

Ordinance 2017-24 To amend Ordinance 2016-03 Litter Enforcement.

Whereas, the village has entered into a contract for zoning enforcement, and;

Whereas, the Planning and Zoning Code section 24.06 has a different definition for "Litter";

THEREFORE, be it ordained by the Village Council for the Village of South Bloomfield, Pickaway County, State of Ohio, that...

Section 1 Ordinance 2016-03 is hereby amended to read;

ORDINANCE 2016-03

An Ordinance to establish requirements to control littering in the Village of South Bloomfield so as to protect the public health, safety and welfare, and to prescribe penalties for the failure to comply.

WHEREAS, improper discarding and untimely cleanup of litter, on private and public property with the Village, is a threat to the health, safety and welfare of the residents of the Village; and

WHEREAS, the Village desires to provide a uniform prohibition of littering on public and private property, to protect the health, safety and welfare of the residents; and

WHEREAS, the Village wishes to improve on the overall appearance and environmental conditions throughout the Village.

THEREFORE, be it ordained by the Village Council for the Village of South Bloomfield, Pickaway County, State of Ohio, that...

Section One: For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning stated herein:

A. **Litter** ~~Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material.~~

Any used or unconsumed substance or waste material, which has been, discarded which made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material, or any combination..

B. **Litter Receptacle** A container suitable for the depositing of litter.

C. **Person** Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Section Two: It shall be a violation of this ordinance for any person in charge or control of any premises to allow or permit ~~garbage or trash containers~~ a litter receptacle to be open or uncovered, and it shall be unlawful for any such person to permit or allow an accumulation of ~~garbage, trash, or litter~~ in the vicinity of any ~~garbage or trash containers~~ a litter receptacle serving such premises.

Section Three: It shall be a violation of this ordinance for any person in charge or control of any premises to allow or permit ~~garbage or trash~~ litter to accumulate anywhere that could enter waterways, roads, sidewalks, adjoining property or is not permitted is seen from any public road. It is the duty of the owner or tenant to maintain a clean and healthy environment free of all garbage and trash regardless of the the root source of the litter and trash.

Section Four: Advertisement on streets, prohibited.

It shall be a violation of this ordinance for any person to paste, post, paint, deposit, print or in any way fasten or cause or allow the pasting, posting, painting, depositing, printing or in any way fastening of any handbill, sign, notice or advertisement of any kind or character, on any curb, sidewalk, street or right-of-way, or any part thereof, or upon any tree, post, pole, hydrant, bridge or any structure within the limits of any street in the Village.

Section Five: The following are hereby designated as litter control officers:

- A. All police officers of the village.
- B. Any employee of the village as the mayor may direct.
- C. The Zoning Inspector

Section Six: Procedures

Any litter control officer of the village may issue a corrective notice of violation to persons, firms, or corporations found to be in violation of any of the village's littering ordinances. Said notice shall indicate the nature of the violation and specify a definite period of time in which to correct the violation. Failure to comply with such notice within the time specified therein shall constitute a separate offense, punishable as provided for in this ordinance.

When any employee of the village designated as a litter control officer, as defined above, observes any violation of the provisions of this ordinance, such employee may choose to cite and notify the defendant for a violation of the village's litter ordinance.

In lieu of appearing in court to answer a citation, any person or corporation may after signing a waiver and guilty plea pay a fine or fines in accordance with the minor violation settlement schedule established by the village council.

Section Seven: Fines

First Offense:	\$150.00 plus court cost
Second Offense within a calendar year:	\$200.00 plus court cost
Third Offense within a calendar year:	\$300.00 plus court cost
Four and above within a calendar year:	\$500.00 plus court cost

Section 2 This ordinance shall take effect upon passage and remain in full force after the earliest period allowed by law.

PASSED: 12/7/17

ATTEST: Jessy Dorst
CFO

APPROVED BY MAYOR: [Signature]

DATE OF APPROVAL: 12-8-17

APPROVED BY ATTORNEY: [Signature]
(As to form)

Posted in the following places for 15 days

- South Bloomfield municipal building
- BP service station
- Millport chapel
- Scioto estates
- W. Main St. Bulletin board