

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____

20 _____

ORDINANCE 04-2021

ORDINANCE AMENDING CHAPTER 941 OF THE GENOA CODIFIED ORDINANCE TITLED GARBAGE AND RUBISH COLLECTION; AND DECLARING AN EMERGENCY.

WHEREAS, the Genoa Village Council has reviewed Chapter 941 of the Genoa Codified Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GENOA, OTTAWA COUNTY, OHIO:

SECTION 1. That Genoa Village Council Amends Chapter 941 of the Genoa Codified Ordinances titled Garbage and Rubbish Collection shall be Amended to read as follows:

941.01 DEFINITIONS

"Refuse", as used in this chapter, includes all solid wastes, generated by a household in the processing of their food or clothing, and in keeping of their premises in a neat and orderly fashion. It also includes washers, dryers, stoves, furniture, boxes and other large appliances except refrigerators and air conditioners. It shall not include human sewage, animal offal, dead animals or livestock exceeding one pound in weight per pick up, broken cement or large rocks exceeding one pound in weight per pick up, automobile parts, liquid wastes, building materials or demolition materials, tree trunks or wood. All refuse to be placed or located on an alley or street right-of-way.

941.02 CONTAINERS

(a) The Village represents that all household and commercial establishments shall not store any garbage outside which might include food particles, paper, cans, bottles, etc. which could be deemed to create a health hazard or littering unless it is stored in a container provided by the contracted waste removal company, unless a regular roll off dumpster container is used for trash pickup. The Village further represents that a householder and commercial establishments may not put containers out for pick up any earlier than 24 hours prior to the regular scheduled pick up and must be removed from the village right-of-way within 24 hours of collection. Containers should be out no later than 7 a.m. on the day of collection.

(1) Recyclables will not be collected by the contracted waste removal company.

(2) All commercial establishments shall have all of their trash which is not in a roll off dumpster, housed in an enclosed area, as to not have any trash fall and/or protrude, etc. in a manner which could injure any of the public who might be on or adjacent to their trash storage area.

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(b) Large roll off, or dumpster containers shall be provided by the contractor for Village use: one at 102 E. 6th Street, one at Fire Hall, one at Public Works Department, 300 W. 10th Street. These locations shall be serviced once a week at no charge.

(c) All excess yard waste will need to be disposed of at the Yard Waste Dump determined by the Village of Genoa.

941.03 COLLECTION AND OTHER FEES

(a) Council shall from time to time establish a fee for all residential and commercial and industrial citizens and residents of the Village for collection and disposal of garbage and refuse (weekly pick up) regardless of whether such individuals, corporations or other entities utilize such. Refrigeration units, dehumidifiers, air conditioners, and any other appliance containing "Freon" without a certificate of removal of Freon will have a fee associated for removal. Must contact the contracted waste removal company to schedule pick up, removal of Freon, and direct billing to resident. For removal of bulk items, customers must contact the contracted waste removal company to schedule the pickup. Contact information can be found on the Village of Genoa's website. Bulk items may remain in the pickup area designated between the customer and the contracted waste removal company for up to 7 days prior to collection by the contracted waste removal company.

(b) Refuse rates shall be \$14.40 per unit effective July 2nd, 2018

941.04 BILLING

(a) All residential customers shall be billed monthly as prescribed by Council in a form that Council shall prescribe.

(b) All accounts that are not paid by the due date shall be subject to a ten percent (10%) late charge.

941.05 RULES AND REGULATIONS

(a) The garbage, refuse, [and recyclable] collection contract shall remain in force for a period of five (5) years, from the time the contract is awarded. A thirty-day notice from the Village to the contractor may cancel if the contractor fails to live up to the terms in the contract. The contractor shall produce Workmen's Compensation Certificates and shall carry liability and property damage insurance of not less than one million dollars (\$1,000,000.00) on all vehicles used during the term of the contract. The contractor shall furnish the Village with evidence of paid up coverage of insurance, and Workmen's Compensation as required.

(b) The contractor shall dispose of all refuse and garbage at his expense in compliance with State and County laws.

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(c) The Village will be responsible for the individual billing and collection for these services and shall pay the contractor monthly for these charges.

(d) The contract shall be made in a form acceptable to the Village Solicitor, and may be renewed and adjusted each year if the State of Ohio or other governmental unit imposes any type of tax or surcharge which would lead to an increase in the cost of providing services as outlined in the contract.

(e) These services are available to all residents and the amount used has no effect on the unit charge assessed by the Village to the customer

(f) Litter and nuisance laws shall be enforced in the Village.

(g) All customers are responsible for meeting the requirements for the physical limits of their refuse. Anyone not doing so shall not have the refuse taken by the contractor.

941.06 COMMERCIAL, MULTI-FAMILY RESIDENTIAL, INDUSTRIAL AND OTHER NONRESIDENTIAL ESTABLISHMENTS.

(a) Any commercial, multi-family residential, industrial or other similar, large volume, non-residential establishments, which on a weekly basis cannot properly meet the requirements as set forth herein, specifically that all trash shall be contained within the contracted waste removal company containers or commercial dumpster, shall provide for weekly collection of all refuse associated with the operation of the enterprise. Further, there shall be no storage of refuse that is stored in unapproved containers as determined by the Village Administrator and/or the County Health Department.

(b) The Village will credit seventy-five percent (75%) of the current monthly per stop charge to the commercial establishments who choose the Village refuse contractor.

941.99 PENALTY

Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor and fined not more than one hundred dollars (\$100.00). Each day a violation continues or occurs shall constitute a separate offense.

SECTION 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public

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in compliance with all legal requirements of the Village of Genoa and the State of Ohio.

SECTION 3. That this Ordinance constitutes an emergency measure because the proper and efficient collection and disposal of garbage and rubbish in the Village is necessary for the preservation of the public peace, safety, and welfare of our citizens. This ordinance shall be in full force and effect immediately after its passage by the Mayor.

Vote to suspend rules:

For: 6 Against: 0

Vote on emergency clause:


For: 6 Against: 0

Vote on final adoption:

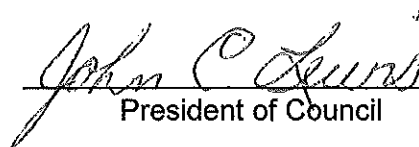
For: 6 Against: 0

ADOPTED 1-19-21 As an emergency measure.

ATTEST:



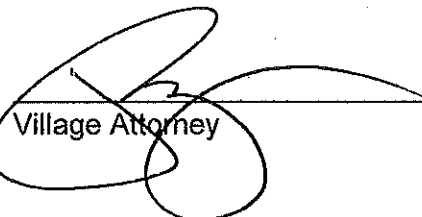
Clerk of Council



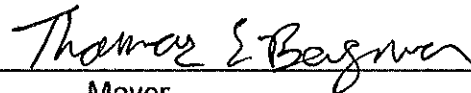
President of Council

APPROVED AS TO FORM:

APPROVED:



Village Attorney



Mayor

FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION

This is to certify that publication was duly made as provided in Ordinance 67-2017 adopted

by the following method:

By posting certified copies thereof in the six (6) public places specified in Section 105.01 of

the Codified Ordinances of the Village of Genoa, and by Ordinance 67-2017, said posting having been accomplished on the following date: 1-22, 2021


Fiscal Officer