

AMENDED ORDINANCE NO. 13 -92BY: Richard F. Weber

An Ordinance to amend Section(s) 1060.01, 1060.05, 1060.06, 1060.07, 1060.09(a), 1060.09(c) and 1060.10(a) of the Codified Ordinances of the City of Bexley regarding the preparation and collection of yard waste.

WHEREAS, the City of Bexley recognizes the mandate of the State of Ohio to divert yard waste from landfills by December 1, 1993; and,

WHEREAS, the City of Bexley recognizes the need to implement a yard waste diversion program as soon as possible in order to achieve the State mandate. NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That Section(s) 1060.01, 1060.05, 1060.06, 1060.07, 1060.09(a), 1060.09(c) and 1060.10(a) of the Codified Ordinances of the City of Bexley should be, and hereby are, amended as follows:

## 1060.01 DEFINITIONS.

As used in this chapter:

- (a) "Garbage" means all putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- (b) "Trash" means rubbish and refuse of every kind and description, other than garbage, which is ordinarily produced and accumulated in and about a residence, exclusive of waste matters or scrap accumulated or produced in carrying on manufacturing or industrial processes and also exclusive of debris resulting from or accumulated from the construction, alteration, major repair or razing of any building or structure and also exclusive of limbs, branches, trunks, etc., resulting from major trimming or cutting down of trees, hedges and shrubs and also exclusive of yard trash WASTE.
- (c) "Yard trash WASTE" means grass clippings, weeds, leaves, and small shrubs and tree trimmings, AND OTHER GARDEN WASTE.
- (d) "Brush" means tree and shrub limbs that are too large to be handled by standard garbage collection trucks.
- (e) "Recyclables" means those materials designated by the Mayor for separate collection and processing.

## 1060.05 MATERIALS NOT TO BE PLACED IN CONTAINERS.

No brush, yard trash WASTE or building materials, including earth, gravel, brick, mortar, stone, wood, lime, plaster and cement, shall be placed in any container otherwise set aside for the disposal of garbage, trash and OR recyclables.

## 1060.06 PREPARATION OF YARD TRASH WASTE.

IN ACCORDANCE WITH OHIO HOUSE BILL 592, THE CITY OF BEXLEY REQUIRES SEPARATION OF YARD WASTE FROM OTHER GARBAGE AND TRASH. PROPERTY OWNERS ARE ENCOURAGED TO MULCH GRASS CLIPPINGS ON THEIR LAWN AND TO HOME COMPOST WEEDS, LEAVES AND OTHER GARDEN WASTE. WHEN THIS IS NOT POSSIBLE, All grass clippings, leaves,--twigs

and other yard trash shall be placed in disposable containers that do not exceed seventy-five pounds in weight when full. Such containers shall be placed at the side of the garbage containers or on the grassy area between the sidewalk and the curb at the front of the dwelling WEEDS, LEAVES, AND OTHER GARDEN WASTE SHALL BE PLACED IN PAPER YARD BAGS, NOT EXCEEDING THIRTY-TWO GALLON CAPACITY, AND DESIGNED SPECIFICALLY FOR YARD WASTE DISPOSAL; OR IN METAL OR PLASTIC CONTAINERS NOT EXCEEDING THIRTY-TWO GALLON CAPACITY THAT ARE FITTED WITH TIGHT COVERS AND HANDLES. CONTAINERS SHALL BE PLACED AT THE CURB OR IN A PLACE OTHERWISE DESIGNATED BY THE MAYOR OR HIS REPRESENTATIVE. WHEN FILLED, SUCH CONTAINERS SHALL NOT EXCEED FIFTY POUNDS IN WEIGHT. IN NO CASE SHALL YARD WASTE BE CO-MINGLED WITH GARBAGE OR TRASH OR PLACED IN PLASTIC BAGS. IF A CONTAINER IS FOUND TO HAVE CO-MINGLED YARD WASTE, GARBAGE AND/OR TRASH, THE CONTAINER WILL NOT BE COLLECTED AND THE OWNER NOTIFIED TO SEPARATE THE ITEMS PROPERLY. Between September 1 and March 1, leaves need not be placed in disposable containers AS NOTED ABOVE, but they may be left LOOSE on the grassy area between the sidewalk and the curb at the front of the dwelling or in a place otherwise designed by the Mayor or his representative.

1060.07 GARBAGE, TRASH, YARD TRASH WASTE AND BRUSH ON PUBLIC PROPERTY.

(a) No person shall throw or deposit any garbage, trash, yard trash WASTE or brush or maintain any receptacle for the same in or upon the improved portion of any street or alley or upon any public place in the City. However, the Mayor or his representative may authorize the placing of receptacles for the collection of the same in front of premises between the curb line and the property line.

(b) No person shall deposit brush or yard trash WASTE in or on any curb in the City.

1060.09 AUTHORIZATION FOR TRASH COLLECTION AND LICENSING OF HAULERS.

(a) The Mayor shall, through the Department of Public Service, collect and dispose of all garbage, trash, recyclables, yard trash WASTE and brush accumulating on premises used for dwelling purposes in the City, provided, however, that he shall not be required to remove the same if the foregoing provisions as to receptacles and deposit of refuse have not been complied with, and provided, further, that nothing herein shall prevent an owner, tenant, lessee or occupant of premises from removing or employing others to remove the same from the premises owned or occupied by him. However, any person regularly so employed to remove the same shall be licensed by the City.

(c) No person who is not employed by the owner, tenant, lessee or occupant (owner) of any premises within the City and acting without authority, except the City and its employees and agents, shall remove or carry away any garbage, trash, recyclables, yard trash WASTE or brush from such premises or from trash receptacles maintained by the owner for collection by authorized persons or the City. Whoever fails to comply with the provisions of this section shall be subject to the penalties as specified in Section 1060.99.

1060.10 CHARGES; CONDITIONS AND LIMITATIONS ON PARTICULAR COLLECTIONS.

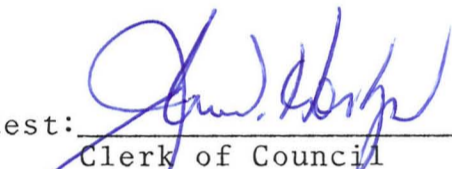
(a) To provide necessary funds for equipment, personnel and other expenses in connection with the collection and disposal of garbage, trash, yard trash WASTE and brush in the City, a charge of one hundred eighty dollars (\$180.00) per year, payable quarterly in advance, commencing April 1, 1991, is hereby levied and assessed for the collection and disposal of garbage, trash, yard trash WASTE and brush from each dwelling or family unit.

Whenever service is between quarterly payment dates, a payment at the rate of one-twelfth of the current annual charge per month, for the balance of the current quarterly period, shall be made before service is commenced. For periods of ten days or less in any one month, no charge shall be made, but eleven days or more shall be charged for a full month. No refund shall be made for any part of the quarterly payment if service is discontinued during such period.

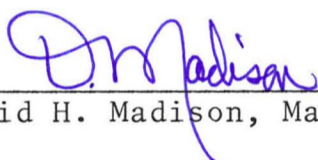
Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: March 10, 1992

  
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President of Council

Attest:   
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Clerk of Council

Approved: 3/10, 1992

  
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David H. Madison, Mayor

1st Reading February 25, 1992  
2nd Reading March 3, 1992  
*3rd reading Mar. 10, 1992*  
*adopted*

035/yardwast