

## Quick Facts on Garbage and Trash

Garbage and trash accumulations can be a public health nuisance and accumulations that are not contained can over time attract insects and rodents. It is often hard to determine when a garbage and trash accumulation becomes a public health nuisance; it can often be a judgment factor.

The health department has to notify the property owner of the problems and allow reasonable time to make a correction. If the owner of the property does not cooperate; the department can request a court injunction. There is no system for tickets. Some factors that are considered:

- How much material has accumulated?
- How long has it been left?
- Is it creating a health hazard that reaches the level of legal action and will make a creditable court case?

If the material is cleaned up the complaint is closed. One may need to submit a new complaint if it re-occurs. This is helpful in showing a pattern if it ends up in legal action.

Litter and eyesore conditions are not a public health hazard. This might need to be addressed as a property nuisance with a private lawsuit. Junk may fall under zoning regulations

Indiana Department of Environmental management has rules on open dumping <http://www.in.gov/idem/6836.htm> and open burning <http://www.in.gov/idem/5889.htm>

IDEM will probably not get involved with garbage and trash complaints as they are too small to be considered open dumping. Open burning laws do apply to residential cases although initially IDEM will ask the health department to request voluntary compliance.