The Village of Northfield
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Service, Building and Zoning Superintendent

NEW RESIDENT INFORMATION

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CONTACT US:

FIRE, POLICE, EMS	911
POLICE DESK	330 468 4372
FIRE DESK	330 468 4376
POLICE & FIRE NON EMERGENCY	330 468 7112
MAYOR'S OFFICE	330 468 4365
ADMINSTRATIVE ASSISTANT TO MAYOR	330 467 7139 #10
SERVICE/BUILDING & ZONING DEPT.	330 467 7139 #20
FINANCE DEPT.	330 468 4367
MAYOR'S COURT-TRAFFIC FINES	330 468 4366
LAW DIRECTOR	440 686 9000
VILLAGE ENGINEER	440 260 1555

UTILITY CONTACT INFORMATION:

DIRECT TV		855 802 3473
TIME WARNER CABLE		800 451 9737
CABLE 9		330 468 1402
CITY OF CLEVELAND – DIVISION OF WATER		216 664 3130
NEORSD		216 641 6000
DOMINION EAST OHIO GAS		800 362 7557
NOPEC	ELECTRIC - 800 292 9284	GAS - 888 848 7914
OHIO EDISON – FIRST ENERGY		800 633 4766
WINDSTREAM		330 650 7000
RUMPKE – RUBBISH		1 888 786 7531
SASWMA – HOUSEHOLD WASTE		330 374 0383

any person in lots of less than six. Stores, shops, vendors and others offering young poultry for sale or other distribution shall provide and operate brooders or other heating devices that may be necessary to maintain poultry in good health, and shall keep adequate food and water available to the poultry at all times.
(ORC 925.62)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree on a first offense; each subsequent offense is a misdemeanor of the third degree.
(ORC 925.99(B))

618.07 BARKING OR HOWLING DOGS.

(a) No person shall own, harbor or keep in custody a dog which disturbs the peace by barking, yelping, howling or making other loud noises to the annoyance and/or discomfort of any person. Continuous barking, yelping, howling and/or making other loud noises for 15 consecutive minutes by such dog, whether confined inside a residence or building or to the outside area, shall be deemed to have disturbed the peace and to have caused the annoyance and discomfort of persons; provided, that at the time of the complaint, no person or persons were trespassing or threatening to trespass upon the private property of the owner, and provided that the dog was not being teased or provoked in any manner.

(b) Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure owned or occupied by such person shall be considered as harboring or keeping such dog.

(c) Upon an initial complaint, an enforcement officer shall warn the person in writing of the violation. Upon a second such complaint within 30 days, the enforcement officer shall charge the person with a violation of this section.

(d) Division (a) of this section does not apply to owners, operators or employees of licensed veterinary hospitals, licensed kennels, or licensed animal boarding establishments, nor does this section apply to blind, deaf or hearing impaired, or mobility impaired persons when the dog serves as an assistance dog.

(e) Whoever violates this section is guilty of a minor misdemeanor.

618.08 REGISTRATION OF DOGS REQUIRED.

(a) No owner, keeper, or harborer of a dog more than three months of age, nor owner of a dog kennel, shall fail to file an application for registration required by Ohio R.C. 955.01, nor shall he or she fail to pay the legal fee therefor.
(ORC 955.21)

CHAPTER 618
Animals

618.01 Dogs and other animals running at large; nuisance, dangerous and vicious dogs; hearings.
618.02 Abandoning animals.
618.03 Killing or injuring animals.
618.04 Poisoning animals.
618.05 Cruelty to animals; cruelty to companion animals.
618.06 Coloring rabbits and baby poultry; sale or display of poultry.
618.07 Barking or howling dogs.
618.08 Registration of dogs required.
618.09 Hindering capture of unregistered dog.
618.095 Dogs required to wear tags.
618.10 Unlawful tags.
618.11 Dog bites.
618.12 Rabies quarantine.
618.13 Hunting restricted.
618.14 Unsanitary conditions.
618.15 Violations as nuisances.
618.16 Impounding and disposition; records.
618.17 Reporting escapes.(Repealed)
618.18 Responsibility of owners for collection and removal of dog feces on public or private property.
618.19 Possession of wild or exotic animals prohibited.
618.20 Restrictions on dog ownership for certain convicted felons.

CROSS REFERENCES

See section histories for similar State law
Power to restrain and impound animals - see Ohio R.C. 715.23
Possession of dangerous wild animals and restricted snakes, requirements and licensing, see R.C. Chapter 935
Driving animals upon roadway - see TRAF. 404.05, 412.05
Definitions generally - see GEN. OFF. 606.01
Assaulting police dog or horse or assistance dog - see GEN. OFF. 642.12
Offensive odors from places where animals are kept or fed - see GEN. OFF. 660.04
Infestation by pests - see B. & H. 1490.06

618.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE; NUISANCE, DANGEROUS AND VICIOUS DOGS; HEARINGS.

(a) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) "Dangerous dog."

A. A dog that, without provocation, and subject to R.C. § 955.11(B), has done any of the following:

1. Caused injury, other than killing or serious injury, to any person;
2. Killed another dog;
3. Been the subject of a third or subsequent violation of R.C. § 955.22(C) or any substantially equivalent municipal ordinance.

B. "Dangerous dog" does not include a police dog that has caused injury, other than killing or serious injury, to any person or has killed another dog while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties.

(2) "Menacing fashion." A dog that would cause any person being chased or approached to reasonably believe that the dog will cause physical injury to that person.

(3) "Nuisance dog."

A. Subject to R.C. § 955.11(B), "nuisance dog" means a dog that without provocation and while off the premises of its owner, keeper, or harborer has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person.

B. "Nuisance dog" does not include a police dog that, while being used to assist one or more law enforcement officers in the performance of official duties, has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person.

(4) "Police dog." A dog that has been trained and may be used to assist one or more law enforcement officers in the performance of their official duties.

(5) "Serious injury." Any of the following:

A. Any physical harm that carries a substantial risk of death;

B. Any physical harm that involves a permanent incapacity, whether partial or total, or a temporary, substantial incapacity;

C. Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement;

D. Any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of prolonged or intractable pain.

(6) "Vicious dog."

A. A dog that, without provocation and subject to R.C. § 955.11(B), has killed or caused serious injury to any person.

B. "Vicious dog" does not include either of the following:

1. A police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;
2. A dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harborer of the dog.

648.11 INCITING TO VIOLENCE.

(a) No person shall knowingly engage in conduct designed to urge or incite another to commit any offense of violence when either of the following apply:

(1) The conduct takes place under circumstances that create a clear and present danger that any offense of violence will be committed.

(2) The conduct proximately results in the commission of any offense of violence.

(b) Whoever violates this section is guilty of inciting to violence. If the offense of violence that the other person is being urged or incited to commit is a misdemeanor, inciting to violence is a misdemeanor of the first degree. If the offense of violence that the other person is being urged or incited to commit is a felony, inciting to violence is a felony to be prosecuted under appropriate State law.
(ORC 2917.01)

648.12 EXCESSIVELY LOUD NOISE OR MUSIC.

(a) No person shall generate or permit to be generated unreasonable noise or loud sound which is likely to cause inconvenience or annoyance to persons of ordinary sensibilities by means of a radio, phonograph, television, tape player, loudspeaker or any other sound-amplifying device or by any horn, drum, piano or other musical or percussion instrument. It is prima-facie unlawful for a person to generate or permit to be generated sound by the above described devices or instruments in the following circumstances:

(1) On private property in a predominantly residential area, regardless of an existing nonconforming use or variance, where the sound is audible more than 50 feet from the property line of the property on which the source of the sound is located. Persons in possession of a current special event or music permit from the Police Department are exempt from the provisions of this paragraph.

(2) On a street or highway, or in the public right-of-way, where the sound is audible 100 feet from the device generating the sound. Persons in possession of a current parade permit or a current loudspeaker permit from the Police Department are exempt from the provisions of this paragraph.

(b) No person, being the owner or person in possession of a premises by reason of employment, agency or otherwise, whether such ownership, possession or control is exclusive or joint, shall permit a violation of this section.

(c) Warning and alarm devices which have the purpose of signaling unsafe or dangerous situations or calling for police are exempted from the prohibitions of this section when used for such purposes.

(d) Whoever violates any of the provisions of this section is guilty of generating unreasonable noise, a minor misdemeanor. If the offender persists in generating or permitting to be generated unreasonable noise after reasonable warning or request to desist, generating unreasonable noise is a misdemeanor of the fourth degree. In addition to the above, any instrument or device used to commit any offense pursuant to this section shall be subject to seizure by the Police Department.
(Ord. 1996-49. Passed 8-28-96; Ord. 2012-03. Passed 1-25-12.)

648.13 PERMITTED HOURS OF CONSTRUCTION ACTIVITIES; EXCEPTIONS.

(a) No person shall engage (including start-up and engine warm-up time) or operate any heavy duty earth-moving and construction equipment (meaning that equipment which the manufacturers thereof have designated to be of such description) in existing residential developments other than between the hours of 8:00 a.m. and 9:00 p.m., Monday through Saturday, and between the hours of 9:00 a.m. and 5:00 p.m. on Sunday. In commercial,

660.03 LITTERING.

(a) No person, regardless of intent, shall deposit litter or cause litter to be deposited on any public property, on private property not owned by him or her, or in or on waters of the State, unless one of the following applies:

(1) The person is directed to do so by a public official as part of a litter collection drive.

(2) Except as provided in division (b) of this section, the person deposits the litter in a litter receptacle in a manner that prevents its being carried away by the elements.

(3) The person is issued a permit or license covering the litter pursuant to Ohio R.C. Chapter 3734 or 6111.

(b) No person, without privilege to do so, shall knowingly deposit litter, or cause it to be deposited, in a litter receptacle located on any public property or on any private property not owned by him or her, unless one of the following applies:

(1) The litter was generated or located on the property on which the litter receptacle is located.

(2) The person is directed to do so by a public official as part of a litter collection drive.

(3) The person is directed to do so by a person whom he or she reasonably believes to have the privilege to use the litter receptacle.

(4) The litter consists of any of the following:

A. The contents of a litter bag or container of a type and size customarily carried and used in a motor vehicle.

B. The contents of an ash tray of a type customarily installed or carried and used in a motor vehicle.

C. Beverage containers and food sacks, wrappings, and containers of a type and in an amount that reasonably may be expected to be generated during routine commuting or business or recreational travel by a motor vehicle.

D. Beverage containers, food sacks, wrappings, containers, and other materials of a type and in an amount that reasonably may be expected to be generated during a routine day by a person and deposited in a litter receptacle by a casual passerby.

(c) (1) As used in division (b)(1) of this section, "public property" includes any private property open to the public for the conduct of business, the provision of a service, or upon the payment of a fee but does not include any private property to which the public otherwise does not have a right of access.

(2) As used in division (b)(4) of this section, "casual passerby" means a person who does not have depositing litter in a litter receptacle as his or her primary reason for traveling to or by the property on which the litter receptacle is located.

the person having the right to possession of the property, except if the person is operating a junk yard or scrap metal processing facility licensed under the authority of Ohio R.C. 4737.05 through 4737.12, or otherwise regulated under authority of a political subdivision; or if the property on which the motor vehicle is left is not subject to licensure or regulation by any governmental authority, unless the person having the right to the possession of the property can establish that the motor vehicle is part of a bona fide commercial operation; or if the motor vehicle is a collector's vehicle.

(2) The Municipality shall not prevent a person from storing or keeping, or restrict him or her in the method of storing or keeping, any collector's vehicle on private property with the permission of the person having the right to the possession of the property, except that the Municipality may require a person having such permission to conceal, by means of buildings, fences, vegetation, terrain, or other suitable obstruction, any unlicensed collector's vehicle stored in the open.

(3) The Police Chief, the Council, or the zoning authority may send notice, by certified mail with return receipt requested, to the person having the right to the possession of the property on which a junk motor vehicle is left, that within ten days of receipt of the notice, the junk motor vehicle either shall be covered by being housed in a garage or other suitable structure, or shall be removed from the property.

(4) No person shall willfully leave a junk motor vehicle uncovered in the open for more than ten days after receipt of a notice as provided in this section. The fact that a junk motor vehicle is so left is prima facie evidence of willful failure to comply with the notice, and each subsequent period of 30 days that a junk motor vehicle continues to be so left constitutes a separate offense.

(b) Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4513.65)

660.08 OPEN BURNING.

(a) (1) Definitions. As used in this section:

A. "Agricultural waste" means any waste material generated by crop, horticultural, or livestock production practices, and includes such items as woody debris and plant matter from stream flooding, bags, cartons, structural materials, and landscape wastes that are generated in agricultural activities, but does not include land clearing waste; buildings (including dismantled/fallen barns); garbage; dead animals; animal waste; motor vehicles and parts thereof; nor economic poisons and containers thereof, unless the manufacturer has identified open burning as a safe disposal procedure.

B. "Economic poisons" include but are not restricted to pesticides such as insecticides, fungicides, rodenticides, miticides, nematocides and fumigants; herbicides; seed disinfectants; and defoliants.

C. "Emergency burning" means the burning of clean wood waste or deceased animals caused by a natural disaster or an uncontrolled event such as the following:
   1. A tornado.
   2. High winds.
   3. An earthquake.
   4. An explosion.
   5. A flood.
   6. A hail storm, a rain storm, or an ice storm.

D. "Garbage" means any waste material resulting from the handling, processing, preparation, cooking and consumption of food or food products.

E. "Inhabited building." Any inhabited private dwelling house and any public structure which may be used as a place of resort, assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic, or occupancy by the public. Examples would include, but are not limited to, highway rest stops, restaurants, motels, hotels and gas stations.

F. "Land clearing waste" means plant waste material which is removed from land, including plant waste material removed from stream banks during projects involving more than one property owner, for the purpose of rendering the land useful for residential, commercial, or industrial development. "Land clearing waste" also includes the plant waste material generated during the clearing of land for new agricultural development.

G. "Landscape waste" means any plant waste material, except garbage, including trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery, yard trimmings, and crop residues.

H. "Ohio EPA" means the Ohio Environmental Protection Agency Director or agencies delegated authority by the Director of the Ohio Environmental Protection Agency pursuant to Ohio R.C. 3704.03 or the Chief of any Ohio Environmental Protection Agency District Office.

I. "Open burning" means the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the ambient air without passing through a stack or chimney. "Open burning" includes the burning of any refuse or salvageable material in any device not subject to or designed specifically to comply with the requirements of O.A.C. 3745-17-09 or 3745-17-10.

J. "Residential waste" means any waste material, including landscape wastes, generated on the property of a one-, two- or three-family residence as a result of residential activities, but not including garbage, rubber, grease, asphalt, liquid petroleum products, or plastics.

K. "Restricted area" means the following:

1. Except as provided in division 2. of this definition, the area within the boundary of any municipal corporation established in accordance with the provisions of Ohio R.C. Title 7, plus a zone extending 1,000 feet beyond the boundaries of any such municipal corporation having a population of 1,000 to 10,000 persons and a zone extending one mile beyond any such municipal corporation having a population of 10,000 persons or more according to the latest Federal Census.
2. "Restricted area" shall not include any municipal corporation the territory of which is located on an island in Lake Erie except that, during the yearly period between Memorial Day and Labor Day, any such municipal corporation shall be required to comply with the requirements of division (c) of this section.

L. "Unrestricted area" means all areas outside the boundaries of a "restricted area" as defined above.

(2) Referenced material. This section includes references to certain matter or materials. The text of the incorporated materials is not included in the regulations contained in this section. Information on the availability of the referenced materials as well as the date of, and/or the particular edition or version of the material is included in this subchapter. For materials subject to change, only the specific versions specified in the regulation are incorporated. Material is incorporated as it exists on the effective date of this section. Except for subsequent annual publication of existing (unmodified) Code of Federal Regulation compilations, any amendment or revision to a referenced document is not incorporated unless and until this regulation has been amended to specify the new dates.

A. *Availability.* The referenced materials are available as follows: National Fire Protection Association – Information on the National Protection Association codes may be obtained by contacting the association at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, 617-770-3000. Codes may be ordered online at: www.nfpa.org/catalog/home/index.asp. Copies of the code are available at most public libraries and at the State Library of Ohio.

B. Referenced materials. NFPA publication 1403, Standard on Live Fire Training Evolutions, Chapter 4, Acquired Structures, published April 30, 2007.

(O.A.C. 3745-19-01)

(b) Relation to Other Laws.

(1) Notwithstanding any provision in OAC Chapter 3745-19, no open burning shall be conducted in an area where an air alert, warning or emergency under OAC Chapter 3745-25 is in effect.

(2) No provisions of OAC Chapter 3745-19 permitting open burning, and no permission to open burn granted by the Ohio EPA, shall exempt any person from compliance with any section of the Ohio Revised Code, or any regulation

of any state department, or any local ordinance or regulation dealing with open burning.
(OAC 3745-19-02)

(c) Open Burning in Restricted Areas.

(1) No person or property owner shall cause or allow open burning in a restricted area except as provided in divisions (b) to (d) of this section or in Ohio R.C. 3704.11.

(2) Open burning shall be allowed for the following purposes without notification to or permission from the Ohio EPA:

A. Heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers and strikers, smudge pots and similar occupational needs.

B. Bonfires, campfires and outdoor fireplace equipment, whether for cooking food for human consumption, pleasure, religious, ceremonial, warmth, recreational, or similar purposes, if the following conditions are met:

1. They are fueled with clean seasoned firewood, natural gas or equivalent, or any clean burning fuel with emissions that are equivalent to or lower than those created from the burning of seasoned firewood;
2. They are not used for waste disposal purposes; and
3. They shall have a total fuel area of three feet or less in diameter and two feet or less in height.

C. Disposal of hazardous explosive materials, military munitions or explosive devices that require immediate action to prevent endangerment of human health, public safety, property or the environment and that are excluded from the requirement to obtain a hazardous waste permit pursuant to O.A.C. 3745-50-45(D)(1)(d).

D. Recognized training in the use of fire extinguishers for commercial or industrial fire prevention.

E. Fires allowed by divisions (c)(2)A., (c)(2)B., and (c)(2)D. of this section shall not be used for waste disposal purposes and shall be of minimum size sufficient for their intended purpose; the fuel shall be chosen to minimize the generation and emission of air contaminants.

(3) Open burning shall be allowed for the following purposes with prior notification to the Ohio EPA in accordance with division (d)(2) of this section:

A. Prevention or control of disease or pests, with written or verbal verification to the Ohio EPA from the Ohio Department of Health or local health department, the Centers for Disease Control and Prevention, cooperative extension service, Ohio Department of Agriculture, or U.S. Department of Agriculture, that open burning is the only appropriate disposal method.

B. Bonfires or campfires used for ceremonial purposes that do not meet the requirements of division (c)(2)B. of this section, provided the following conditions are met:

1. They have a total fuel area no greater than five feet in diameter by five feet in height and burn no longer than three hours;
2. They are not used for waste disposal purposes; and
3. They are fueled with clean seasoned firewood, natural gas or equivalent, or any clean burning fuel with emissions that are equivalent to or lower than those created from the burning of seasoned firewood.

C. Disposal of agricultural waste generated on the premises if the following conditions are observed:
1. The fire is set only when atmospheric conditions will readily dissipate contaminants;
2. The fire does not create a visibility hazard on the roadways, railroad tracks, or air fields;
3. The fire is located at a point on the premises no less than 1,000 feet from any inhabited building not located on said premises;
4. The wastes are stacked and dried to provide the best practicable condition for efficient burning; and
5. No materials are burned which contain rubber, grease, asphalt, liquid petroleum products, plastics or building materials.

(4) Open burning shall be allowed for the following purposes upon receipt of written permission from the Ohio EPA, in accordance with division (d)(1) of this section, provided that any conditions specified in the permission are followed:

A. Disposal of ignitable or explosive materials where the Ohio EPA determines that there is no practical alternate method of disposal, excluding those materials identified in division (c)(2)C. of this section;

B. Instruction in methods of fire fighting or for research in the control of fires as recognized by the State Fire Marshal Division of the Ohio Department of Commerce and the guidelines set forth in the National Fire Protection Association's (NFPA) publication 1403, Standard on Live Fire Training Evolutions, Chapter 4, Acquired Structures, provided that the application required in division (d)(1)A. of this section is submitted by the commercial or public entity responsible for the instruction;

C. In emergency or other extraordinary circumstances for any purpose determined to be necessary by the Director and performed as identified in the appendix to O.A.C. 3745-19-03. If deemed necessary, the open burning may be authorized with prior oral approval by the Director followed by the issuance of a written permission to open burn within seven working days of the oral approval;

D. Recognized horticultural, silvicultural (forestry), range, or wildlife management practices; and

E. Fires and/or pyrotechnic effects, for purposes other than waste disposal, set as part of commercial film-making or video production activities for motion pictures and television.

(OAC 3745-19-03)

660.17 WEED CONTROL.

(a) Any person who owns or has charge of land within the Municipality shall keep such property free and clear from all noxious weeds and shall be required to cut all such noxious weeds on the lot or lots owned or controlled by him or her. In addition, weeds or grass which exceeds eight inches in height shall be cut.

(b) Upon information that noxious weeds are growing on land within the Municipality and are about to spread or mature seeds, or that weeds or grass present on such land exceeds eight inches in height, written notice shall be provided to the owner and person having control of such land that noxious weeds are growing upon such land, or that weeds or grass upon such land exceeds eight inches in height, and that the same must be cut and/or destroyed within five days of the receipt of such notice. The written notice shall be sent by certified mail, return receipt requested; sent by registered mail to the proper address; or hand-delivered to a resident of the property. In addition, notice may also be provided by placing a single notice in a newspaper of general circulation within the Municipality.

(c) If the owner or person having charge of the land mentioned in subsection (b) hereof fails to comply with the notice to cut and/or destroy such weeds or grass, the Mayor shall cause such weeds or grass to be cut and/or destroyed by employing the necessary labor and equipment to perform such tasks. In such event, all expenses incurred therefor shall, when approved by Council, be paid out of moneys in the Municipal Treasury not otherwise appropriated and charged back to the owner of the lot as designated below.

The charge for cutting and/or destroying the weeds or grass shall be one hundred dollars ($100.00) per man hour and shall be charged back to the owner of the lot.

(d) After the weeds or grass described in subsection (c) hereof have been cut and/or destroyed by the Municipality, the Administrative Clerk shall send a statement to the owner of the lot demanding payment for the costs incurred by the cutting and/or destroying such weeds or grass. If payment is not received by the Municipality within thirty days from the date of mailing such notice, a penalty of one hundred dollars ($100.00) shall be imposed upon the owner of the lot and added to the above charges. Council shall then make a written return to the County Auditor of its action under subsections (b) and (c) hereof, showing the total charges for postage and/or placing the aforesaid notice to the newspaper, if any, together with a proper description of the premises upon which these services were performed. Such amounts shall be entered upon the tax duplicate, shall be a lien upon the lot from the date of entry and shall be collected as other taxes are collected and returned to the Municipality by the County Auditor. Such remedy shall be in addition to the penalty provided in subsection (e) hereof.

(e) Whoever violates this section is guilty of a minor misdemeanor and shall be subject to the penalty provided in Section 698.02.

(Ord. 1985-49. Passed 6-26-85; Am. Ord. 1999-33. Passed 5-26-99; Am. Ord. 2000-59. Passed 5-24-00.)

660.18 DUTY TO CUT AND KEEP CLEAN GRASS PORTIONS OF STREET OR ROAD RIGHTS-OF-WAY.

(a) No owner or occupant of lands abutting a State, County, or Village-owned street or roadway right-of-way, with the exception of State limited-access highway rights-of-way,

shall fail to keep the grass portion of the right-of-way free from noxious weeds, debris, or nuisances. In addition, weeds or grass that exceed eight inches in height shall be cut. This section shall not pertain to grass that is located in the median of a divided highway or roadway.

(b) Whoever violates this section is guilty of a minor misdemeanor. In addition, whoever violates this section shall be subject to the requirements, penalties, and remedies set forth in Section 660.17 pertaining to weed control.
(Ord. 2000-97. Passed 9-27-00.)

1024.04 NUISANCE CONDITIONS; ABATEMENT.

(a) Nuisances Described. The following acts, things and conditions done or existing within the Municipality are hereby declared to be nuisances:

(1) Any tree upon any street or public place or so near thereto as to permit the roots of the tree to penetrate through or under the surface thereof.

(2) Any tree, plant or shrub, wherever located within the Municipality, infected with any parasite, insect, fungus or pest, which may be communicated to any other tree, plant or shrub.

(3) Any tree which has fallen, or is in such condition that it is likely to fall, on any public or private property, including the property upon which it is situated.

(4) Any tree, plant or shrub whose branches or trunk obstruct or impede traffic on any street or public place. Branches overhanging any public sidewalk, pavement or roadway within nine feet of the surface thereof shall be deemed prima-facie to obstruct or impede traffic thereon.

(b) General Prohibition. No person shall maintain any of the nuisances set forth in subsection (a) hereof.

(c) Abatement and Charges. Whenever, in the opinion of the Building and Zoning Inspector, any of the nuisances set forth in subsection (a) hereof exist, he or she shall cause its abatement and cause the cost of the abatement to be charged and collected in the manner provided herein.

(d) Notice. When a nuisance is located on or originates from real estate not owned by the Municipality, the Building and Zoning Inspector, on finding that the nuisance exists, may cause written notice to be served on the owner of the real estate. The notice shall set forth the nature of the nuisance, the Building and Zoning Inspector's estimate of the cost of abating the same, if done by the Municipality, a reasonable time determined by the Building and Zoning Inspector, not to exceed thirty days, within which the owner may abate the nuisance, and a statement that the nuisance may be abated by the Municipality, and the cost of abatement assessed on the real estate, if the nuisance is not abated within the stated time by the owner.

(e) Service of Notice. Notice may be served by delivering it personally to the owner, or by leaving it at the owner's usual place of business or residence, or by posting it in a conspicuous place on the real estate, or by mailing it to the owner or by publishing it once in a newspaper of general circulation within the Municipality, if it cannot be served in any of the other ways mentioned.

CHAPTER 1422
Maintenance Standards

1422.01	Responsibilities of owners and occupants.	1422.07	Containment of trash and debris at construction sites.
1422.02	General maintenance requirements.	1422.075	Exterior property areas.
1422.03	Foundations.	1422.09	Enforcement and authorized inspections.
1422.04	Roofs, gutters and downspouts.	1422.10	Notice of violations.
1422.05	Maintenance of exteriors.	1422.99	Penalty.
1422.06	Infestation by pests.		

1422.01 RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

(a) Owners. The owner of every building, structure or premises shall be responsible for keeping it in proper repair and maintaining it in a clean and sanitary condition.

(b) Occupants. The tenant or occupant of any building, structure or premises shall also be responsible for keeping the parts of the building, structure or premises which he or she occupies or controls in proper repair and maintaining such parts in a clean and sanitary condition.
(Ord. 2010-67. Passed 11-22-10.)

1422.02 GENERAL MAINTENANCE REQUIREMENTS.

(a) All buildings and other structures and all parts thereof, both exterior and interior, shall be maintained in good repair and shall be capable of performing the function for which the structure or part of any feature thereof was designed or intended to be used.

(b) All equipment and facilities appurtenant to such structures shall be maintained in good and safe working order.
(Ord. 2010-67. Passed 11-22-10.)

1422.03 FOUNDATIONS.

(a) All foundations of any building shall be maintained in structurally sound condition and in good repair.

(b) All foundations of any building shall be maintained in such condition as to prevent seepage or leakage of water into the space enclosed within such foundations.

(c) All openings into the foundations of any building shall be protected against the entrance of rodents.

(d) Where parts of any building supported on masonry piers require substantial repair or replacement due to sagging, settling or failure of supporting piers, the same shall be replaced with a foundation conforming to the Ohio Building Code and Summit County Building Code.
(Ord. 2010-67. Passed 11-22-10.)

1422.04 ROOFS, GUTTERS AND DOWNSPOUTS.

All roofs of any building shall be maintained weather-tight, and roof drainage shall be handled by suitable collectors and downspouts connected to a public storm sewer. Where a storm sewer or other storm drainage outlet is not available, downspouts may discharge onto splash blocks or other devices, provided that no excess water will flow onto adjoining property or over sidewalks. Connection of any pipe carrying roof water or yard drainage to a sanitary sewer is prohibited.
(Ord. 2010-67. Passed 11-22-10.)

1422.05 MAINTENANCE OF EXTERIORS.

(a) All exterior walls of any building shall be maintained weather-tight and so as to resist decay or deterioration from any cause.

(b) Any building or other structure whose exterior surface is bare, deteriorated, decayed, disintegrated or in poor condition must be repaired or razed.

(1) All buckled, rotted or decayed walls, doors, windows, floors, steps, railings, posts, sills, trim and their missing members must be replaced and put in good condition.

(2) All replacements must match and conform to the original design or be replaced completely.

(3) All exterior wood or exterior unfinished surfaces must be sealed and painted, or the surface covered with other approved protective coating, or treated to prevent rot and decay, and conform to and match the existing paint or surface covering and the original design or a replacement thereof. All exterior walls and surfaces must be properly protected against the weather where such are defective or lack weather protection, including lack of paint or surface covering, or have deterioration due to lack of proper protective covering.

(c) Any building or structure whose exterior surface is deteriorated, decayed or disintegrated, or whose exterior surface is weathered with dirt and grime, or has been impaired through peeling or flaking of the paint or other protective coating, shall be replaced or repaired, repainted or resurfaced.

(1) All exterior surfaces shall be replaced or repaired in good condition before repainting or coating.
(2) All bare exterior surfaces which are flaking or crumbling shall be replaced or sealed in a good, workmanlike manner.
(3) All new or repaired bare surfaces shall be painted or coated.
(Ord. 2010-67. Passed 11-22-10.)

1422.06 INFESTATION BY PESTS.

All premises shall be maintained free from sources of breeding, harborage and infestation by insects, vermin or rodents.
(Ord. 2010-67. Passed 11-22-10.)

1422.07 CONTAINMENT OF TRASH AND DEBRIS AT CONSTRUCTION SITE.

(a) All trash and debris associated with or resulting from construction of either commercial or industrial structures shall be contained on the construction site in a stable and secure enclosure approved by the Building and Zoning Inspector. The building permit holder shall maintain the enclosure and site so as to control litter and debris at all times and remove and dispose of the debris in an approved landfill. The enclosure shall be kept behind or within the structure unless it is not accessible for disposal. In the event it is not accessible for disposal, the enclosure shall be placed in the least visible accessible location, which shall be determined by the Building and Zoning Inspector. The enclosure shall be removed from the site prior to the issuance of the occupancy permit.

(b) Violations occurring as a result of noncompliance with the provisions of division (a) hereof may result in the issuance of a stop-work order until the site is brought into compliance.
(Ord. 2010-67. Passed 11-22-10.)

1422.075 EXTERIOR PROPERTY AREAS.

(a) No owner, operator or tenant of any premises shall maintain or permit to be maintained at or on the exterior property areas of such premises any condition which deteriorates or debases the appearance of the neighborhood or creates a fire, safety or health hazard, including the following:

(1) Broken or dilapidated fences, walls or other structures;
(2) Broken, uneven or improperly maintained walks, driveways, parking areas and parking lots:
(3) Unusable, dilapidated equipment, appliances, trailers, machines, motor vehicles and parts thereof:
(4) Other materials that create an unsightly appearance or are capable of being stored inside the premises;
(5) All parking lots and parking spaces must be properly lined and all handicapped spaces must be marked clearly on the ground and with a sign and post in compliance with Section 452.04(e) and Ohio R.C. 3781.111(C); and

(6) All commercial, multi-family and institutional parking lots and parking areas must be asphalt or concrete as specified in Section 1278.01(b) and properly maintained.

(b) Each owner, operator or tenant of any premises shall maintain his or her lawns and landscaping so as not to constitute a blighting or deteriorating effect on the neighborhood and shall not permit weeds or grass to exceed eight inches in height.
(Ord. 2010-67. Passed 11-22-10; Ord. 2012-26 Passed 3-28-12.)

1422.09 ENFORCEMENT AND AUTHORIZED INSPECTIONS.

This chapter shall be enforced by the Building and Zoning Department and the Building and Zoning Inspector. Every owner or occupant shall, upon request, permit the Building and Zoning Inspector or any authorized Building Inspector of the Building and Zoning Department access to real property during the hours of 9:00 a.m. to 8:00 p.m., Monday through Saturday of each week, excepting legal holidays, for the purpose of making inspections within or outside of any building or structure necessary to enforce this chapter. The failure to allow access to real property within or outside of buildings or structures for inspection during the period provided for herein, upon identification of the Inspector, shall be deemed a violation of this chapter.
(Ord. 2010-67. Passed 11-22-10.)

1422.10 NOTICE OF VIOLATIONS.

(a) When written notice of a violation of any of the provisions of this chapter is provided by the Building and Zoning Inspector to the owner or occupant of the premises on which such violation exists, with an order to correct the violation indicated in such notice, which notice is hand delivered to the owner, occupant or their representative, or mailed to the last known address of the owner or occupant, such owner or occupant shall correct the violation within seven to 60 days, as designated by the Building and Zoning Inspector depending on the seriousness of the violation, of the date noted upon such written notice. The failure by the owner or occupant to correct such violation within the period set forth in the written notice provided shall be deemed to be a violation of this chapter. An owner or occupant of the premises on which such violation exists, upon a showing that the period to correct such violation, if not extended, will cause a substantial hardship on the owner or occupier, shall be granted a 30-day extension of time to correct the violation by the Building and Zoning Inspector.

(b) In the event that the Building and Zoning Inspector determines that a violation of this chapter, upon inspection, is. in the opinion of such Building and Zoning Inspector, so dangerous as to threaten life or serious physical injury to persons, such Inspector may immediately close the facility or shut off or disconnect any appliance or equipment or otherwise make the same inoperable. In such event, the Inspector shall post a notice on the door to the facility or place a red tag on the appliance or equipment, indicating that the facility shall remain closed or the appliance or equipment shall not be operated until

repaired, modified or altered. Until necessary repairs, alterations or modifications are made, and until further inspection and approval by the Building and Zoning Department, the continued operation or use of the premises or any appliance or equipment after being "noticed" or "red tagged" as provided for herein, and without later repair, modification or alteration and subsequent approval by the Building and Zoning Department, shall be deemed to be a violation of this chapter.
(Ord. 2010-67. Passed 11-22-10.)

1422.99 PENALTY.

(a) Except as otherwise provided in this section, whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars ($1,000.00) or be imprisoned not more than six months, or both, for such offense. Each day such violation occurs or continues shall constitute a separate offense.

(b) Any organization, as defined in Section 606.09(d) of the General Offenses Code, shall be fined in an amount not more than the amount set forth in subsection (a) hereof for any violation of this chapter. Any appropriate officer, agent or employee of such organization shall be subject to all penalties prescribed herein in accordance with Section 606.10 of the General Offenses Code for any violation.
(Ord. 2010-67. Passed 11-22-10; Ord. 2012-46. Passed 6-28-12.)

CHAPTER 1064
Playgrounds and Parks

1064.01 Rules of conduct.
1064.02 Destruction of property.
1064.99 Penalty.

CROSS REFERENCES

Recreation Board - see CHTR. Art. XII; ADM. Ch. 282
Parks and recreation - see Ohio R.C. Ch. 755
Authorization of playgrounds - see Ohio R.C. 755.08, 755.12
Supervision of playgrounds - see Ohio R.C. 755.13
Play streets - see TRAF. 412.03

1064.01 RULES OF CONDUCT.

Playground and park rules by which persons within the Municipality shall be governed are as follows:

(a) Activities are restricted to the hours of 8:00 a.m. to dusk.
(b) Alcoholic beverages are not permitted.
(c) Smoking is not permitted.
(d) Profanity or inappropriate behavior is not permitted.
(e) Only children ages 12 and under are permitted on the playground equipment.
(f) Children 11 and under must be accompanied by an adult when using the basketball court.
(g) The basketball court is to be used to play basketball only.
(h) Basketball players shall limit their play to one hour if others are waiting for the court. Hanging on the rims or nets is prohibited.
(i) Skateboarding, rollerblading, or any similar activity is not permitted.
(j) Bicycles are only permitted in the parking lot area.
(k) Motorized vehicles are only permitted in the parking lot area.
(l) The use of dirt bikes, ATVs, scooters, etc. is not permitted.
(m) Glass items of any kind are not permitted.
(n) Only youth baseball players and their coaches are permitted to strike hard baseballs.
(o) Any person not belonging to an organized league recognized by the Municipality shall surrender the area known as the baseball diamond or soccer field to said league for scheduled practice sessions or games.
(p) No amplified sound-making devices are permitted without a permit from the Building Department.
(q) No model or remote control planes are permitted.

(r) Golf and archery are not permitted.
(s) No pets, other than service or therapy animals accompanied by their owners, are permitted to be off leashes.
(t) Residents may reserve the pavilion on a first come first served basis by contacting the Building Department during business hours.
(u) No fires are permitted with exception of those made in grills for the purpose of cooking.
(v) No person may trap, hunt, remove, or release any animals.
(w) No person shall remove or destroy any plants or trees.
(x) No one shall climb or stand upon fences or backstops.
(y) Snow sledding is permitted in designated areas only. The building of jumps is prohibited.
(Ord. 2010-33. Passed 6-23-10.)

1064.02 DESTRUCTION OF PROPERTY.

No person shall willfully destroy playground or park property.
(Ord. 2010-33. Passed 6-23-10.)

1064.99 PENALTY.

(a) Whoever violates any of the provisions of Section 1064.01 of this chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars ($150.00) for each offense.

(b) Whoever violates any of the provisions of Section 1064.02 of this chapter is guilty of a misdemeanor of the first degree, punishable by a fine of up to one thousand dollars ($1,000.00), a jail term of not more than 180 days, and an order for restitution.
(Ord. 2010-33. Passed 6-23-10.)

EXHIBIT A

1064.03 USE OF PAVILIONS.

A park pavilion may be reserved for periods of up to eight hours on a first come first served basis by completing the Village's pavilion reservation application and submitting the completed application to the Building Department, along with any fees due, within normal business hours. Resident applicants shall not be charged a fee for use of a pavilion. Non-resident applicants shall pay a non-refundable fee of $150, which is payable at the time the application is submitted. Both residents and non-residents are required to pay a $50 cleanup deposit at the time the application is submitted. If the application is being submitted by a non-resident and payment is being made by check, separate checks shall be submitted for the use fee and the cleanup deposit. After the conclusion of the event, the area reserved shall be inspected by the Village. After inspection, if it is determined by Village that the pavilion and surrounding area were left in a similar or better condition than prior to the event, the entire cleanup deposit shall be returned to the applicant. If Village personnel need to clean up after the event to restore the pavilion or surrounding area to their condition prior to the event, the entire cleanup deposit shall be retained by the Village.

1064.04. USE OF ATHLETIC FIELDS.

(a) Any organization or person desiring to use a Village athletic field on a reserved basis must apply for an athletic field reservation permit from the Building Department that sets forth the field(s), season, days of the week, and times to which the permit applies. The fee for such permit shall be $250 per organization or person receiving the permit, per season.

(b) Permit holders are responsible for supplying a port-o-potty during the season the permit is issued, unless another entity has already arranged for the supply of such port-o-potty during that season. In that event, the organization or person receiving the permit that is not required to supply a port-o-potty shall pay an additional $75 fee per season to the Village prior to receiving the permit.

(c) At the conclusion of each event, the permit holder for such event is responsible for ensuring that the fields and surrounding areas used by athletes, coaches, and spectators in connection with the event are free of garbage, equipment, and debris. If the Village is required to clean up or remove garbage, equipment, or debris resulting from an event, the Village may bill the permit holder $100 for cleanup costs. If any cleanup charge is not paid to the Village within 14 days of the issuance of such charge, the organization or person billed for such charge's permit may be suspended by the Building Department until such outstanding charges are paid.

CHAPTER 1476
Registration of Contractors

1476.01 Definitions.
1476.02 License required.
1476.03 License bond.
1476.04 License application.
1476.05 Investigation.
1476.06 Fee.
1476.07 Effective period of license.
1476.08 Revocation of license for substandard work, labor or material.
1476.09 Revocation of license for misrepresentation.
1476.10 Exhibition of license.
1476.11 Enforcement by Building and Zoning Inspector and Police Department.
1476.12 Appeals.
1476.13 Homeowner's exemption.
1476.14 Reciprocity with other jurisdictions.
1476.99 Penalty.

CROSS REFERENCES

Electrical contractors and public improvements - see Ohio R.C. 153.02, 153.03
Plumbing - see Ohio R.C. Ch. 3703
Construction Industry Examining Board - see Ohio R.C. Ch. 4740
Permits required for snow removal contractors - see B.R. & T. 878.01
Administration and enforcement of Residential Building Code - see B. & H. Ch. 1440

1476.01 DEFINITIONS.

As used in this chapter:

(a) "Contractor" includes any person, whether a resident in the Municipality or not, taking orders for or engaged in the business of construction as a general contractor, subcontractor or mechanical contractor, including, but not limited to, those involved in heating, air conditioning, electrical, carpentry, cement, asphalt, drywall, excavating, floor covering, garage door, general building, gutter installation, landscaping, lot clearing, insulation, masonry, painting, piping, plumbing, refrigeration, roofing, sheet metal, siding, wall covering, trenching and excavating work.

(b) "Person" includes the singular and the plural and also includes any person, firm, corporation, association, partnership or other organization.
(Ord. 1993-59. Passed 12-8-93.)

1476.02 LICENSE REQUIRED.

No person shall engage in the business of building or contracting, as defined in Section 1476.01(a), within the Municipality without first obtaining a license therefor issued by the Building and Zoning Inspector. Only one license is required hereunder even though such contractor may be engaged in work in more than one construction trade as a general contractor or subcontractor.
(Ord. 1993-59. Passed 12-8-93.)

1476.03 LICENSE BOND.

At the time that any building contractor, whether a general contractor or subcontractor, applies for a contractor's license, he or she shall post a bond with sufficient surety, by an insurance company authorized to issue bonds in the State, binding the building contractor. The principal and surety shall bind themselves jointly and severally unto the Municipality and unto any property owner within the Municipality upon whose premises such building contractor has contracted to work. For contractors that work solely in residential districts in the Municipality, the amount of the bond shall be ten thousand dollars ($10,000). For contractors that perform work in business, and commercial districts in the Municipality, the amount of the bond shall be twenty-five thousand dollars ($25,000). In the event the bond amounts specified in this section are modified in the middle of a calendar year, contractors that have previously posted bonds pursuant to this section for that particular calendar year are not required to increase the amount of their bond for that year.
(Ord. 1993-59. Passed 12-8-93; Ord. 2004-33. Passed 6-23-04; Ord. 2012-45. Passed 6-28-12.)

1476.04 LICENSE APPLICATION.

Applicants for license under this chapter must file with the Building and Zoning Inspector a sworn application in writing on a form to be furnished by the Inspector. Such form shall provide for the following information:

(a) The name and a description of the applicant;
(b) The address (legal and local) of the applicant;
(c) The Federal identification number, if any, of the applicant;
(d) A brief description of the nature of the business and contracting work to be performed;
(e) The names, addresses and telephone numbers of the persons for whom the applicant completed his or her last three jobs and the completion dates of those jobs;
(f) A list of municipalities in which the applicant holds licenses;
(g) Whether the applicant's business license or registration in any municipality has ever been suspended or revoked.
(Ord. 1993-59. Passed 12-8-93.)

CHAPTER 878
Snow Removal Contractors

878.01 Permit required; effective period; fee; insurance; display; illumination of equipment.
878.02 Disposal of snow.
878.99 Penalty.

CROSS REFERENCES

Assessments for snow removal - see Ohio R.C. 727.01
Snow removal equipment - see Ohio R.C. 4513.18, 5501.41
Snowmobiles - see TRAF. 432.41, Ch. 446
Snow emergencies parking ban - see TRAF. 452.17
Duty to keep sidewalks free of snow and ice - see GEN. OFF. 660.05
Snow removal for senior citizens and/or physically disabled residents - see S.U. & P.S. Ch. 1070
Snow removal in subdivisions - see P. & Z. 1250.06(c)

878.01 PERMIT REQUIRED; EFFECTIVE PERIOD; FEE; INSURANCE; DISPLAY; ILLUMINATION OF EQUIPMENT.

(a) Any individual, firm, corporation or other person, who contracts or performs snow removal services in the Village on property which he, she, it, or they has or have no interest, shall make application to the Building and Zoning Inspector for a snow removal permit for each snow removal vehicle used by the applicant in the Village. Each permit shall be granted for a one-year period, starting October 1 of each year and expiring on September 30 of the following year, at the cost of twenty dollars ($20.00) per vehicle. Permits applied for after October 30 of each year shall not be valid for a full year, but shall, rather, expire on September 30. In addition to other requirements, the applicant must display, prior to securing such permit, an insurance liability policy with coverage as prescribed by the financial security laws of the State. The permit as issued from the office of the Building and Zoning Inspector shall be conspicuously displayed on the windshield of the snow removal vehicle.

(b) Snow removal equipment shall be illuminated with emergency flashers as provided by the laws of the State.

(c) Snow removal vehicles and equipment shall be defined as any type of vehicle which is authorized and licensed by the State or by any other state, giving permission for such vehicle to transgress on public thoroughfares, and where such vehicle is used by the

owner or lessee, on a full or part-time basis, for the removal of snow from driveways, parking lots or sidewalks.
(Ord. 1996-62. Passed 10-23-96; Ord. 2001-16. Passed 2-14-01; Ord. 2003-52. Passed 11-12-03; Ord. 2010-08. Passed 3-10-10; Ord. 2012-79. Passed 11-14-12.)

878.02 DISPOSAL OF SNOW.

Snow removal from any driveway, parking lot or sidewalk, either public or private, industrial, commercial or residential, shall be disposed of by the person removing such snow in such a manner as not to obstruct the sidewalk, public streets or other rights-of-way for pedestrians or motor vehicles. Snow removed from any driveway, parking lot, sidewalk, parcel or lot, as described in this section, shall be disposed of on the lot or parcel from which the same is being removed, or on the tree lawn immediately in front of such lot or parcel on that same side of the street, in such a manner so as to permit a person to see over the piles of snow when such person is either driving into or backing out of the driveway of the premises, or to see around the corners. No person shall create any snow pile or otherwise pile snow within fifteen feet of the intersection of any street or public way, or within fifteen feet of any entrance to or exit from any premises.

For properties abutting State Route 8, no snow shall be piled within eight feet of the street line of State Route 8.
(Ord. 1999-82. Passed 11-10-99.)

878.99 PENALTY.

Whoever violates any of the provisions of this chapter for the first time is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars ($100.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Whoever is convicted of a second or subsequent violation of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars ($250.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

In addition to the above, offenders under this chapter shall be liable for a Public Service Department fee in the event the Village is required to remove any snow or snow piles tracked into a street or sidewalk as a result of a violation of this chapter. Such a fee shall be assessed at one hundred dollars ($100.00) per hour for the work performed with a minimum of one hour's assessment for each time such work is performed.

A fourth or subsequent offense of this chapter may result in revocation of the offender's snow removal permit by the Building and Zoning Inspector. In the event such permit is revoked, the permit holder shall have the right to appeal such action as provided for in Section 1476.12 of these Codified Ordinances.
(Ord. 1996-62. Passed 10-23-96.)

TITLE SIX - Other Public Services

Chap. 1060. Garbage and Rubbish Collection and Disposal.
Chap. 1062. Cemeteries.
Chap. 1064. Playgrounds and Parks.
Chap. 1066. Village Hall.
Chap. 1068. Emergency Alarms.
Chap. 1070. Snow Removal for Senior Citizens and/or Physically Disabled Residents.

CHAPTER 1060
Garbage and Rubbish Collection and Disposal

1060.01 Definitions.
1060.02 Residential garbage and rubbish storage and containers.
1060.025 The removal of garbage by unauthorized persons; regulations.
1060.03 Collector's contract; collection regulations.
1060.04 Disposal by contractor.
1060.05 Uncollected garbage declared a nuisance.
1060.06 General licensing authority.
1060.07 License required for collection.
1060.08 General license regulations; fee; vehicles; insurance; days of service; rates.
1060.09 Deposit of garbage or rubbish in receptacles only.
1060.10 Garbage disposals or incinerators.
1060.11 Garbage and rubbish storage on commercial and industrial properties.
1060.99 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
Littering - see GEN. OFF. 660.03
Filthy accumulations - see GEN. OFF. 660.04
Containment of trash and debris at construction sites - see B. & H. 1490.07

1060.01 DEFINITIONS.

As used in this chapter:

(a) "Garbage" means all putrescible wastes, except human excreta, sewage and other water-carried wastes. "Garbage" includes vegetable and animal offal and carcasses of dead animals and also includes all such substances from all private residences.

(b) "Person" includes any person, company, corporation, partnership, organization or entity.

(c) "Premises" means land and/or buildings, or parts of either or both.

(d) "Private residence" means a dwelling used for residence purposes and includes owners, tenants and occupants of all such premises where garbage and rubbish are created. Three families shall be the maximum allowed to be considered a private residence. Nothing in this definition shall be construed to apply to commercial establishments of any nature whatsoever.

(e) "Rubbish" means ashes, glass, crockery, tin cans, paper boxes, rags, old clothing and all other similar nonputrescible wastes. The word does not include any material such as earth, sand, brick, stone, plaster or other similar substances that may accumulate as a result of construction operations.

(Ord. 2010-65. Passed 11-22-10.)

1060.02 RESIDENTIAL GARBAGE AND RUBBISH STORAGE AND CONTAINERS.

(a) No person residing in a private residence shall permit to accumulate upon the premises any garbage or rubbish except in covered containers approved by Council, except for tree cuttings.

(Ord. 1968-52. Passed 5-8-68.)

(b) All garbage shall be kept in either tightly sealed plastic bags or in rust-resistant, watertight, nonabsorbent and easily washable containers which are covered with closely fitting lids. Where practicable, all garbage shall be drained of liquids and wrapped in paper. Containers and plastic bags shall be of adequate capacity and provided in sufficient number to hold all garbage that accumulates between collections. All containers shall be washed and treated with a disinfectant as often as necessary to prevent nuisance. Containers and plastic bags shall be placed outside the building after sunset of the day preceding the collection and before 8:00 a.m. of the day of collection. The empty container shall be removed from the tree lawn no later than 12:00 midnight of the day of collection. All containers and plastic bags used for collection shall be placed on the tree lawn near the curb.

(Ord. 1975-50. Passed 5-14-75.)

(c) All rubbish shall be stored in reasonably tight and substantial containers that are easy to handle and whose weight shall not exceed fifty pounds. Such containers shall be of

adequate capacity and in sufficient number to hold all rubbish that accumulates between collections. Insofar as practicable, boxes, papers, tree cuttings and odd articles shall be crushed and bundled in lengths of not more than four feet and in weights of not more than fifty pounds.
(Ord. 1968-52. Passed 5-8-68.)

1060.025 THE REMOVAL OF GARBAGE BY UNAUTHORIZED PERSONS; REGULATIONS.

(a) No person shall remove, appropriate or otherwise take any garbage, rubbish or other refuse deposited on or around tree lawns or in or around any trash receptacle for collection by a trash collection contractor, except for authorized agents of the Municipality, trash collection contractors or government law enforcement organizations.

(b) Whoever violates this section is guilty of a minor misdemeanor. Subsequent offenses by persons convicted of this offense within the past two years shall be guilty of a misdemeanor of the fourth degree.
(Ord. 2009-30. Passed 6-10-09.)

1060.03 COLLECTOR'S CONTRACT; COLLECTION REGULATIONS.

The following regulations shall apply to the collection of garbage and rubbish:

(a) No person shall collect or transport garbage or rubbish within the Municipality who does not have a written contract with the Municipality for this purpose, except for commercial properties.

(b) All garbage and rubbish shall be hauled in a vehicle with an all-steel, leakproof body. Spillage or drippage from vehicles transporting garbage and rubbish shall not be permitted. The vehicle shall be washed and treated with a disinfectant as often as necessary to prevent nuisance.

(c) No person shall collect garbage or rubbish in the Village in any vehicle between the hours of 9:00 p.m. and 7:00 a.m. of the following day.
(Ord. 1995-49. Passed 5-24-95.)

1060.04 DISPOSAL BY CONTRACTOR.

The contractor shall provide for disposal. All materials collected shall be the property of the contractor and no person shall separate, collect, carry off or dispose of the same except by direction of the contractor.
(Ord. 1968-52. Passed 5-8-68.)

1060.05 UNCOLLECTED GARBAGE DECLARED A NUISANCE.

Fermenting, putrefying or odoriferous garbage or rubbish in containers or dumped in the open is hereby declared to be a nuisance and the person or persons responsible for the same

shall be liable to prosecution under the provisions of Ohio R.C. 3767.13 and/or Section 660.04 of the General Offenses Code.
(Ord. 1968-52. Passed 5-8-68.)

1060.06 GENERAL LICENSING AUTHORITY.

Council may license one or more competent collectors of garbage and/or ashes or rubbish material to collect or remove any garbage and/or ashes and rubbish material accumulating within the Municipality and to use the streets, avenues and alleys of the Municipality for the purpose of collecting or transporting garbage and/or ashes and rubbish material. Such licenses shall be granted under rules and regulations prescribed by Council for the preservation of the health of the inhabitants of the Municipality. No person, other than the duly authorized collector or collectors herein provided for, their agents or servants, shall collect or remove any garbage accumulating within the Municipality or use the streets, avenues and alleys of the Municipality for the purpose of collecting or transporting garbage or ashes and rubbish material.
(Ord. 1981-60. Passed 7-8-81.)

1060.07 LICENSE REQUIRED FOR COLLECTION.

No person shall engage in the business of hauling or picking up trash, refuse and garbage within the corporate limits of the Municipality without first being licensed to do so by Council.
(Ord. 1981-60. Passed 7-8-81.)

1060.08 GENERAL LICENSE REGULATIONS; FEE; VEHICLES; INSURANCE; DAYS OF SERVICE; RATES.

(a) Each license for hauling garbage and rubbish shall be issued on an annual basis.

(b) The fee for the license shall be twenty-five dollars ($25.00) per vehicle per year.

(c) Each licensed vehicle shall be of the packer type, and shall be inspected annually by the Superintendent of the Service Department to determine if it is in proper working order and shall not cause spillage within the Municipality.

(d) Each licensed vehicle shall be insured for liability coverage in a minimum amount of three hundred thousand dollars ($300,000) for damage to property, five hundred thousand dollars ($500,000) for injury to each person and one million dollars ($1,000,000) for each accident.

(e) The licensee shall provide the Municipality with the names and addresses of all employees working within the corporate limits.