

ORDINANCE NO. 2023-02

AN ORDINANCE TO AMEND PART NINE, TITLE THREE, CHAPTER 937 OF THE CODIFIED ORDINANCES TO UPDATE THE WASTE REMOVAL LANGUAGE AND FEES FOR HOUSEHOLDERS AND COMMERCIAL OPERATORS IN THE VILLAGE.

WHEREAS, the Village of Cedarville has found it necessary to update the language of its Codified Ordinances periodically to remain current with the changing times and circumstances within the Village, and

WHEREAS, the Village of Cedarville Landfill was closed January 21, 1999, thereby rendering obsolete any reference to said Landfill within the Codified Ordinances, and

WHEREAS, costs related to the collection of garbage and other refuse for Householders and Commercial Operators have increased, therefore,

BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF CEDARVILLE, OHIO,

**Section One:** That Section 937.02 of the Codified Ordinances of the Village of Cedarville be amended to read as follows:

**937.02 STORAGE**

(a) No Householder or Commercial Operator shall permit the accumulation upon any premises of any garbage or other refuse except in covered containers approved by the Village Administrator.

All garbage shall be kept in rust-resistant, weathertight, nonabsorbent and easily washable containers which are covered with closely fitting lids. Where practicable, all garbage shall be drained of liquids and bagged. These containers 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 by Householder or Commercial Operator with a disinfectant as often as necessary to prevent nuisance.

All other refuse shall be stored in containers that are easy to handle. Such containers shall be of adequate capacity and provided in sufficient number to hold all other refuse that accumulates between collections. Any refuse which attracts vermin, flies, or wild or stray animals must be stored in tightly covered containers.

Insofar as practicable, boxes, paper, and odd articles shall be crushed and bundled in lengths not to exceed three feet and not to exceed fifty pounds in weight.

(b) All owners of apartment buildings containing three or more units shall provide a trash dumpster for their tenants of adequate capacity in order to eliminate separate and unsightly trash cans and to avoid unhealthy and unsanitary conditions. Guidelines set forth in Section 937.02 (a) herein shall apply.

**Section Two:** That Section 937.03 of the Codified Ordinances of the Village of Cedarville be amended to read as follows:

**937.03 SEPARATE COLLECTION**

(a) Except for Commercial Operators who choose to use a collection service other than the collection service provided by the Village (Permit required, see Section 937.04 herein), all Householders and Commercial Operators are required to subscribe to the garbage, other refuse and recyclable collection service provided by the Village and to pay the charges assessed for such service. Each Householder and each Commercial Operator must make separate arrangements with the Village Clerk for the collection of garbage, other refuse and recyclables.

(b) No garbage, other refuse, or recyclable shall be, or allowed to be, placed for collection except in the appropriate containers provided by or for the Householder or Commercial Operator at a site approved by the Village Administrator or representative thereof.

(c) No Householder or Commercial Operator shall use the garbage, other refuse or recyclable containers of another Householder or Commercial Operator unless specifically authorized to do so by the Village Administrator.

(d) No Householder or Commercial Operator shall set out at the curb/street any garbage, other refuse or recyclable container for collection earlier than twenty-four (24) hours prior to the designated collection date. All garbage, other refuse and recyclable containers shall be removed from the curb/street no more than twenty-four (24) hours after the designated collection date.

**Section Three:** That Section 937.04 (b) of the Codified Ordinances of the Village of Cedarville be amended to read as follows:

**937.04 (b) Duty to Collect**

It shall be the duty of the Village Administrator to provide for the collection of all garbage and other refuse from all Householder's and Commercial Operator's premises within the Village at least once each week.

**Section Four:** That Section 937.05 (b) of the Codified Ordinances of the Village of Cedarville be amended to read as follows:

**937.05 (b)**

It shall be the duty of Council or its representative to provide for the disposal of all garbage and other refuse created within the Village in a manner that does not cause a public health nuisance and does not create any other conditions detrimental to public health and comfort.

**Section Five:** That Section 937.07 of the Codified Ordinances of the Village of Cedarville be amended to read as follows:

**937.07 SERVICE CHARGES**

(a) Effective January 1, 2023, the waste removal fees for Householders and Commercial Operators in the Village shall be as follows and billed on a quarterly basis:

Householder rate per unit:	\$110*
Commercial Operator rate per unit:	\$158*
Two (2) yard dumpster	\$286*
Six (6) yard dumpster	\$514*

\* All accounts signed up for automatic ACH payments will receive a \$5 discount per active billing cycle.

(b) SECTION 937.07 (b) IS OBSOLETE AND HEREBY DELETED.

~~Residents are encouraged to continue their use of the Village recycling program and there shall be no additional monthly charge over and above that set forth in Section (a) above for pick-up of these separated recyclables.~~

(c) SECTION 937.07 (c) IS OBSOLETE AND HEREBY DELETED.

~~The rate for each commercial customer shall be the actual billing rate of the commercial hauler plus the overhead differential of eight dollars and eighty five cents (\$8.85) per business. In the event a commercial customer desires more than one pick-up per week, that customer must contact the Village Administrator and negotiate a new schedule and billing charges.~~

(d) SECTION 937.07 (d) IS OBSOLETE AND HEREBY DELETED.

~~Yard wastes will be collected by the contractor when properly prepared by the resident, as long as allowed by State Law. When it becomes illegal for the contractor to do so, the manner of disposal of yard waste shall be the responsibility of the resident and/or property owner.~~

~~In case of an emergency, the Village Administrator may arrange for disposal of yard wastes at the Village Landfill, including all or parts of trees and building debris.~~

**Section Six:** That Section 937.08 of the Codified Ordinances of the Village of Cedarville be amended to read as follows:

**937.08 OTHER RATES OF SERVICE**

In cases where there are no rates established by this chapter, the Village Fiscal Officer shall make recommendations to Council for the establishment of rates of service.

**Section Seven:** That Section 937.99 of the Codified Ordinances of the Village of Cedarville be amended to read as follows:

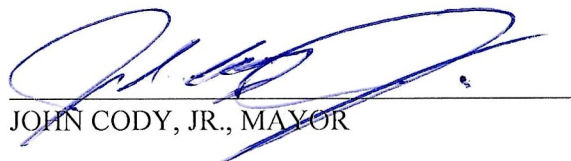
**937.99 PENALTY**

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00) per offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

**Section Eight:** That this Ordinance take effect upon the earliest time permitted by law.

INTRODUCED: JAN. 23, 23

PASSED: JAN. 23, 23

  
JOHN CODY, JR., MAYOR

ATTEST:   
ROD JOHNSON, FISCAL OFFICER