

TITLE THREE - Sanitation

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CHAPTER 1731
Littering

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CROSS REFERENCES

- Removal of litter - see Ohio R.C. 731.51 et seq.
 - Litter control - see Ohio R.C. Ch. 1502
 - Littering and deposit of garbage, rubbish, junk - see GEN. OFF. 521.08
 - Garbage and rubbish collection - see S.U. & P.S. Ch. 919
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1731.01 DEFINITIONS.

(a) "Garbage" means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

(b) "Litter" means "garbage", "refuse" and "rubbish" as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

(c) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

(d) "Private premises" means any dwelling, house, building or any other structure used or designed to be used either wholly or in part for residential or commercial purposes, whether in use or vacant and includes any yard, walk, grounds, driveway or parking area belonging to or appurtenant to such structure, building, dwelling or house.

(e) "Refuse" means all putrescible and nonputrescible solid wastes, except body wastes, including garbage, rubbish, ashes, street cleanings, dead animals and solid market and industrial wastes.

(f) "Rubbish" means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.
(Ord. 68-43. Passed 3-18-68.)

1731.02 DEPOSITING LITTER ON PRIVATE PREMISES.

No person shall throw or deposit litter on any private premises within the City, whether owned by such person or not, except that the owner or person in control of private premises may maintain private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private premises.
(Ord. 68-43. Passed 3-18-68.)

1731.03 OWNER TO MAINTAIN PREMISES FREE OF LITTER.

The owner or person in control of any private premises shall at all times maintain the premises free of litter. However, this section shall not prohibit the storage of litter in private receptacles for collection.
(Ord. 68-43. Passed 3-18-68.)

1731.04 NOTICE TO REMOVE LITTER.

The Health Commissioner shall cause notice to be issued to the owner of any open or vacant private premises located within the City or the agent of such owner, to dispose of litter located on such premises which is dangerous to the public health, safety or welfare. Such notice shall be by certified mail addressed to such owner or agent at his last known address. In the event the address of the owner or other person having charge of such land is unknown, it shall be sufficient to publish such notice once in a newspaper of general circulation in the County.
(Ord. 69-70. Passed 5-5-69.)

1731.05 ACTION UPON NONCOMPLIANCE.

Upon the failure of any owner or agent to comply with such notice as provided in Section 1731.04 within five days after receipt of such notification, or within ten days after the date of such notice if unclaimed by the addressee, or within ten days after the date such notice is published as provided in Section 1731.04, the City Manager shall employ the necessary labor to perform compliance with the notice.
(Ord. 68-43. Passed 3-18-68.)

1731.06 WRITTEN RETURN TO COUNTY AUDITOR; AMOUNT OF LIEN.

The City Manager shall make a written return to the County Auditor of his action under Sections 1731.04 and 1731.05, with a statement of the charges for services, together with a description of the premises. Such amount shall be entered upon the tax duplicate and

shall be a lien upon such lands for the date of entry, and shall be collected as other taxes and returned to the City with the General Fund.

(Ord. 68-43. Passed 3-18-68.)

1731.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree. When litter which was the cause of a prosecution brought pursuant to this chapter has not been properly disposed of, such violator may be required to properly dispose of same or both. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.