

ORDINANCE NO. 8, 2011

**ORDINANCE ESTABLISHING GARBAGE COLLECTION SERVICES GUIDELINES
AND PROCEDURES AND DECLARING AN EMERGENCY**

WHEREAS, Council has passed a series of ordinances since 1999 providing for fees and collection guidelines for waste collection services within the Village; and

WHEREAS, Council believes that it is appropriate to consolidate all the guidelines and procedures for waste collection services into one ordinance and set of guidelines.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CLEVES, OHIO THAT:**

Section 1. The Garbage Collection Services Guidelines and Procedures attached hereto as Exhibit A is herewith adopted.


Section 2. To the extent that any provision in the following Ordinances conflict with the Guidelines and Procedures set out in Exhibit A, said provisions are herewith rescinded:

Ordinance No. 3-1999
Ordinance No. 4-1999
Ordinance No. 2-2000
Ordinance No. 8-2000
Ordinance No. 43-2001
Ordinance No. 44-2001
Ordinance No. 45-2003
Ordinance No. 35-2005
Ordinance No. 32-2007
Ordinance No. 34-2008

Section 3.

This Ordinance is hereby declared to be an Emergency Ordinance necessary for the immediate health preservation and welfare of the Village of Cleves. The purpose for this emergency is to clarify garbage collection guidelines and procedures at the earliest possible date.

PASSED: June 8, 2011

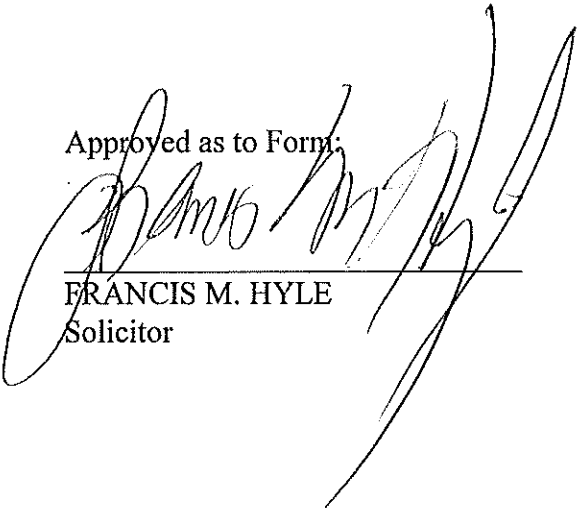


SHAWN SUTTON
Mayor



LINDA BOLTON
Clerk

Approved as to Form:



FRANCIS M. HYLE
Solicitor

VILLAGE OF CLEVES GARBAGE COLLECTION SERVICES GUIDELINES AND PROCEDURES

SERVICE GUIDELINES

- Each Resident may put up to six 35 gallon cans or bags out for collection each service day. No can or bag shall weight more than 50 pounds. If any can or bag exceeds 50 pounds, the resident must notify the service provider 24 hours in advance of the service day to receive service for that item. Large furniture items also require 24 hours notice. If a resident has a question concerning whether or not an item can be put out for collection, he should contact the service provider.
- No garbage, rubbish, yard waste, or other waste item shall be deposited or placed for collection sooner than 3:00 p.m. the day preceding the collection service day. All containers must be removed from collection area by 11:59 p.m. of the actual collection day.
- Yard waste may be placed for collection providing the following guidelines are followed. No more than 6 bags or cans of garbage or yard waste will be collected each week without a 24 hour notice to the service provider. A resident may use bags or cans or both, but the total of all bags and cans cannot exceed 6 without advance notice. In addition to bags and cans, up to 4 bundles of brush or twigs will be accepted each week, provided the bundles do not exceed 4' x 2' in size. Limbs and larger branches will be accepted only if the resident contacts the carrier at least 24 hours in advance.
- The service provider **WILL NOT ACCEPT** batteries, tires, liquids, combustible material, other hazardous material, freezers and certain items containing Freon. Any prohibited item that has been placed by the resident in the collection area must be removed from the collection area not later than 11:59 p.m. of collection day. The service provider may issue additional guidelines or limitations on what is acceptable for collection.
- The service provider will provide two waste wheelers free of charge to the Village for use at the Municipal Building, plus one 3-yard container at Cleves Community Park, and one 3-yard container at the Municipal Building.

BILLING PROCEDURES

- All property owners will be billed for garbage services commencing at the time the resident signs up to have water service activated. No residential homeowner is permitted to opt out of the garbage contractual agreement made between the Village of Cleves and the service provider. Businesses and multi-unit dwellings can opt out only if they maintain a dumpster at their place of business or at the multi-unit dwelling site.

- Property owners will be billed *quarterly* beginning with January of the current fiscal year. In the case of rental property, only the OWNERS will be billed since it is ultimately the owner's responsibility to see the bill is paid.
- In the case of an owner-occupied home in which the owner leaves the primary residence to reside at a secondary residence for a period of time, garbage service can be suspended on a monthly basis while the owner is gone, provided the owner requests the suspension in writing to the Water Board Clerk, 3 North Miami Avenue, Cleves, Ohio 45002. In the case of rental property, garbage service cannot be suspended until the residence has been vacant for more than three months and water service has been disconnected at the meter. In such a case, arrangements must be coordinated with the Water Board Clerk. Call (513) 941-3490 to make an appointment with the Water Board Clerk.
- In the case of multiple-unit dwellings, each specific unit will be considered a separate residence for billing purposes. If a multiple-unit dwelling has a dumpster, there will be no billing for garbage service.
- Payment of garbage bill is due within 30 days of the billing date.

FEES AND PROCEDURES FOR LATE OR NON-PAYMENT

- An administrative fee of \$.75 per month per residence is established and this fee shall be billed and paid for on a quarterly basis in conjunction with the garbage service bill. As with the regular garbage service, multi-unit dwellings are considered separate residences for the billing of the administrative fee.
- There shall be a \$5.00 per quarter late fee assessed for each property owner who does not pay the quarterly bill within 30 days of the billing date.
- If a property owner pays the yearly garbage service fee in full at the beginning of each fiscal year within the due date of the first quarterly billing, the owner will receive a \$4.00 credit on the administrative fees charged for the year.
- The Village reserves the right to collect all garbage fees and administrative fees and late charges by whatever means allowable by law, including but not limited to the filing of a lien with the Hamilton County Auditor for inclusion on the property owner's next real estate tax bill.

MINOR MISDEMEANOR

- Failure to follow the guidelines established for the placement of bags or cans at the collection area on service day, shall constitute a minor misdemeanor with penalties as prescribed by the Ohio Revised Code.