

TITLE FIVE - Additional Public Services
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CHAPTER 971
 Garbage and Rubbish Collection

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CROSS REFERENCES

Collection and disposal of garbage - see Ohio R.C. 715.43, 717.01
 Vehicle loads dropping, leaking - see TRAF. 339.08
 Tree trimming business regulations - see BUS. REG. Ch. 777
 Open burning - see FIRE PREV. Ch. 1515

971.01 DEFINITIONS.

As used in this chapter:

- (a) "Garbage" means all putrescible wastes, except human excreta, sewage and other water-carried wastes, including vegetable and animal offal and carcasses of dead animals, and includes all such substances from all public and private establishments, and from all residences.
- (b) "Other refuse" means ashes, grass, glass, crockery, tin and aluminum cans, paper, boxes, rags and old clothing and other similar nonputrescible wastes. The term does not include any materials such as earth, sand, trees, tree trunks, tree stumps, shrubs, concrete, brick, roofing, tile, stone, plasterboard, oil, paint, plaster, dry wall, lumber, wood, carpet or other similar substances that may accumulate as a result of remodeling or construction projects.

- (c) "Bulky waste" means hot water tanks, mattresses, box springs, freezers, dishwashers, washers, dryers, unusable furniture, stoves, ovens, and refrigerators. The term does not include any materials such as earth, sand, trees, tree trunks, tree stumps, shrubs, concrete, brick, roofing tile, stone, plasterboard, oil, paint, plaster, dry wall, lumber, wood, carpet or other similar substances that may accumulate as a result of remodeling or construction projects.
- (d) "Householder" means the head of family or one maintaining separate living quarters and includes owners, tenants and occupants of all premises where garbage or other refuse or both are created. Nothing in this definition shall be construed to apply to commercial operators as defined in subsection (f) hereof.
- (e) "Premises" means land or building or both, or parts of either or both, occupied by a householder or a commercial operator.
- (f) "Commercial operator" means all persons, firms or corporations who own or operate stores, restaurants, industries, institutions and other similar places, public or private, charitable or non-charitable, and includes all responsible persons other than householders, upon the premises of which garbage or other refuse or both are created.
- (g) "Nonresident" means person or persons living outside of City limits.
- (h) "Red Tagged" means a licensed technician must remove the Freon/coolant and tag the appliance. (Ord. 57-2004. Passed 1-10-05.)

971.02 REGULAR PICK-UP.

(a) No householder or commercial operator shall permit to accumulate upon the premises any garbage or other refuse except in covered containers, up to twenty-gallon capacity, approved by the Director of Public Service.

When plastic containers are used, the City shall not be responsible for the cost if the containers are split, torn or damaged.

(b) All garbage and refuse shall be kept in rust-resistant, watertight, nonabsorbent, and easily washable containers which are covered with close-fitting lids except as provided in subsection (c) hereof. Where practicable, all garbage shall be drained of liquid and wrapped in paper. These containers shall be of adequate capacity and provided in sufficient number to hold all garbage and refuse that accumulates between collections. All containers shall be washed and treated with a disinfectant as often as necessary to prevent nuisance.

(c) Garbage and refuse can also be stored in other reasonably tight and substantial containers that are easy to handle. Such containers can be plastic bags of adequate capacity and thickness, tied at the top and provided in sufficient number to hold all other refuse that accumulates between collections.

(d) Boxes, papers, tree cuttings and odd articles shall be crushed and bundled in lengths not more than three feet and not more than fifty pounds in weight. Such items of refuse shall be placed at locations designated by the Public Service Director on normal day of collection.

(e) Garbage and rubbish shall not be placed on the curb strip before 5:00 p.m. on the day prior to the designated pickup.

(f) Garbage and rubbish containers shall not remain on the curb strip after 12:00 midnight on the day of designated pickup.

(g) The Director of Public Service shall provide for the collection of all garbage from all premises within the City at least once each week. Garbage shall be placed at one location on the premises where collection can be made in a normal routine route by the Sanitation Department. Other refuse shall be collected according to a schedule determined by the Director of Public Service or the Superintendent of the Sanitation Department.

The Director shall provide for the collection of all garbage and other refuse from the premises of all commercial operators within the City at least three times each week. If three collections per week is not adequate for health issues, commercial operators must provide a dumpster to secure all garbage and other refuse.

(h) Nonresidents are prohibited from disposing of any garbage, other refuse or bulky waste anywhere in the City limits.
(Ord. 57-2004. Passed 1-10-05.)

971.03 INDIVIDUAL COLLECTION RULES.

(a) All garbage or other refuse transported on the street or other public thoroughfares in the City shall be in containers, or shall be in vehicles, the bodies of which are leakproof and of easily cleanable construction, and shall be completely covered with metal or heavy canvas. Spillage or drippings from vehicles transporting garbage and other refuse is not permitted.

(b) Individuals must obtain approval from the Director of Public Service forty-eight hours prior to placement of a container on City property.
(Ord. 57-2004. Passed 1-10-05.)

971.04 SPECIAL PICK-UP.

(a) All garbage and other refuse created within the City shall be disposed of by the City as hereinafter provided or in a manner and at such place or places as specified by the Director of Public Service.

(b) It shall be the duty of the Director to dispose of or provide for the disposal of all garbage and other refuse created within the City in a manner so as not to cause a public health nuisance, the attracting of rats and flies or other conditions detrimental to public health and comfort.

(c) All Christmas Trees will be picked up between the period of January 2 and January 25.

(d) Nonresidents are prohibited from disposing of any garbage, other refuse or bulky waste anywhere in the City limits.

(e) The City shall not be responsible for any materials such as, sand, earth, tree trunks, tree stumps, concrete, brick, roofing tile with nails, stone, oil, paint, tires, batteries, or other similar substances that the landfill does not except.

(f) It shall be the duty of the Director of Public Service to dispose of or provide for disposal of all bulky waste such as hot water tanks, mattresses, box springs, washers, dryers, unusable furniture, stoves, ovens, dishwashers. These items shall be collected after resident makes a request by phone or letter to the General Services Superintendent. The City shall provide up to three (3) special pick-ups each calendar year to each address. Items will be picked up on a first come basis. Also, addressee may get a ticket from the general services department to haul items themselves to the landfill. Freezers, refrigerators, air conditioners and any other appliance that has or has had Freon/coolant cannot be picked up until the item has been red tagged.

(g) If address exceeds the three (3) pickups the City shall charge expenses. Examples labor, equipment, and landfill costs.
(Ord. 57-2004. Passed 1-10-05.)

971.05 ACCUMULATION OF UNCOLLECTED GARBAGE PROHIBITED.

No person shall permit fermenting, putrefying or odoriferous garbage or other refuse in containers or dumped in the open to accumulate or remain in any place.
(Ord. 57-2004. Passed 1-10-05.)

971.06 TRASH COLLECTION RATES.

(a) Commencing June 1, 2009 all owners or tenants of real estate within New Philadelphia, Ohio, shall pay a monthly fee of ten dollars (\$10.00) for each lot with an improvement thereon for trash collection services offered by the City except for those paying under other sections contained herein.

(b) All owners of single family dwellings and residential units up to and including seven (7) units at one (1) property shall pay a monthly fee of thirteen dollars and 25/100 (\$13.25) per unit.

(c) For each additional residential unit above seven (7) units at one (1) property, an additional monthly fee of three dollars (\$3.00) per unit shall be paid.

(d) For each business, church, school, government office or other category not specifically listed herein, a monthly fee of seventeen dollars and 25/100 (\$17.25) per pick up per week shall be paid by the owner or occupier for weekly pick up.

(e) For all manufactured home lots and condominium units, a monthly fee shall be assessed and paid at thirteen dollars and 25/100 (\$13.25) per month.

(f) Industrial, commercial hotels or retail users shall be assessed an additional charge based upon a contract negotiated between the City and such business for pick ups which cause a burden or hardship upon the City.

(g) All charges shall be assessed the first day of each month with payment due thereon within 14 days after the billing.

(h) Sanitation services for residential users outside the City limits but within the present sanitation routes who receive water and/or sewer service may be provided this service for a charge of twenty-three dollars and 25/100 (\$23.25) at the discretion of the Service Director.

(i) Residential owners shall receive three (3) extra pick ups per year at no additional cost subject to scheduling availability. For any additional pick ups, the charge shall be twenty-five dollars (\$25.00) each. There shall be no refunds or prorating for any charge. There shall be a ten percent (10%) penalty for any late payment.
(Ord. 17-2009. Passed 5-28-09.)

971.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
(Ord. 17-2009. Passed 5-28-09.)