

ORDINANCE NO. 45-75

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Ralph Spencer ON
THE 5th DAY OF May, 1975.

AN ORDINANCE REPEALING CHAPTER 957 OF THE CENTERVILLE CODE
AND ENACTING A DIFFERENT CHAPTER 957.

WHEREAS, the Council of the City of Centerville hereby determines that garbage and trash collection must be provided to all residential citizens and made available to other users to promote public health within the City of Centerville; and

WHEREAS, the Council in repealing the existing Chapter 957 relating to refuse collection and enacting a new chapter to provide the same desires to extend the existing service to more adequately serve the needs of the community; and

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. Existing Chapter 957 of the Centerville Municipal Code, a copy of which is attached hereto, set forth in brackets and incorporated herein and made a part hereof, is hereby repealed.

Section 2. The following Chapter 957 with included sections entitled Refuse Collection is hereby enacted in lieu of the chapter repealed in Section 1 hereof.

957.01 Division of Refuse Collection Established.

A garbage and trash collection system is hereby established beginning November 1, 1970, to provide an essential city service and an improved service for residents of the city. The system shall be administered by the Division of Refuse Collection which is hereby permitted under the Department of Service.

957.02 Private Collectors Prohibited; Exception.

The City hereby declares its exclusive right to perform residential refuse collection service and no private collectors shall be permitted to operate within the City except those collectors presently providing service to apartment, commercial and industrial customers.

957.03 Definitions.

a. Residents: Any building or portion thereof occupied, or intended to be occupied exclusively for residential purposes, but not including a tent, cabin, trailer, or trailer coach or other temporary or transient structure or facility.

b. Residential Customer: Any housekeeping unit including units in multiple family dwelling units up to and including four units per building.

c. Commercial/Industrial Customer: Any business, industry, service, profession or multi-family dwelling unit with five or more housekeeping units per building.

d. Regular Residential Service: The pickup of normal household garbage and trash once per week at the front building line; service includes special pickups on call for household discards over fifty pounds or bulky items; includes brush pickup and/or chipping.

e. Householder: A residential customer, including, but not limited to, a landlord, a tenant, a lessor, a lessee, and the person holding legal title to the residence including his or her spouse.

957.04 Requirements for Service.

a. Each housekeeping unit by virtue of residence, shall have garbage collection service except that the City may discontinue service as provided in Section 957.05 d hereof. Inhabiting a residence shall be prima facie evidence of generation of garbage. The householder of residential property shall be responsible for payment of fees as prescribed herein.

b. Each business and/or industry and/or service/profession multi-family must have garbage disposal service.

c. No householder, person, firm or corporation shall fail to have garbage disposal service. Whoever violates this section shall be guilty of a minor misdemeanor.

957.05 Fees and Penalties for Non-Payment.

a. The fee for residential refuse collection service shall be Four (\$4.00) Dollars per month. The fee shall be paid by all residential customers and the City may bill in advance for a quarter annual period.

b. Residential customers may pay in advance for four quarters of service and shall be entitled to a discount of 5.0% for prepayment.

c. The fee for commercial/industrial service shall be Two and 75/100 (\$2.75) Dollars per cubic yard or fraction thereof per pickup based upon the capacity of the refuse container in service.

d. The fee shall be paid by all users of the service. Customers shall be billed on a regular basis and if unpaid for thirty days, service may be discontinued by the City and the householder or any other person, firm or corporation receiving said service but failing to pay therefore may be duly prosecuted as provided by Section 957.04 hereof. A second billing shall be made to customers whose bills are unpaid for a period of thirty days or more and a 20% penalty shall be added thereto and paid by the customer.

957.07 Rules and Regulations.

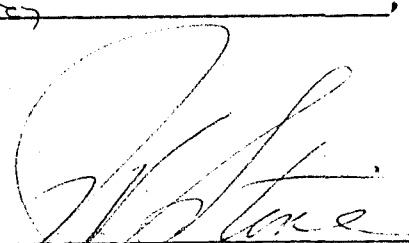
The Department of Service shall supervise the collection and removal of all waste within the City and shall make all the necessary rules and regulations governing the same. A copy of the refuse collection rules shall be sent to the householder of all residential property in the City. Every householder or other resident of property in the City shall abide by the refuse collection rules and any failure to do so shall be a minor misdemeanor.

957.99 Penalty.

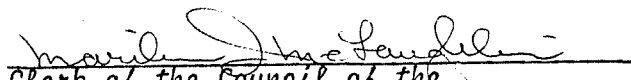
Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor and shall be fined not more than One Hundred (\$100.00) Dollars.

Section 3. This Ordinance shall become effective from and after the earliest date allowed by law.

PASSED this 5th day of May, 1975.

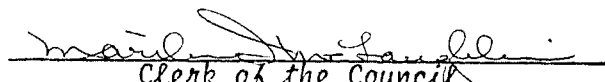

Deputy Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of the Council of the
City of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 42-75, passed by the Council of the City of Centerville, Ohio, on the 5th day of May, 1975.


Clerk of the Council

Approved as to form, consistency with existing ordinances, the charter and constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney

TITLE FIVE - Other Public Services
Chap. 957. Refuse Collection.

CHAPTER 957
Refuse Collection

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|---|---------------------------------------|
| 957.01 Division of refuse collection established. | 957.03 Fee; penalty for unpaid bills. |
| 957.02 Private collector's prohibited; exception. | 957.04 Rules and regulations. |
| | 957.99 Penalty. |

CROSS REFERENCES

- Collection and disposal of garbage - see Ohio R. C. 715.43, 717.01
 Employment of scavengers - see Ohio R. C. 3707.39
 Disposal and transportation upon public ways - see Ohio R. C. 3767.20 et seq.
 Vehicle loads dropping, sifting, leaking - see TRAF. 339.08
 Littering and deposits - see GEN. OFF. 521.08

957.01 DIVISION OF REFUSE COLLECTION ESTABLISHED.

A residential garbage and trash collection system is hereby established beginning November 1, 1970, to provide an essential City service and an improved service for residents of the City. The system shall be administered by the Division of Refuse Collection which is hereby created under the Department of Service.
(Ord. 45-70. Passed 11-2-70.)

957.02 PRIVATE COLLECTORS PROHIBITED; EXCEPTION.

The City hereby declares its exclusive right to perform such refuse collection service and no private collectors shall be permitted to operate within the City except those collectors presently providing service to apartment, commercial or industrial customers.
(Ord. 45-70. Passed 11-2-70.)

957.03 FEE; PENALTY FOR UNPAID BILLS.

The fee for residential refuse collection service shall be four dollars (\$4.00) per month. The fee shall be paid by all users of the service and the City may bill in advance for one quarter or charge by the month. Customers shall be billed on a regular basis and if unpaid for thirty days, service to the premises may be discontinued and the owner of such premises may be duly prosecuted. The second billing shall be made to customers whose bills are unpaid for a period of thirty days or more and a twenty percent penalty shall be added thereto and paid by the user. (Ord. 11-71. Passed 2-15-71.)

957.04 RULES AND REGULATIONS.

The Department of Service shall supervise the collection and removal of all waste within the City and shall make all the necessary rules and regulations governing the same. A copy of the refuse collection rules shall be sent to the owner or tenant of all residential property in the City. Every owner or tenant of residential property in the City shall abide by the refuse collection rules and any failure to do so shall be a violation of this section. (Ord. 45-70. Passed 11-2-70.)

957.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00).