

ORDINANCE NO. 2014 - 3

AN ORDINANCE REPEALING IN ITS ENTIRETY CHAPTER 951 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED "GARBAGE AND RUBBISH COLLECTION," SPECIFICALLY, SECTION 951.01 TITLED "RECEPTACLES REQUIRED," SECTION 951.02, TITLED "USE OF RECEPTACLES," SECTION 951.03, TITLED "PRIVATE INCINERATION," AND SECTION 951.99, TITLED, "PENALTY," AND DECLARING AN EMERGENCY.

WHEREAS, the majority of the electors of the City of Willowick at the General Election of November 6, 2012, and by popular vote approved the amendment to the City of Willowick Charter to eliminate in its entirety Article 8, Section 8.9, Garbage and Rubbish Collection, and its requirement that Council provide all single-family residences with garbage and rubbish collection, including yard waste and grass clippings, to be paid from the General Fund and included in the annual estimates as provided by Section 8.1 of the City Charter; and

WHEREAS, it is therefore necessary to repeal Chapter 951 of the Codified Ordinances of the City of Willowick and its no longer relevant and antiquated regulations;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Willowick, County of Lake, State of Ohio:

Section 1. That Chapter 951 of the Codified Ordinances of the City of Willowick, Lake County, Ohio, titled "Garbage and Rubbish Collection" and specifically Section 951.01 titled "Receptacles Required," Section 951.02, titled "Use Of Receptacles," Section 951.03, titled "Private Incineration," and Section 951.99, titled, "Penalty," is hereby repealed in its entirety and as follows:

CHAPTER 951 Garbage and Rubbish Collection

951.01 RECEPTACLES REQUIRED.

~~The owner, agent, lessee or occupant of any property within the City where garbage or similar waste is produced or is permitted to accumulate shall provide one or more receptacles for garbage or other accumulated waste and shall maintain such receptacles in good condition so that the same shall not leak.~~

~~Such receptacles shall be metal, watertight, provided with a closely fitting metal cover, have a capacity of not more than ten gallons and provided with suitable handles. The provisions of this section shall not apply to any property where within the main structure there is located either a garbage disposal unit or approved garbage incinerator where all garbage or similar waste is promptly disposed of and where none of such garbage is at any time placed or permitted to remain outside of such main structure (Ord. 55-72. Passed 10-12-55).~~

951.02 USE OF RECEPTACLES.

~~No person, being the owner, agent, lessee or occupant of any property within the City, shall place, cause to be placed or permit to be placed or remain upon such property outside of the residence building or other principal structure upon such property any garbage or similar waste, unless such substance is contained in the receptacle provided for in Section 951.01 which receptacle shall at all times, except when being filled or emptied, be kept tightly covered (Ord. 55-72, passed 10-12-55).~~

~~951.03 PRIVATE INCINERATION.~~

~~Nothing in this chapter shall prohibit the private incineration of combustible waste and garbage in a home or commercial establishment if the operation produces neither smoke nor odors which are public nuisances or public health or safety hazards. Such incineration shall be efficient so that garbage and all other combustible waste will be substantially consumed. The residue may be stored in containers as described in Section 951.01 (Ord. 77-76, Passed 11-1-77).~~

~~951.04 TRASH COLLECTION, CONDOMINIUMS, COST REIMBURSEMENT.
(REPEALED)~~

~~(EDITORS NOTE: Section 951.04 was repealed by Ordinance 2013-7, passed February 5, 2013, which was enacted to conform with Charter amendment of November 6, 2012).~~

~~951.99 PENALTY.~~

~~Whoever violates any of the provisions of this chapter, or fails to comply therewith, shall be guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense. Each day's violation shall constitute a separate offense (Ord. 90-23, Passed 5-15-90).~~

Section 2. All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare and dignity of the residents of the City of Willowick.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: 3/4/14



Robert Patton, Council President

Attest: Susan Wovrosh

Susan Wovrosh, Clerk of Council

Approved by Mayor: FEB 05 2014

Richard J. Bonde

Richard J. Bonde, Mayor