to be responsible for removing or disposing of the debris.

BE IT FURTHER RESOLVED that all prior policies concerning residential curbside leaf and limb collection and removal of rubbish, not inconsistent with the policies, procedures and practices established in this Resolution shall remain in full force and effect.

IT IS FURTHER RESOLVED this Resolution shall be in full force and effect from and after the adoption of this resolution.

INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana, this 15th day of May, 2023.

City of Franklin, Indiana, By its Board of Public Works and Safety:

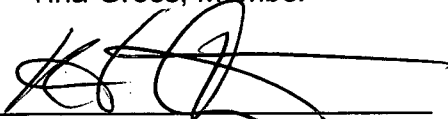
Voting Affirmative:



Mayor Steve Barnett



Tina Gross, Member



Kenneth Austin, Member

Voting Opposed:

Mayor Steve Barnett

Tina Gross, Member

Kenneth Austin, Member

Attest:



Jayne Rhoades,
City Clerk-Treasurer

Prepared by:
Lynnette Gray, City Attorney