

(First Published on the \_\_\_ day of \_\_\_\_\_, 2011)

**ORDINANCE NO. 1304**

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12-5-2011*

**AN ORDINANCE REPEALING CERTAIN SECTIONS OF THE CODE OF THE CITY OF COLUMBUS, RELATING TO THE DISPOSAL OF SOLID WASTE, ARTICLE XV, SECTION 15-505, SECTION 15-5 12, SECTION 15-527 ESTABLISHING STANDARDS FOR ADEQUATE SOLID WASTE CONTAINERS AND RESPONSIBILITY OF OWNERS/OCCUPANTS TO REMEDY TRASH LITTER, PROHIBITING SCATTERING OF REFUSE BY ANIMALS, PESTS AND RODENTS, ESTABLISHING FINES FOR VIOLATION OF THESE UNLAWFUL AND PROHIBITED PRACTICES AND PROVIDING SUBSTITUTE PROVISION THEREOF.**

**WHEREAS**, Container standards pertaining to solid waste were established by Code 1999 at Article XV, Section 15-505, and amended pursuant to Ordinance No. 1275.

**WHEREAS**, inadequate solid waste containers can cause nuisances, littering and unsafe health conditions when animals, pests, rodents or weather conditions enter the containers and/or scatter solid waste and garbage in the City.

**WHEREAS**, owners/occupants shall provide solid waste containers to secure garbage from animals, pests, rodents and weather conditions. Owners/occupants shall be responsible to remedy any trash and littering problems resulting from garbage being disturbed and/or scattered. Solid waste collectors employed by the City or operating under contract with the City are not responsible for picking up loose garbage and litter.

**WHEREAS**, precollection practices were established by Ordinance 955, Sec. 3 at Article XV, Section 15-527, and amended pursuant to Ordinance No. 1276.

**WHEREAS**, scattered refuse or garbage on any street, sidewalk, alley, sewer, public place or private premises creates an unlawful nuisance.

**WHEREAS**, owners/occupants are responsible to secure garbage from animals, pests, rodents or weather conditions and elements to prevent the deposit of refuse on public property or private premises within the City.

**WHEREAS**, effective enforcement of these unlawful and prohibited practices requires the establishment of penalties to be assessed when violations occur.

**WHEREAS**, violation of any subsection described herein shall result in issuance of a citation to be heard in the Columbus Municipal Court with a minimum fine assessed in the amount of not less than \$50.00 or more than \$500.00, plus Court costs.

SECTION 3. That Ordinance No. 1274 and City Code Section 15-512 shall be amended as follows:

- City Code Section 15-5 12: It shall be unlawful for any person to:
- (a) Deposit solid waste in any container other than that owned or leased by him/her or under his/her control without written consent of the owner and/or with the intent of avoiding payment of the refuse service charge;
  - (b) Interfere in any manner with employees of the City or its contractors in the collection of solid waste;
  - ( c ) Burn solid waste except in an approved incinerator and unless a variance has been granted and a written permit obtained from the City or the appropriate air pollution control agency;
  - (d) Bury refuse at any place within the City except that lawn and garden trimmings may be composted.

SECTION 4. PENALTY. Violation of Section(s) 1, 2 or 3 described herein shall result in a issuance of a citation to be heard in the Columbus Municipal Court with a minimum fine assessed in the amount of not less than \$50.00 or more than \$500.00, plus Court costs.

SECTION 5. CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as they conflict herewith.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the Official City Newspaper.

PASSED AND APPROVED this \_\_\_ day of November 2011.

APPROVED:

\_\_\_\_\_  
Marie Nepple, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)