

RECORD OF ORDINANCES

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 2806-A

Ordinance No. 45-69

Passed 3rd day of November, 19 69

ORDINANCE NO. 45-69

AN ORDINANCE PROHIBITING THE BURNING OF GARBAGE, THE NEGLIGENT SPREADING OF FIRES AND REGULATING THE BURNING OF WASTES.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS THAT:

Section 1. DEFINITIONS.

For the purpose of this Ordinance the following terms shall have the meanings respectively ascribed:

"Garbage" shall mean putrescible wastes, and it shall include every refuse accumulation of animal, fruit or vegetable matter, used or intended for food, or that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables.

"Burnable waste" shall mean all waste capable of being burned, and it shall include wooden, or cardboard boxes, crates and cartons, wooden barrels, lumber scraps or shavings, fabrics excepting wool or other animal fibers, excelsior, straw, grass, leaves excepting wet leaves, flower, shrubbery or tree trimmings, paper and magazines, or any other material capable of being burned with a flame without emitting objectionable odors.

Section 2. BURNING GARBAGE.

It shall be unlawful for any person to burn garbage within the City, except in a fuel-fired incinerator, which shall be subject to regulations of the Building Code, particularly Unified Building Code 1138.01 and 1138.02.

Section 3. HOURS FOR BURNING WASTES: EXCEPTION.

(a) No person shall burn any burnable waste within the City, except between the hours of 8:00 a.m. and 7:00 p.m. However, no such burning shall be done on Sundays, nor at a point less than ten feet from any building or other improved property, nor upon the paved portion of any street. Such fire shall be completely extinguished by 7:00 p.m. in such a manner that no smoke will thereafter be emitted therefrom.

(b) The time limitations heretofore provided for the burning of burnable waste shall not apply to the burning of said waste in a fuel-fired incinerator which complies with the provisions of the Building Code, particularly Unified Building Code 1138.01 and 1138.02.

Section 4. RECREATIONAL PURPOSES.

It is not the intent of this Ordinance to prohibit burning of wood and charcoal for recreational purposes.

Section 5. NEGLIGENT SPREADING OF FIRES.

No person shall set, kindle or cause to be set or kindled any fire which, through his negligence, spreads beyond its immediate confines to any structure, field or wood lot.

Section 6. PENALTY

(a) Whoever violates any provision of this Ordinance, where no other penalty is provided, shall be deemed guilty of a misdemeanor and shall be fined not more than one hundred dollars (\$100.00).

(b) Whoever violates Section 5 of this Ordinance shall be deemed guilty of a misdemeanor and shall be fined not less than fifteen dollars (\$15.00) or more than twenty-five dollars (\$25.00) for a first offense; for each subsequent offense such person shall be fined not less than twenty-five dollars (\$25.00) or more than two hundred dollars (\$200.00).

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Section 7. This ordinance shall take effect at the earliest time allowed by law.

PASSED this 3rd day of November, 1969.

/S/ Paul C. Hoy Mayor-City of Centerville, Ohio

ATTEST:

/S/ Marilyn J. McLaughlin Clerk of the Council of the City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of an ordinance passed by the Council of the City of Centerville, Ohio, on the 3rd day of November, 1969.

/S/ Marilyn J. McLaughlin Clerk

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

Department of Law Robert N. Farquhar Municipal Attorney