

ORDINANCE 02-2013

April 8, 2013

AN ORDINANCE ENACTING SECTIONS 1060.01, 1060.02, 1060.03 and 1060.99 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK, OHIO REGARDING COLLECTION OF GARBAGE AND REFUSE AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code § 715.43 grants authority to any municipal corporation to provide for garbage collection; and

WHEREAS, Council for the Village of Minerva Park determines it is necessary to enact regulations consistent with the passage of Resolution 2013-07 on March 11, 2013 amending the contract for garbage collection.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, OHIO THAT:

SECTION 1: Section 1060.01 of the Minerva Park Codified Ordinances "Definitions" shall be adopted to read as follows:

1060.01 DEFINITIONS.

- (a) "Garbage" means all putrescible wastes, except sewage and body waste, including vegetable and animal offal, and excluding recognizable industrial byproducts.
- (b) "Refuse" includes nonputrescible, nonliquid wastes such as ashes, wastepaper, tin cans, glass, wood and wood boxes, trees or shrubs or parts thereof including building materials such as wood, drywood, plaster and shingles.
- (c) "Residence" means separate living quarters in the Municipality utilized as residential dwellings.
- (d) "Subscriber" means any individual or entity maintaining separate living quarters in the Municipality including owners, tenants and occupants of residential dwellings within the Municipality.

SECTION 2: Section 1060.02 of the Minerva Park Codified Ordinances "Collection Mandatory" shall be adopted to read as follows:

1060.02 COLLECTION MANDATORY.

All individuals and entities including owners, tenants and occupants of residences shall be subscribers to the Municipal garbage and refuse collection service of the Village or its contractor.

SECTION 3: Section 1060.03 of the Minerva Park Codified Ordinances "Collection Authorized" shall be adopted to read as follows

1060.03 COLLECTION AUTHORIZED.

ORDINANCE 02-2013

April 8, 2013

No firm or corporation other than the Village or its authorized agent who holds a lawful contract with this Municipality shall collect, remove or transport garbage or refuse from single family residences within the Municipality.

SECTION 4: Section 1060.99 of the Minerva Park Codified Ordinances "Penalty" shall be adopted to read as follows:


1060.99 PENALTY.

- (a) Whoever violates Section 1060.02 or pleads to a violation of Section 1060.02, or is convicted of a violation of Section 1060.02 shall be fined not more than fifty dollars (\$50.00). Each day's continued violation shall constitute a separate offense.
- (b) If a firm violates Section 1060.03 or enters a plea to a violation thereof, or who is found to be guilty of violation thereof shall be guilty of a misdemeanor of the first degree and fined not more than one thousand dollars (\$1,000).

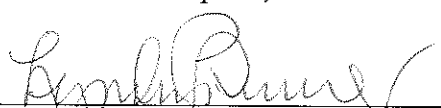
SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

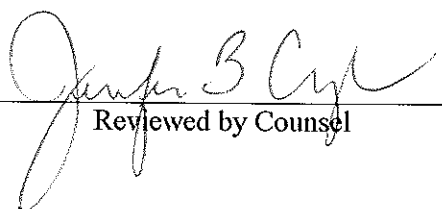
SECTION 6: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION 7: Council declares this to be an emergency measure necessary for the health, safety and welfare of the residents of Minerva Park, such emergency arising out of the immediate need to regulate trash collection to protect Village residents, Village streets and maintain health and safety within the Village. Wherefore, this Ordinance shall take effect and shall be in force immediately upon passage by Council


Lynn Eisentrout, Mayor, Village of Minerva Park

First Reading: Waived April 8, 2013
Second Reading: Waived April 8, 2013
Third Reading: Waived April 8, 2013
Passed: April 8, 2013


Attest Lynda Sudderberg, Fiscal Officer,
Village of Minerva Park


Reviewed by Counsel