

Ordinance 06-2017

AN ORDINANCE TO AMEND SECTION 1272.04, OF THE CODIFIED ORDINANCES REGARDING WASTE ACCUMULATION

WHEREAS, the Council enacted Ordinance **5-89** specifying the rules and regulations governing waste accumulation which became **Chapter 1272.04, Comprehensive Residential and Neighborhood Improvements**, in the codified ordinances of the Village of Minerva Park.; and

WHEREAS, it is necessary and appropriate to revisit, clarify, and update regulations from time to time; and

WHEREAS, the Planning and Zoning Commission recommended that the ordinance language be clarified regarding trash collection;

NOW, THEREFORE, be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

Section 1. Section 1272.04 is hereby amended to read as follows:

(c) Condition of Premises; Waste Accumulation. No person shall:

- (1) Cause or permit waste, garbage, trash or any debris, building materials, unused tires or other material, to accumulate or remain on his or her property, except as noted below. Trash, yard waste, and recycling shall meet the following requirements
 - A. Trash, yard waste, and recycling in containers or bundles that meet the trash hauler's requirements are permitted to be placed on the driveway or yard (not in the street) from noon the day before the scheduled day of trash pick-up to 8:00am the day following trash pickup.
 - B. Trash cans and bundled trash must be stored out of sight from street right of-ways when not set out for collection. Fences or landscaping materials may be used to conceal the cans and/or bundles. Fences and landscaping must be 100% opaque year-round. Fences used to conceal trash cans may be placed no further forward than a line two feet behind the adjacent front facade of the house. The fence may not be higher than 72" above the natural ground and each panel may be no wider than 48".

(f). Penalty. Violation or failure to comply with any of the provisions of this section shall be considered a minor misdemeanor punishable per day per occurrence. Nothing herein shall prevent the Village from taking corrective action or such other lawful action, including civil actions at law or equity, including temporary restraining orders, preliminary injunctions and permanent injunctions, as is necessary to prevent or remedy any violations.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 3. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

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(continued)**

Section 4. This Ordinance shall take effect and be in force from and after its passage.

/S/ Lynn Eisentrout

Lynn Eisentrout, Mayor

First Reading: February 13, 2017
Second Reading: February 27, 2017
Third Reading: March 13, 2017
Passed: March 13, 2017

ATTEST

APPROVED AS TO FORM

/S/ Kimberly Pulley

Kimberly Pulley, Fiscal Officer

/S/ Eugene Hollins

Solicitor