

1st Reading - May 21st, 2020
2nd Reading - June 4th, 2020
SRA & P - June 18th, 2020
Sponsor: Woolum

ORDINANCE NO. 2020-28

AN ORDINANCE BY THE CITY OF WELLSTON LEGISLATIVE AUTHORITY ADOPTING AMENDING AND REPLACING RELEVANT SECTIONS OF CHAPTER 50 OF THE WELLSTON CODE IN ITS ENTIRETY

WHEREAS the City of Wellston Council has established rules and regulations for municipal garbage collection and have codified those Rules as Chapter 50 of the Wellston Codified Ordinances; and

WHEREAS the City Service Director and mayor have recommended various amendments to sections of Chapter 50: Garbage of the Wellston Codified Ordinances, a copy of the revised Rules and Regulations detailing the amendments to be made is attached hereto; and

WHEREAS the Council has reviewed and given input on the Rules; and

WHEREAS the Council has determined that it is in best interest of the health safety and welfare of the inhabitants of the City to adopt the Rules, a copy of which is attached as Exhibit A

NOW THEREFORE BE IT ORDAINED by the Council that:

Section One: Relevant Sections of Chapter 50: Garbage of the Wellston Codified Ordinances are hereby amended and replaced. Chapter 50 is hereby amended and replaced as detailed in attached Exhibit A.

Section Two: It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and the deliberations of the council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the legislative authority of the City of Wellston this 18th day of June, 2020.

Christie Peltier
Council President

ATTEST:

Amy Skewes
Clerk of Council

Approved this 18th day of June, 2020.



Mayor

Posted 6-18-2020 through 7-2-2020 at Pig, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Post Office.

Prepared by: Randy H. Dupree, Law Director, City of Wellston

CHAPTER 50: GARBAGE 2/21/20

Section

- 50.01 Definitions
- 50.02 Rules and regulations
- 50.03 Garbage cans
- 50.04 Accumulation restricted; collection intervals
- 50.05 Disposal permitted only at city disposal area
- 50.06 Rates for collection
- 50.07 Payment; delinquency
- 50.08 Collection agents; licensing

§ 50.01 DEFINITIONS.

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

COLLECTING AGENT. Every natural person or association of persons, partnership or corporation.

PROPERTY OWNER. All other premises and institutions, public or private, charitable or non-charitable, upon which refuse is created.

GARBAGE. All putrescible waste except sewage and body waste, including vegetable and animal offal and carcasses of small dead animals, but excluding recognizable industrial by-products, and includes all such substances from all public and private establishments and from all residences.

HOUSEHOLDER. The head of a family or one maintaining his or her separate living rooms or quarters in which a kitchen or cooking or eating facilities are provided, and includes owners, tenants and occupants of all premises upon which refuse is created.

PREMISES. Land or building, or both, or parts of either, or both, occupied by one householder or property owner.

REFUSE. Includes garbage, rubbish and any other waste not specifically excluded in the sections of this chapter.

REFUSE COLLECTOR. The city and all of its agents or employees connected with the collection and disposal of refuse.

RUBBISH. Ashes, bottles, broken glass, crockery, tin cans, cast iron, printed matter, paper, boots, hats and other clothing; it excludes earth, sand, brick, stone, plaster or other substances that may accumulate as a result of building operations.

(2003 Code, § 50.01) (Ord. 1560, passed 3-19-1953; Ord. 1564, passed 5-7-1953)

§ 50.02 RULES AND REGULATIONS.

The Director of Public Safety and Service, for the purpose of collecting and disposing of garbage and rubbish, is authorized and directed to make such rules and regulations and prescribe such standards as are necessary or convenient, including the division of the city into collection districts, and is authorized to enforce such rules and regulations.

(2003 Code, § 50.02) (Ord. 1560, passed 3-19-1953; Ord. 1564, passed 5-7-1953)

§ 50.03 GARBAGE CANS.

- (A) Each householder or property owner in or upon premises within the city where garbage is created, shall receive and keep available for the exclusive use on such premises, or that part occupied by the householder or property owner, a garbage can of the City's choosing to hold all the garbage created thereon for the period of one week between garbage collections, and pending its removal by the refuse collector, such can shall be kept water-tight, that all garbage must be bagged, and fit into the can with the lid shut. The can shall be placed on ground level

of the premises and at a place easily accessible for the refuse collector, with the front of the can facing forward to the street. All garbage created upon the householder's premises or property owner must be placed in said can by the householder. Accommodations for Senior Citizens that have issues with placing the can at the curb will be made.

- (B) Each household has a choice between a 95 gallon or 36 gallon can. An additional can be added for \$6 per month.
- (C) No person shall place any garbage in a garbage can unless the garbage has been drained of water and wrapped in paper.
- (D) No person shall remove refuse from any premises occupied by a householder or property owner except the refuse collector or the owner thereof. This division (C) does not apply to any law enforcement officer or other federal, state or local official or agent thereof acting within the scope of his or her duties.
- (E) Each householder shall deliver his or her garbage in the can to the refuse collector at least once each week. No garbage shall be placed, kept or conveyed in a rubbish container.
- (F) A charge for bags in excess of the limit shall be imposed. The charge shall be \$2 per bag. Charges for excess bags shall be added to the billing for the following period.
- (G) Missing cans must be reported to the Police Dept. Missing cans without a Police report are subject to the resident or property owner responsible for the replacement costs added to the next billing cycle

(2003 Code, § 50.03)

(Ord. 1560, passed 3-19-1953; Ord. 1564, passed 5-7-1953; Ord. 2497, passed 10-7-1982; Ord. 2980, passed 2-20-1992) Penalty, see § 10.99

§ 50.04 ACCUMULATION RESTRICTED; COLLECTION INTERVALS.

(A) No householder or property owner shall:

(1) Keep refuse on his or her premises longer than that period expiring between two consecutive collection dates when actual collections are made by the refuse collector; or

(2) Permit garbage to accumulate for more than two weeks or refuse, for a period of more than one month, to dispose of the garbage when collection by the city has not been desired.

(B) The Director of Safety and Service is responsible for seeing that all garbage is collected from premises within the city at least every week.

(2003 Code, § 50.04) (Ord. 1560, passed 3-19-1953; Ord. 1564, passed 5-7-1953; Ord. 2980, passed 2-20-1992) Penalty, see § 10.99

§ 50.05 DISPOSAL PERMITTED ONLY AT CITY DISPOSAL AREA.

No person shall dispose of, bury, burn or dump garbage within the city limits. In the interest of public health and sanitation, all existing dumping places within the city are hereby declared a nuisance and ordered closed.

(2003 Code, § 50.06) (Ord. 1560, passed 3-19-1953; Ord. 1564, passed 5-7-1953) Penalty, see § 10.99

§ 50.06 RATES FOR COLLECTION.

Every householder or property owner creating refuse shall pay with their water and sewer for collection in accordance with the following monthly rates.

(A) *Monthly service.* Residential Garbage \$16.00 per month.

Large Household Item such as sofas, chairs,
mattresses, etc. MUST be dry and wrapped in plastic or

large bags. Bags Available at the City Building

\$15.00 each item

Large loads, multiple Household Items, Carpet, etc.

Per each compaction of the Hopper

\$75.00

Construction Refuse- commercial dumpsters only

Roofing, building materials, tires, batteries and unbundled brush
will not be picked up on special haul, nor on regular weekly pickup

(2003 Code, § 50.07) (Ord. 3591, passed 3-2-2006; Ord. 4043, passed 1-8-2009)

§ 50.07 PAYMENT; DELINQUENCY.

(A) Each householder or property owner shall have their garbage charges added to their water and sewer bill which is due by the tenth of the month of billing. Garbage charges not paid when due shall be subject to a 10% penalty on the unpaid balance that must be paid by the next billing period.

(B) The City Auditor shall place all collection rates not paid by the householder or property owner, within a period of one month after a delinquency notice has been served, on the tax duplicate with the interest and penalties allowed herein and by law, which amount shall be collected in the same manner as municipal taxes are collected.

(2003 Code, § 50.08) (Ord. 1560, passed 3-19-1953; Ord. 1564, passed 5-7-1953; Ord. 2826, passed 1-5-1988; Ord. 3597, passed 5-18-2006)
passed 11-6-1994)

§ 50.08 COLLECTION AGENTS; LICENSING.

(A) No person, corporation or association shall collect, haul or dispose of refuse, as defined in § 50.01, unless licensed as a collection agent by the city.

(B) Any person, corporation or association desiring to be licensed as a collecting agent for the purpose of the collection of refuse of any household or property owner, or the licensee's own refuse, shall apply to the Director of Public Safety and Service for a license. The Director shall issue a license to any applicant upon payment of an annual license fee of \$150 by the applicant. The license provided in this section shall be renewed October 1 of each year upon the payment of the license fee.

(2003 Code, § 50.10) (Ord. 2497, passed 10-7-1982; Ord. 2568, passed 2-2-1984) Penalty, see § 10.99

(2003 Code, § 51.02) (Ord. 4160, passed 1-17-2013; Ord. 2016-142, passed 1-5-2017)

§ 51.07 SEWER USER FEES ESTABLISHED FOR CERTAIN AREAS.

The city will provide sanitary sewer services to the residents of the Green Acres Subdivision, Four Winds Nursing Home and Fairgreens Road at the same cost to the residents as the citizens of the city pay. Should increases come in sanitary sewer service charges to the citizens of the city, the customers in these areas will be affected with the same increases. Customers in these areas will comply with all ordinances, regulations and policies as are imposed upon the citizens of the city, including, but limited to, applications for service, deposit, billing, disconnections, delinquencies and liens.

(2003 Code, § 51.10) (Ord. 4160, passed 1-17-2013; Ord. 2016-142, passed 1-5-2017)

§ 51.08 WATER AND SEWER RATE SCHEDULE.

(A) The following shall be the monthly water rates charged to the customers of the city.

<i>Water Rates as Jan 1 2020</i>		
<i>Usage</i>		<i>1/1/2020</i>
Base or minimum bill		\$8.00
Zero usage		\$3.00
1,000 gallons		\$9.46
2,000 gallons		\$18.92
3,000 gallons		\$28.38
Next 5,000 gallons (per 1,000)		\$8.67
Next 6,000 gallons (per 1,000)		\$7.92
Over 14,000 gallons (per 1,000)		\$7.18
General mills		\$3.09

<i>Sewer Rates as Jan 1 2020</i>		
<i>Usage</i>		<i>1/1/2020</i>
Base or minimum bill		\$14.00
Zero usage		\$3.71

CHAPTER 51: WATER AND SEWER CHARGES

Section

- 51.01 Water and sewer tap-in fees; bond
- 51.02 Water and sewer service application
- 51.03 Billing procedure and collection of water rents and charges
- 51.04 Estimated bills
- 51.05 Water and sewer service termination policy
- 51.06 Water and sewer rates established
- 51.07 Sewer user fees established for certain areas
- 51.08 Water and sewer rate schedule
- 51.09 Service related charges and fees
- 51.10 Adjustments
- 51.11 Dormant water meters

Cross-reference:

Public Utilities Division, see § 34.05

Utility Director, see § 30.04

§ 51.01 WATER AND SEWER TAP-IN FEES; BOND.

(A) (1) Each property owner, lessee or other person desiring to connect to a city sanitary sewer or water line shall be required to obtain a permit from the Director of Public Safety and Service and pay a tap fee and for necessary materials as follows. Fees include one joint of Pipe and Tap. Property owner is responsible for any additional Costs.

<u>Sewer Taps</u>	\$900
<u>Water Taps</u>	
¾ and 1inch	\$900
2 inch	\$1025 plus Meter Cost and Installation
4 inch & larger	\$1275 plus Meter Cost and Installation
Additional Costs as needed	
Lids	\$30
Ring	\$40
Risers	\$125