

First Reading: 06/18/2013
Second Reading: 07/17/2013
Third Reading: 08/13/2013

ORDINANCE #016-2013

AN ORDINANCE TO REGULATE THE PROCEDURE FOR PLACING RECEPTACLES CONTAINING GARBAGE AND TRASH TO BE COLLECTED BY THE VILLAGE OF TILTONSVILLE'S INDEPENDENT CONTRACTOR AND REGULATING THE TYPE AND SIZE OF SAID RECEPTACLES.

WHEREAS, the Council of the Village of Tiltonsville, Ohio has entered into a contract with NC Sanitation, an independent contracting firm to provide waste collection and disposal services to the Village of Tiltonsville.

WHEREAS, as part of the agreement with said company, the residents of the Village are to place the receptacles containing the waste at the curb line at the specified times for collection.

WHEREAS, certain citizens of the Village have placed these receptacles in containers of such type as to cause the waste to be disbursed over the streets and sidewalks of the Village.

WHEREAS, certain citizens of the Village have placed the receptacles at the curb site as requested by the contract several days prior to the pickup date as per the contract with said contractor, so as cause a nuisance on the street generally.

WHEREAS, it is the desire of the Council to eliminate the use of receptacles for the containment of garbage and other waste which do not properly retain the waste material until it is collected by the contractor, and further prevent citizens from placing containers of any type at the curb site at any time regardless of the collection date.

NOW THEREFORE BE IT ORDAINED by the Council for the Village of Tiltonsville, Jefferson County, State of Ohio, as follows:

SECTION I

That the containers containing garbage and other trash to be picked up for the regularly scheduled collection by the Village and or its authorized contractors or agents shall not be set out on the curb before 5:00 pm of the evening preceding the scheduled collection day. A container is defined as a hard plastic or metal garbage can with a lid.

SECTION II

That containers used for storage of garbage and other trash must be removed from the curb and or public right-of-way on the day of collection.

SECTION III

Containers for garbage and other trash shall not be stored in the front yard of any real property when not set out for pick-up. Containers for the storage of garbage and other trash shall not be stored in the side yard of any real property unless containers are shielded from view from the street.

SECTION IV

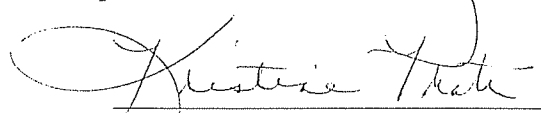
That the property owners and/or their tenants or other persons occupying the premises shall be responsible to place the garbage and other waste materials in receptacles that are capable of preventing said garbage and other waste materials from in any manner being disbursed on the curb or public right-of-way of the private property prior to the pickup by the Village and/or its authorized agent. If said containers are not suitable, the said property owner, tenant or person occupying said premises shall be liable for a citation for creating a nuisance unless said property owner can prove that the disbursal of the garbage or other refuse was in a suitable container but disbursed for reasons beyond his, her, or their control.

SECTION V

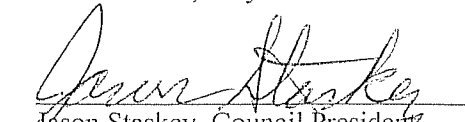
Individual property owners, tenants, or other persons occupying the private property may apply for an exemption for the set out time as provided in this ordinance by making a written application to the Mayor or other agent designated by the Mayor to consider the application. The exemptions by any property owner, tenant, or other person occupying the premises may only be considered and granted to persons who must depend on another person to set out their garbage and other refuse for collection because of age and or handicap and /or absence from their home on the evening preceding or the morning of the scheduled collection date.

SECTION VI

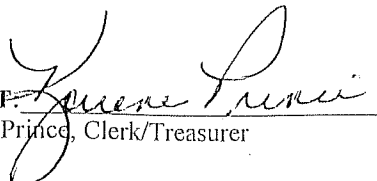
Whoever violates any provision of the ordinance is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense such person is guilty of a misdemeanor of the third degree. Each day that the violation of any provision of this ordinance continues shall be considered a separate offense for which a citation may be issued.



Kristine Prati, Mayor



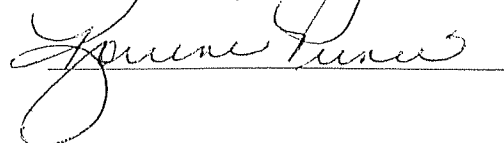
Jason Staskey, Council President


ATTEST: _____
Korrene Prince, Clerk/Treasurer

Approved: August 13, 2013

CLERK'S CERTIFICATION

I, Korrene Prince, Clerk/Treasurer of the Village of Tiltonsville, hereby certify that the above Ordinance #016-2013 is a true copy of said Ordinance passed by the Council of Tiltonsville, Ohio on the above date.



Korrene Prince