

ORDINANCE NO. 2015-10-S&S

**ORDINANCE AMENDING GREENHILLS CODE OF ORDINANCES CHAPTER 939,
GARBAGE AND REFUSE DISPOSAL**

WHEREAS, Village Council has determined there is a need to amend regulations pertaining to garbage and refuse collection.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Greenhills, State of Ohio.

SECTION 1.

That Chapter 939 is hereby amended to read as stated on Exhibit "A" to this Ordinance.

SECTION 2.

This ordinance shall be in effect from and after the earliest period allowed by law.

Passed this 24th day of November, 2015.

David Moore, MAYOR /s/

Kathryn L. Lives, CLERK OF COUNCIL /s/

ORDINANCE NO. 2015-10-S&S
EXHIBIT "A"

Section 939.01 PURPOSE

The purpose of this Chapter is to establish reasonable and uniform regulations for the collection and disposal of garbage and refuse within the Village and to promote the health, safety and general welfare of the citizens of Greenhills by providing a clean and safe environment for the citizens of the Village.

~~Section 939.011 TREATMENT OF GARBAGE~~

~~All garbage shall be drained of moisture and wrapped in paper or other non-combustible materials and promptly placed in containers. All non-combustible cans or bottles shall be rinsed before disposal.~~

Section 939.02 HAZARDOUS WASTES

Contact the Greenhills Municipal Office for information on proper disposal procedures of hazardous wastes ~~The Municipal Manager shall be contacted~~ prior to disposing of combustible liquids, explosive materials, poisons, caustics, acids and other hazardous wastes.

Section 939.03 DISPOSAL OF YARD WASTE

~~Tree trimmings, earth, gravel and stones shall be broken up and reduced in volume, if possible. Trees, branches and trimmings shall be reduced to pieces not more than six feet in length with cut ends facing the curb. The combined weight of earth, gravel and stones yard waste in any one container shall not exceed seventy five pounds. These types of materials should be set out to the curb for collection by Sunday evening. No root balls or tree stumps will be collected.~~

Section 939.04 REGULATION CONTAINERS

Standard containers for waste shall be of ~~galvanized steel or other~~ a nonrusting materials of substantial construction with tight-fitting lids, watertight, and of a capacity of not more than thirty-five gallons or seventy-five pounds total weight. Large capacity waste wheelers may be *utilized if they are of a size and capacity acceptable to the solid waste and recycling vendor selected by the Village.* ~~obtained from the village at cost.~~ Plastic bags may be used for solid waste and can only be set out on waste collection day; plastic bags may not be used for outside storage.

Section 939.05 SETTING OUT, REMOVAL AND CARE OF CONTAINERS

Containers may be set out after 3:00 pm the day before collection. They shall be placed as close to the curb as possible. After emptying, all containers shall be removed within 24 hours of

collection. ~~from the streets by 11:00 p.m. on the day of the collection.~~ All containers shall be kept clean and disinfected. No garbage shall be set out for collection in open containers.

SECTION 939.06 DEPOSITING WASTE ON PUBLIC OR PRIVATE PROPERTY

No person shall throw, scatter, place or deposit garbage, waste or other refuse in any street or public place or private property. No person shall remove the lid, turnover or upset the contents from any waste container, except in the course of the Municipal pick-up. No person shall remove waste from a container without the owner's consent.

SECTION 937.07 SCHEDULE AND RULES AND REGULATIONS, PREPARATION, PUBLICATION

Consistent with the purpose of this chapter and the provisions contained in this chapter, the Municipal Manager is authorized to prepare and publish a waste collection schedule and rules and regulations for the effective administration and enforcement of the provisions of this chapter. Any rules shall have the force and effect of law and a violation of any of the rules and regulations adopted by the Municipal Manager shall be punished as a violation of this chapter set forth in Section 939.99.

SECTION 939.08 CONTAINER STORAGE

Except when garbage containers are set out for collection in accordance with this Code, garbage containers shall be stored in one of the following manners:

- a) next to the rear wall of a dwelling or garage used as part of the dwelling,
- b) in a confined area, *at least 90%* screened from view of passersby.

~~SECTION 939.09 RECYCLING CONTAINER FEE~~ This can be deleted effective February 29, 2016.

~~The annual fee for recycling containers for curbside recycling to be provided by the Village shall be established by motion of Council for a period of time determined by Council.~~

SECTION 939.10 NON-COMPLIANCE WITH TIME PERIOD FOR SETTING OUT CONTAINERS AND GARBAGE

(a) No person shall set out containers or other garbage and refuse for collection outside of the time period permitted by this chapter. If any person violates this section, the Municipal Manager shall have the option of enforcing this section as follows:

- (1) leaving a written notice at or mailing a written notice to the property where the violation occurs advising the property owner, tenant or other person in charge of the property of

the permitted hours for setting out containers, garbage, or refuse and that any future violations may result in a charge for early collection and/or criminal citation; or

(2) order the immediate collection of the garbage or refuse and cause written notice of the additional fee incurred for the pick up to be served upon the owner of the property notifying him that garbage or refuse was set out in violation of this section and that the cost of the additional pick up shall be paid within fourteen days after service of the notice.

If the owner is a nonresident of the Village, the notice shall be by certified mail to the owner at the address where he/she resides. If after a diligent search the owner cannot be ascertained or if the certified mail is returned undeliverable, notice shall be made once in a newspaper of general circulation in the Village and the fourteen day time period shall begin on the date the notice is published. The property owner, tenant or other person in charge of the property shall within fourteen days of the notice either pay the fee or contact the Municipal Manager in writing requesting a hearing before the Municipal Manager to rebut the presumption that the garbage or trash which was picked up from the property was left there by the owner, tenant or other person in charge of the property. The decision of the Municipal Manager concerning such appeal shall be final. In the event no appeal is taken and payment is not made as required, or in the event appeal has been taken but the Municipal Manager has determined that the owner, tenant or other person in charge is still responsible for the fee and the fee remains unpaid, the Municipal manager is authorized to notify the County Auditor of the fees which the Village has incurred for the additional pick up of the garbage or refuse and such amount shall be entered upon the tax duplicate and shall be collected as other taxes and returned to the municipal corporation with the general fund.

(b) Nothing within this section shall be construed to prohibit, either concurrently or in the alternative, any other civil or criminal action based upon any violation of this chapter.

Add: Effective March 1, 2016:

SECTION 939.11 SOLID WASTE AND RECYCLING COLLECTION FEE

1) *Dwelling Unit means a room or group of rooms located within a structure intended for residential use and forming a single habitable unity with living, sleeping, cooking, eating and sanitary facilities used or intended to be used by one family.*

2) *All residential dwelling units in Greenhills are required to utilize the solid waste collection and recycling services of the vendor or provider selected by the Village.*

3) *Effective March 1, 2016, all residential dwelling units shall be charged a monthly fee for collection services as outlined on the bid form of the selected collection contractor, and published/posted on the Greenhills website.*

4) *The fee provided for by this section shall be included and collected on the water bill for the respective dwelling unit and shall be due when the water charges are due. If a water bill is unpaid, in whole or in part, it shall constitute a violation of this section. Upon said violation, all services provided for and collected through the water bill, including but not necessarily limited to solid waste collection, recycling, water, and sewer, may be terminated by the Village or the provider of the respective service.*

Section 939.99 PENALTY

(a) Whoever violates any provision of this chapter for which no other penalty is otherwise provided is guilty of a minor misdemeanor for each separate offense.

(b) Whoever violates Section 939.08 is guilty of a minor misdemeanor and each full week of noncompliance shall be considered a separate offense.