

ORDINANCE NO. 105-22

AN ORDINANCE AMENDING AND REPLACING CHAPTER 941 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO GARBAGE.

WHEREAS: That Chapter 941 of the codified ordinances of the City of Medina, Ohio relative to Garbage currently reads as set forth in Exhibit A, attached hereto and incorporated herein; and

WHEREAS: The proposed amendments to Chapter 145 were reviewed and approved by the Finance Committee on May 9, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That Chapter 941 of the codified ordinances of the City of Medina, Ohio relative to Garbage, is hereby amended and replaced in its entirety with the document marked Exhibit B, attached hereto and incorporated herein.

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: May 23, 2022

SIGNED: _____
President of Council

ATTEST: [Signature]
Acting Clerk of Council

APPROVED: May 24, 2022

SIGNED: [Signature]
Mayor

Effective date – June 22, 2022

CHAPTER 941

Garbage

- 941.01 Definitions and incinerator specifications.
- 941.02 Storage of garbage; containers.
- 941.03 Storage of rubbish; containers.
- 941.04 Collection districts.
- 941.05 Licensing of collectors; fees; regulations.
- 941.06 Collection rates.
- 941.07 Charges a lien; disconnection of water service.
- 941.08 Sanitation Fund.
- 941.99 Penalty.

"OLD" Existing
Code
Ord. 105-22
Exh. A

CROSS REFERENCES

- Collection and disposal of garbage - see Ohio R.C. 715.43, 717.01
- Employment of scavengers - see Ohio R.C. 3707.39
- Disposal and transporting on public ways - see Ohio R.C. 3767.20 et seq.
- Vehicle loads dropping, sifting, leaking - see TRAF. 339.08
- Littering - see GEN. OFF. 521.07
- Open burning - see FIRE PREY. Ch. 1505

941.01 DEFINITIONS AND INCINERATOR SPECIFICATIONS.

- (a) As used in this chapter:
- (1) "Garbage" means that accumulation of animal, vegetable and other matter that results from the preparation, consumption, decay or storage of meats, fish, fowl, fruits, vegetables and all other food substances or other organic matter subject to rapid bacterial action and decay.
 - (2) "Rubbish" means that accumulation of material, such as paper, cardboard, rags, straw, felt, leather, wearing apparel, packing material, sweepings, small pieces of wood, crockery, glassware, ashes, tin, small metal objects and other refuse, dirt or other nonorganic matter which can be reduced in size so that it can be transported in and by vehicles that are provided by the City for that purpose.
 - (3) "Dwelling unit" means any separate and self-contained place of human habitation occupied or intended for occupancy by one or more persons, including, without limiting the generality of the foregoing, each separate and self-contained place of habitation in two-family residences, multiple-family residences, apartment buildings and those flats and apartments maintained incidentally but separately in nonresidential buildings.
 - (4) "Contract rubbish hauler" and "salvage dealer" means those licensed by the City.
 - (5) "Ordinary collection" means any residential or nonresidential rubbish and/or garbage collected on the regularly scheduled day in accordance with guidelines established by the Director of Public Service.
 - (6) "Properly prepared residential garbage and/or rubbish" means all residential waste materials according to the provisions of this chapter.
 - (7) "Properly prepared rubbish and/or garbage" means all that is contained within the closed lid of an approved sanitation collection container. All additional rubbish and/or garbage around the container is subject to additional charges.
 - (8) "Sanitation truck hopper" means the rear of the sanitation truck where garbage and/or rubbish is loaded for compaction and transport with a volume of 2.7 yards capacity in uncompacted loose form.
 - (9) "Special pick-up" means any residential rubbish and/or garbage collected other than the normal scheduled collection day.
- (b) The following specifications are prescribed for garbage incinerators. A garbage incinerator shall:

- (1) Be of a type tested, approved and listed by the American Gas Association in their current Directory of Approved Gas Appliances and Listed Accessories and shall be installed in accordance with the provisions of the National Building Code, current edition or other current standards of the American Insurance Association. If activated electrically, it shall be approved by and bear evidence of Underwriters' Laboratories, Incorporated approval.
- (2) Operate so as to completely consume wet or dry garbage by burning it to ash without causing noise, offensive or noxious odors, vapors or gases, and without the discharge or emission into the atmosphere of sparks, ash or the powdered residue of the substance which has been burned.
- (3) Comply with Ohio and United States Environmental Protection Agency regulations.
(Ord. 50-89. Passed 4-24-89.)

941.02 STORAGE OF GARBAGE; CONTAINERS.

(a) Every owner, tenant, lessee or occupant of any single-family residence, two family residence, multifamily residence, flat, apartment, hotel, restaurant, eating place, boarding house, store, school, church or any other dwelling unit, industry or place of business premises where garbage is or may be accumulated or produced, shall provide and keep within a building on the premises or within twenty-five feet therefrom, suitable and sufficient receptacles that meet the requirements of this chapter, without the escape of odors, containing all garbage that accumulates on such premises between the regular garbage collection dates. Any and all such garbage produced or accumulated by such owner, tenant, lessee or occupant shall be stored by him in such receptacles during the interim between regular garbage collection dates. Such receptacles shall be so placed that they are readily accessible for removal and emptying of the garbage therefrom by the collectors at the front line of the premises for each scheduled collection, and at all other times where they will not be a public nuisance or in any degree offensive.

When the placing of such receptacles at the front line of a premises causes a public nuisance or otherwise causes undesirable health problems or hazards, the Director of Public Service may advise the owner, tenant, lessee or occupant that scheduled collection will be made at or from other designated parts of the premises.

(b) All garbage, as defined in Section 941.01(a)(1), shall be drained of free water and wrapped in paper before it is placed in the can or receptacle.

(c) If suitable and sufficient containers of a size larger than one cubic yard are not provided, nonresidential and residential garbage and rubbish shall be placed in a plastic bag, securely tied, be of a minimum 1.5 mil thickness and not exceed thirty-five pounds or thirty gallons when filled. Suitable and sufficient metal and/or plastic containers may be used to store properly prepared garbage and/or rubbish and shall have two handles, a tight fitting lid and not exceed forty gallons in volume or thirty-five pounds in weight.

(d) Garbage may be reduced by finely grinding or shredding and flushing with water into the sanitary sewer system of the City, or by burning it at any time within properly constructed incinerators within buildings. Unless otherwise specifically provided for herein, the incineration of garbage, or the flushing of the same into the sanitary sewer system shall not excuse the owner, tenant, lessee or occupant from the collection charges provided for hereinafter.

(e) No person shall bury garbage within the corporation limits of the City.

(f) No person shall throw or deposit garbage upon any public or private property within the corporate limits of the City.

(g) No person shall permit rats or mice or other animals to live in or feed upon garbage.

(h) No person other than City employees, shall collect garbage within the corporate limits or deposit garbage on any City landfill.

(Ord. 50-89. Passed 4-24-89.)

941.03 STORAGE OF RUBBISH; CONTAINERS.

(a) Every owner, tenant, lessee or occupant of any two-family residence, flat, apartment, hotel, motel, restaurant, eating place, boardinghouse, store, school, church, industry or place of business or any other premises where rubbish is produced shall provide and keep within a building, on such premises or within twenty-five feet therefrom suitable and sufficient metal containers for receiving and holding between collections all garbage and rubbish that accumulates on such premises. The containers shall be placed at the front line of the premises in time for the scheduled collection. All rubbish produced or accumulated by such owner, tenant, lessee or occupant shall be stored in such containers.

(b) Whenever the placing of containers at the front line of premises causes a public nuisance or otherwise causes undesirable health problems or hazards, the Director of Public Service may advise the owner, tenant, lessee or occupant that scheduled collections will be made at or from other designated parts of the premises.

(c) If suitable and sufficient containers of a size larger than one cubic yard are not provided, nonresidential and residential garbage and rubbish shall be placed in a plastic bag, securely tied, be of a minimum 1.5 mil thickness and shall not exceed thirty-five pounds or thirty gallons when filled. Suitable and sufficient metal and/or plastic containers may be used to store properly prepared garbage and/or rubbish and shall have two handles, a tight fitting lid and not exceed forty gallons in volume or thirty-five pounds in weight.

(d) Unless otherwise specifically provided for herein, the incineration of rubbish or use of contract rubbish haulers shall not excuse the owner, tenant, lessee or occupant from the collection charges provided for hereinafter to be defined as the minimum monthly charge.

(e) No person shall throw or deposit any rubbish upon any public or private property within the corporate limits of the City unless in compliance with the procedures described in this chapter.

(Ord. 50-89. Passed 4-24-89.)

941.04 COLLECTION DISTRICTS.

For the purpose of the collection of garbage and/or rubbish, as defined in Section 941.01, the Director of Public Service shall divide the City into as many districts as he deems necessary for the convenient collection thereof and he shall fix a day or days in each week on which garbage and/or rubbish will be collected by the City. The Director may arrange for collections of garbage and/or rubbish more often than once each week, if in his opinion and experience, such special collections are deemed proper for the maintenance of health and sanitation.

(Ord. 50-89. Passed 4-24-89.)

941.05 LICENSING OF COLLECTORS; FEE; REGULATIONS.

(a) Rubbish or industrial waste may be collected within the City in loose form or in containers of not less than eight cubic yards in size or in stationary compactors, by any person, firm or corporation after first obtaining a license from the Director of Public Service.

The license fee shall be two hundred dollars (\$200.00) per year and shall permit such person, firm or corporation to collect rubbish and industrial waste from a list that shall be submitted by the person, firm or corporation prior to the fifth day of each month. This list shall include the name and address of any person, firm or corporation by which the licensed hauler or dealer is employed.

(b) The Director shall inspect the equipment of all contract rubbish haulers and salvage dealers at intervals not to exceed six months, and shall suspend or revoke any license that has been issued when the contract rubbish hauler or salvage dealer is using equipment that is unsightly, inadequate to prevent the presence of rodents or vermin, or is inadequate to prevent rubbish, waste or salvage from being scattered on the streets or elsewhere in the City.

The Director may suspend or revoke the license of any person, firm or corporation who fails to submit the monthly report of his employers or who otherwise fails to comply with the provisions of this section.

(Ord. 50-89. Passed 4-24-89.)

941.06 COLLECTION RATES.

(a) Nonresidential and Residential with Containers. The City shall charge each school, church, industry, commercial establishment, place of business or other nonresidential building, or multifamily dwelling of four

units or more that has assigned approved container collection of one cubic yard or larger on the basis and at the rate as follows:

(1) Container charges (monthly).

Number of Pick-ups per Week (\$5.50 per cubic yard)

Volume	1	2	3	4	5	6
1 cubic yard	\$22.00	\$44.00	\$66.00	\$88.00	\$110.00	\$132.00
2 cubic yards	44.00	88.00	132.00	176.00	220.00	264.00
3 cubic yards	66.00	132.00	198.00	264.00	330.00	396.00
4 cubic yards	88.00	176.00	264.00	352.00	440.00	528.00
5 cubic yards	110.00	220.00	330.00	440.00	550.00	660.00
6 cubic yards	132.00	264.00	396.00	528.00	660.00	792.00
7 cubic yards	154.00	308.00	462.00	616.00	770.00	924.00
8 cubic yards	176.00	352.00	528.00	704.00	880.00	1056.00

Containers of a size not specified shall be charged at a rate prorated in the manner prescribed above.

- (2) Additional hourly charges shall be assessed to customers for failure to provide City workers reasonable access to rubbish or garbage to be collected or in any other way impeding the process of efficient collection. Time shall be assessed at a rate of sixty dollars (\$60.00) per hour. (Ord. 146-05. Passed 6-13-05.)

(b) Residential and Nonresidential Without Container Collection.

- (1) A minimum monthly pick-up charge of sixteen dollars (\$16.00) per dwelling unit as defined by Section 941.01(a)(3) shall apply to all multifamily residential accounts of three units or less and to all nonresidential accounts that are not serviced by an approved collection container of one cubic yard or more. Multi-family residential accounts of four units or larger have the option of installing an approved collection container according to the plans and specifications on file from the Director of Service. All accounts that are serviced by an approved collection container of one cubic yard or larger shall be billed according to the container charges as defined in subsection (a)(1) hereof.
- (2) Any residential special pick-up defined as a collection requested other than the regularly scheduled day shall have an additional ten dollars (\$10.00) charge.
- (3) Unless otherwise specified in subsection (a)(1) hereof, the City shall charge each single-family residential and multifamily residential dwelling unit of three units or less sixteen dollars (\$16.00) per month for the pick-up of all garbage and normal household rubbish which is properly prepared as described in Section 941.01 (a).

(Ord. 113-14. Passed 7-14-14.)

(c) Other Charges (Nonresidential and Residential).

- (1) A. For the producers of nonresidential or residential multi-family units of three or less, garbage and/or rubbish other than defined or as described in subsections (a) and (b) hereof requiring pick-up by the City Sanitation Department, a charge of five dollars and fifty cents (\$5.50) per cubic yard shall be assessed. Not properly prepared garbage and/or rubbish for residential units of three or less shall be charged at a rate of five dollars and fifty cents (\$5.50) per cubic yard. Cubic yardage shall be determined by sanitation truck hopper loads. There shall be a minimum charge of one cubic yard. For producers of garbage and/or rubbish in quantities larger than twenty-eight uncompacted cubic yards per pick-up, a partial truck load rate shall apply as follows:

Description (Panels)	Volume Compacted (Cubic Yards)	Flat Rate
1	6.2	\$135.00
2	12.4	270.00
3	18.6	405.00
4	24.8	540.00
5	31.0	675.00

Additional charges may be assessed if access to loading or other delays cause undue time to be expended in the collection prices as defined by subsection (a)(2) hereof.

(Ord. 146-05. Passed 6-13-05.)

B. 1. Roll off container rate schedule:

(Pull rates shall be set based upon location of required disposal site regardless of the number of pulls per week.)

\$100.00 - Medina Paper Recycling (20 minute round-trip)

\$125.00 - Medina County Central Processing Facility (45- 60 minute round-trip)

\$150.00 - Zollinger sand and gravel (75-90 minute round- trip)

\$175.00 - Norton Environmental (105-120 minute round- trip)

\$200.00 - Strongsville Transfer Station

Accounts needing special consideration shall be set by the Board of Control. (Special consideration could be special handling, disposal site at a location further away, etc.)

(Ord. 210-05. Passed 9-12-05.)

2. Roll off container rental rate schedule: Accounts needing special consideration, such as special handling, disposal site at location further away, etc. shall be set by the Board of Control on the request of the Service Director. At no time shall the recommended rate be less than the cost of service.

(2) A. For multifamily residential accounts of four units or larger, the collection of special rubbish items including refrigerators, washers, dryers, stoves, hot water heaters, trash compactors, furnaces, couches, chairs, mattresses, box springs or other similar rubbish items shall be charged at the rate of five dollars and twenty-five cents (\$5.25) per cubic yard. Charges shall be levied according to the volume when placed in the truck hopper. A one-yard minimum charge shall apply to all special pick-up rubbish.

B. In observance of "Earth Week", local civic groups who register with the Service Director may have the materials they collect to help clean up the environment collected by the City at no charge during the month of April.

(3) A. Long term container rental schedule: The City shall charge each customer that specifically contracts with the City for the long term rental (in excess of two weeks) of a sanitation collection container the rental rate set forth below. Charges for partial monthly usage shall be prorated after rounding forward to the end of a service week. Customers who contract for use of a sanitation collection container for two weeks or less shall be charged in accordance with the schedule set forth in subsection (c)(3) hereof. Containers are available to qualified accounts based on availability. Long term rental customers shall be charged for collection according to the schedule set forth in subsection (a)(1) hereof. There shall be no minimum charge or maximum rental time for long term customers, however, the City reserves the right to withdraw any container at its discretion.

Rear Load Containers Volume (Cubic Yards)	Monthly Rental

1-8	\$ 8.00
Front Load Containers Volume (Cubic Yards)	Monthly Rental
1-8	\$ 6.00

B. Temporary container rental schedule: The City shall charge each customer that specifically contracts with the City for the temporary placement (two weeks or less) of a sanitation collection container the following rental and collection rates. Containers are available to qualified accounts on availability.

Container Volume (cubic yards)	Rental Fee +	Minimum Charge + (1st pick up)	Additional Pick-up Charges
1	\$10.00	\$5.50	\$5.50 per cubic yard
2	10.00	11.00	
3	10.00	16.50	
4	10.00	22.00	
6	10.00	33.00	
8	10.00	44.00	

C. All single-family residential container rentals shall be treated as temporary placements.

(4) Claims by the City or users of the service for reclassification shall be reviewed by the Board of Control. Copies of their conclusions shall be on file for review.

(5) Grass clippings shall not be collected by the City and may not be mixed with normal household rubbish or garbage or with any other yard waste. Yard waste shall be separated from normal household rubbish and placed in approved metal or solid plastic containers not to exceed forty gallons in size or thirty-five pounds in weight. Containers shall have a secure handle(s) and solid bases. Yard waste may not be placed in paper boxes or paper or plastic bags.

(6) Tree limbs, brush and branches shall be cut to lengths between forty- eight and sixty inches. The limbs, brush and branches shall be tied into manageable bundles not exceeding twenty-four inches in diameter or thirty-five pounds in weight. These materials shall be collected by the City on the collection day immediately following each scheduled rubbish collection day. Yard waste such as limbs, trunks, stumps, etc. in excess of eight inches in diameter or thirty-five pounds in weight will not be picked up.

The City shall annually collect, at no charge, decorative evergreen trees and branches during the two to three-week period immediately following December 25.

(Ord. 146-05. Passed 6-13-05.)

(d) Customers Outside City Limits. Commercial hauling is permitted outside the corporate City limits in an area not-to-exceed the geographic boundaries of the four adjacent townships at a ten percent (10%) premium.

(Ord. 164-08. Passed 8-25-08.)

941.07 CHARGES A LIEN; DISCONNECTION OF WATER.

(a) Billing. The monthly charges provided for above shall be made directly against the real estate (premises) and the owners thereof, except that such charges may be billed directly to the current tenant, lessee or occupant. The City shall bill such charges monthly and allow at least ten days for payment.

(Ord. 56-96. Passed 3-25-96.)

(b) Each charge for the collection and disposal of garbage and/or rubbish that is levied pursuant to the provisions of this chapter shall be made a lien on the premises to which service was rendered after the expiration of thirty days from the last date on which such charge could have been paid without penalty, by the certification of such unpaid charge with penalty by the Director of Finance to the County Auditor for collection. It shall be placed on the tax duplicate, with interest and penalties allowed by law, and be collected as other Municipal taxes.

(c) In the event of failure to pay the billing for garbage and/or rubbish collection and disposal service, the City shall suspend or discontinue sanitation and water services to the delinquent premises until all unpaid billings have been paid in full. In the event of discontinuance of water service, the charge for restoration of service shall be collected.

(d) If the holder of the delinquent account has more than one account with the City of Medina, the delinquent accounts may be consolidated and the full amount owed billed to the current account. (Ord. 39-10. Passed 2-22-10.)

941.08 SANITATION FUND.

The charges levied pursuant to this chapter shall be collected by the Utility Department and shall be deposited with the Director of Finance, and all money so deposited shall be credited to a separate and distinct fund, which shall be known as the Sanitation Fund. When appropriated by Council, such appropriation shall be subject to the order of the Director of Public Service and shall be used only by him solely for the payment of the costs and expenses of the operation, maintenance, repair and management of the Department of Sanitation. When new equipment or land is needed, the Director shall certify the facts to Council for appropriate action as to a special appropriation from the Fund.

(Ord. 50-89. Passed 4-24-89.)

941.09 LATE PAYMENT PENALTY.

A ten percent (10%) penalty shall be added to the outstanding balance of any utility bill not paid on time. The penalty shall be assessed to the outstanding balance of any account not paid by month-end due date. Month-end due date shall be determined by the Director of Finance. (Ord. 56-96. Passed 3-25-96.)

941.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). Each violation shall be a separate offense. Each day of a violation shall constitute a separate offense.

(Ord. 50-89. Passed 4-24-89.)

CHAPTER 941

Garbage

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CROSS REFERENCES

- Collection and disposal of garbage - see Ohio R.C. 715.43, 717.01
- Employment of scavengers - see Ohio R.C. 3707.39
- Disposal and transporting on public ways - see Ohio R.C. 3767.20 et seq.
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941.01 DEFINITIONS AND INCINERATOR SPECIFICATIONS.

(a) As used in this chapter:

(1) "Garbage" means that accumulation of animal, vegetable and other matter that results from the preparation, consumption, decay or storage of meats, fish, fowl, fruits, vegetables and all other food substances or other organic matter subject to rapid bacterial action and decay.

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(3) "Dwelling unit" means any separate and self-contained place of human habitation occupied or intended for occupancy by one or more persons, including, without limiting the generality of the foregoing, each separate and self-contained place of habitation in two-family residences, multiple-family residences, apartment buildings and those flats and apartments maintained incidentally but separately in nonresidential buildings.

(4) "Contract rubbish hauler" and "salvage dealer" means those licensed by the City.

(5) "Ordinary collection" means any residential or nonresidential rubbish and/or garbage collected on the regularly scheduled day in accordance with guidelines established by the Director of Public Service.

(6) "Properly prepared residential garbage and/or rubbish" means all residential waste materials according to the provisions of this chapter.

(7) "Properly prepared rubbish and/or garbage" means all that is contained within the closed lid of an approved sanitation collection container. All additional rubbish and/or garbage around the container is subject to additional charges.

(8) "Sanitation truck hopper" means the rear of the sanitation truck where garbage and/or rubbish is loaded for compaction and transport with a volume of 4 yards capacity in uncompacted loose form.

(9) "Special pick-up" means any residential rubbish and/or garbage collected other than the normal scheduled collection day.

(b) The following specifications are prescribed for garbage incinerators. A garbage incinerator shall:

(1) Be of a type tested, approved and listed by the American Gas Association in their current Directory of Approved Gas Appliances and Listed Accessories and shall be installed in accordance with the provisions of the National Building Code, current edition or other current standards of the American Insurance Association. If activated electrically, it shall be approved by and bear evidence of Underwriters' Laboratories, Incorporated approval.

(2) Operate so as to completely consume wet or dry garbage by burning it to ash without causing noise, offensive or noxious odors, vapors or gases, and without the discharge or emission into the atmosphere of sparks, ash or the powdered residue of the substance which has been burned.

(3) Comply with Ohio and United States Environmental Protection Agency regulations.
(Ord. 50-89. Passed 4-24-89.)

941.02 STORAGE OF GARBAGE; CONTAINERS.

(a) Every owner, tenant, lessee or occupant of any single-family residence, two family residence, multifamily residence, flat, apartment, hotel, restaurant, eating place, boarding house, store, school, church or any other dwelling unit, industry or place of business premises where garbage is or may be accumulated or produced, shall provide on the premises or within twenty-five feet therefrom, suitable and sufficient receptacles that meet the requirements of this chapter, without the escape of odors, containing all garbage that accumulates on such premises between the regular garbage collection dates. Any and all such garbage produced or accumulated by such owner, tenant, lessee or occupant shall be stored by him in such receptacles during the interim between regular garbage collection dates. Such receptacles shall be so placed that they are readily accessible for removal and emptying of the garbage therefrom by the collectors at the front line of the premises for each scheduled collection, and at all other times where they will not be a public nuisance or in any degree offensive.

When the placing of such receptacles at the front line of a premises causes a public nuisance or otherwise causes undesirable health problems or hazards, the Director of Public Service may advise the owner, tenant, lessee or occupant that scheduled collection will be made at or from other designated parts of the premises.

(b) All garbage, as defined in Section 941.01(a)(1), shall be drained of free water before it is placed in the can or receptacle.

(c) If suitable and sufficient containers of a size larger than one cubic yard are not provided, nonresidential and residential garbage and rubbish shall be placed in a plastic bag, securely tied, be of a minimum 1.5 mil thickness and not exceed thirty-five pounds or thirty gallons when filled. Suitable and sufficient metal and/or plastic containers may be used to store properly prepared garbage and/or rubbish and shall have two handles, a tight fitting lid and not exceed forty gallons in volume or thirty-five pounds in weight.

(d) Garbage may be reduced by finely grinding or shredding and flushing with water into the sanitary sewer system of the City, or by burning it at any time within properly constructed incinerators within buildings. Unless otherwise specifically provided for herein, the incineration of garbage, or the flushing of the same into the sanitary sewer system shall not excuse the owner, tenant, lessee or occupant from the collection charges provided for hereinafter.

(e) No person shall bury garbage within the corporation limits of the City, except while composting pursuant of the law.

(f) No person shall throw or deposit garbage upon any public or private property within the corporate limits of the City, except while composting pursuant to the law.

(g) No person shall permit rats or mice or other animals to live in or feed upon garbage.

(h) No person other than City employees, shall collect or haul garbage within the corporate limits of the City.

(Ord. 50-89. Passed 4-24-89.)

941.03 STORAGE OF RUBBISH; CONTAINERS.

(a) Every owner, tenant, lessee or occupant of any two-family residence, flat, apartment, hotel, motel, restaurant, eating place, boardinghouse, store, school, church, industry or place of business or any other premises where rubbish is produced shall provide on such premises therefrom suitable and sufficient metal containers for receiving and holding between collections all garbage and rubbish that accumulates on such premises. The containers shall be placed at the front line of the premises in time for the scheduled collection. All rubbish produced or accumulated by such owner, tenant, lessee or occupant shall be stored in such containers.

(b) Whenever the placing of containers at the front line of premises causes a public nuisance or otherwise causes undesirable health problems or hazards, the Director of Public Service may advise the owner, tenant, lessee or occupant that scheduled collections will be made at or from other designated parts of the premises.

(c) If suitable and sufficient containers of a size larger than one cubic yard are not provided, nonresidential and residential garbage and rubbish shall be placed in a plastic bag, securely tied, be of a minimum 1.5 mil thickness and shall not exceed thirty-five pounds or thirty gallons when filled. Suitable and sufficient metal and/or plastic containers may be used to store properly prepared garbage and/or rubbish and shall have two handles, a tight fitting lid and not exceed forty gallons in volume or thirty-five pounds in weight.

(d) Unless otherwise specifically provided for herein, the incineration of rubbish or use of contract rubbish haulers shall not excuse the owner, tenant, lessee or occupant from the collection charges provided for hereinafter to be defined as the minimum monthly charge.

(e) No person shall throw or deposit any rubbish upon any public or private property within the corporate limits of the City unless in compliance with the procedures described in this chapter.

(Ord. 50-89. Passed 4-24-89.)

941.04 COLLECTION DISTRICTS.

For the purpose of the collection of garbage and/or rubbish, as defined in Section 941.01, the Director of Public Service shall divide the City into as many districts as he deems necessary for the convenient collection thereof and he shall fix a day or days in each week on which garbage and/or rubbish will be collected by the City. The Director may arrange for collections of garbage and/or rubbish more often than once each week, if in his opinion and experience, such special collections are deemed proper for the maintenance of health and sanitation.

(Ord. 50-89. Passed 4-24-89.)

941.05 LICENSING OF COLLECTORS; FEE; REGULATIONS.

(a) Rubbish or industrial waste may be collected within the City in loose form or in containers of not less than eight cubic yards in size or in stationary compactors, by any person, firm or corporation after first obtaining a license from the Director of Public Service.

The license fee shall be three hundred dollars (\$300.00) per year and shall permit such person, firm or corporation to collect rubbish and industrial waste from a list that shall be submitted by the person, firm or corporation prior to the fifth day of each month. This list shall include the name and address of any person, firm or corporation by which the licensed hauler or dealer is employed.

(b) The Director shall inspect the equipment of all contract rubbish haulers and salvage dealers at intervals not to exceed six months, and shall suspend or revoke any license that has been issued when the contract rubbish hauler or salvage dealer is using equipment that is unsightly, inadequate to prevent the presence of rodents or vermin, or is inadequate to

prevent rubbish, waste or salvage from being scattered on the streets or elsewhere in the City.

The Director may suspend or revoke the license of any person, firm or corporation who fails to submit the monthly report of his employers or who otherwise fails to comply with the provisions of this section.

(Ord. 50-89. Passed 4-24-89.)

941.06 COLLECTION RATES.

(a) Nonresidential and Residential with Containers. The City shall charge each school, church, industry, commercial establishment, place of business or other nonresidential building, or multifamily dwelling of four units or more that has assigned approved container collection of one cubic yard or larger on the basis and at the rate as follows:

(1) Container charges (monthly).

Number of Pick-ups per Week (\$5.50 per cubic yard)

Volume	1	2	3	4	5	6
1 cubic yard	\$22.00	\$44.00	\$66.00	\$88.00	\$110.00	\$132.00
2 cubic yards	44.00	88.00	132.00	176.00	220.00	264.00
3 cubic yards	66.00	132.00	198.00	264.00	330.00	396.00
4 cubic yards	88.00	176.00	264.00	352.00	440.00	528.00
5 cubic yards	110.00	220.00	330.00	440.00	550.00	660.00
6 cubic yards	132.00	264.00	396.00	528.00	660.00	792.00
7 cubic yards	154.00	308.00	462.00	616.00	770.00	924.00
8 cubic yards	176.00	352.00	528.00	704.00	880.00	1056.00

Containers of a size not specified shall be charged at a rate prorated in the manner prescribed above.

(2) Additional hourly charges shall be assessed to customers for failure to provide City workers reasonable access to rubbish or garbage to be collected or in any other way impeding the process of efficient collection. Time shall be assessed at a rate of one hundred dollars (\$100.00) per hour. (Ord. 146-05. Passed 6-13-05.)

(b) Residential and Nonresidential Without Container Collection.

(1) A minimum monthly pick-up charge of sixteen dollars (\$16.00) per dwelling unit as defined by Section 941.01(a)(3) shall apply to all multifamily residential accounts of three units or less and to all nonresidential accounts that are not serviced by an approved collection container of one cubic yard or more. Multi-family residential accounts of four units or larger have the option of installing an approved collection container according to the plans and specifications on file from the Director of Service. All accounts that are serviced by an approved collection container of one cubic yard or larger shall be billed according to the container charges as defined in subsection (a)(1) hereof.

(2) Any residential special pick-up defined as a collection requested other than the regularly scheduled day shall have an additional ten dollars (\$10.00) charge.

(3) Unless otherwise specified in subsection (a)(1) hereof, the City shall charge each single-family residential and multifamily residential dwelling unit of three units or less sixteen dollars (\$16.00) per month for the pick-up of all garbage and normal household rubbish which is properly prepared as described in Section 941.01 (a).

(Ord. 113-14. Passed 7-14-14.)

(c) Other Charges (Nonresidential and Residential).

(1) A. For the producers of nonresidential or residential multi-family units of three or less, garbage and/or rubbish other than defined or as described in subsections (a) and (b) hereof requiring pick-up by the City Sanitation Department, a charge of five dollars and fifty cents (\$5.50) per cubic yard shall be assessed. Not properly prepared garbage and/or rubbish for residential units of three or less shall be charged at a rate of five dollars and fifty cents (\$5.50) per cubic yard. Cubic yardage shall be determined by sanitation truck hopper loads. There shall be a minimum charge of one cubic yard. For producers of garbage and/or rubbish in quantities larger than twenty-eight uncompacted cubic yards per pick-up, a partial truck load rate shall apply as follows:

Description (Panels)	Volume Compacted (Cubic Yards)	Flat Rate
1	7.5	\$165.00
2	15	330.00
3	22.5	495.00

Additional charges may be assessed if access to loading or other delays cause undue time to be expended in the collection prices as defined by subsection (a)(2) hereof.

(Ord. 146-05. Passed 6-13-05.)

B. 1. Roll off container rate schedule:

(Pull rates shall be set based upon location of required disposal site regardless of the number of pulls per week.)

\$100.00 - Medina Paper Recycling (20 minute round-trip)

\$150.00 - Medina County Central Processing Facility (45- 60 minute round-trip)

\$175.00 - Zollinger sand and gravel (75-90 minutes round- trip)

\$200.00 - Rumpke Transfer Station - Broadview Heights (105-120 minute round- trip)

\$200.00 - Strongsville Transfer Station (105-120 minute round-trip)

\$150.00 - Liverpool Waste Water Treatment Plant Digester (45-60 Minute round-trip)

\$275.00 - Congress Lake Farms - Mogador (150-180 minutes round-trip)

\$275.00 - Kurtz Bros. Inc. - North Canton (150-180 minutes round-trip)

Accounts needing special consideration shall be set by the Board of Control. (Special consideration could be special handling, disposal site at a location further away, etc.)

(Ord. 210-05. Passed 9-12-05.)

2. Roll off container rental rate schedule: Accounts needing special consideration, such as special handling, disposal site at location further away, etc. shall be set by the Board of Control on the request of the Service Director. At no time shall the recommended rate be less than the cost of service.

3. All temporary, residential and non-permanent commercial roll off customers shall be subject to a \$75.00 additional pull charge fee per container pu..

(2) A. For multifamily residential accounts of four units or larger, the collection of special rubbish items including refrigerators, washers, dryers, stoves, hot water heaters, trash compactors, furnaces, couches, chairs, mattresses, box springs or other similar rubbish items shall be charged at the rate of five dollars and fifty cents (\$5.50) per cubic yard. Charges shall be levied according to the volume when placed in the truck hopper. A one-yard minimum charge shall apply to all special pick-up rubbish.

B. In observance of "Earth Week", local civic groups who register with the Service Director may have the materials they collect to help clean up the environment collected by the City at no charge during the month of April.

(3) A. Long term container rental schedule: The City shall charge each customer that specifically contracts with the City for the long term rental (in excess of two weeks) of a sanitation collection container the rental rate set forth below. Charges for partial monthly usage shall be prorated after rounding forward to the end of a service week. Customers who contract for use of a sanitation collection container for two weeks or less shall be charged in accordance with the schedule set forth in subsection (c)(3) hereof. Containers are available to qualified accounts based on availability. Long term rental customers shall be charged for collection according to the schedule set forth in subsection (a)(1) hereof. There shall be no minimum charge or maximum rental time for long term customers, however, the City reserves the right to withdraw any container at its discretion.

Rear Load Containers Volume (Cubic Yards)	Monthly Rental
1-8	\$ 10.00
Front Load Containers Volume (Cubic Yards)	Monthly Rental
1-8	\$ 10.00

(4) Claims by the City or users of the service for reclassification shall be reviewed by the Board of Control. Copies of their conclusions shall be on file for review.

(5) Grass clippings shall not be mixed with normal household rubbish or garbage. Yard waste shall be separated from normal household rubbish and placed in approved metal or solid plastic containers not to exceed forty gallons in size or thirty-five pounds in weight. Containers shall have a secure handle(s) and solid bases. Yard waste may not be placed in paper boxes or paper or plastic bags.

(6) Tree limbs, brush and branches shall be cut to lengths between forty- eight and sixty inches. The limbs, brush and branches shall be tied into manageable bundles not exceeding twenty-four inches in diameter or thirty-five pounds in weight. These materials shall be collected by the City on the same collection day as the scheduled rubbish collection day. Yard waste such as limbs, trunks, stumps, etc. in excess of eight inches in diameter or thirty-five pounds in weight will not be picked up.

The City shall annually collect, at no charge, decorative evergreen trees and branches during the two to three-week period immediately following December 25.

(Ord. 146-05. Passed 6-13-05.)

(d) Customers Outside City Limits. Commercial hauling is permitted outside the corporate City limits in an area not-to-exceed the geographic boundaries of the four adjacent townships at a ten percent (10%) premium.

(Ord. 164-08. Passed 8-25-08.)

941.07 CHARGES A LIEN; DISCONNECTION OF WATER.

(a) Billing. The monthly charges provided for above shall be made directly against the real estate (premises) and the owners thereof, except that such charges may be billed directly to the current tenant, lessee or occupant. The City shall bill such charges monthly and allow at least ten days for payment.

(Ord. 56-96. Passed 3-25-96.)

(b) Each charge for the collection and disposal of garbage and/or rubbish that is levied pursuant to the provisions of this chapter shall be made a lien on the premises to which service was rendered after the expiration of thirty days from the last date on which such charge could have been paid without penalty, by the certification of such unpaid charge with penalty by the Director of Finance to the County Auditor for collection. It shall be placed on the tax duplicate, with interest and penalties allowed by law, and be collected as other Municipal taxes.

(c) In the event of failure to pay the billing for garbage and/or rubbish collection and disposal service, the City shall suspend or discontinue sanitation and water services to the delinquent premises until all unpaid billings have been paid in full. In the event of discontinuance of water service, the charge for restoration of service shall be collected.

(d) If the holder of the delinquent account has more than one account with the City of Medina, the delinquent accounts may be consolidated and the full amount owed billed to the current account. (Ord. 39-10. Passed 2-22-10.)

941.08 SANITATION FUND.

The charges levied pursuant to this chapter shall be collected by the Utility Department and shall be deposited with the Director of Finance, and all money so deposited shall be credited to a separate and distinct fund, which shall be known as the Sanitation Fund. When appropriated by Council, such appropriation shall be subject to the order of

the Director of Public Service and shall be used only by him solely for the payment of the costs and expenses of the operation, maintenance, repair and management of the Department of Sanitation. When new equipment or land is needed, the Director shall certify the facts to Council for appropriate action as to a special appropriation from the Fund.

(Ord. 50-89. Passed 4-24-89.)

941.09 LATE PAYMENT PENALTY.

A ten percent (10%) penalty shall be added to the outstanding balance of any utility bill not paid on time. The penalty shall be assessed to the outstanding balance of any account not paid by month-end due date. Month-end due date shall be determined by the Director of Finance. (Ord. 56-96. Passed 3-25-96.)

941.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). Each violation shall be a separate offense. Each day of a violation shall constitute a separate offense.

(Ord. 50-89. Passed 4-24-89.)

4 NEW" with Changes
Ord. 105-22
Exh. B

941.01 DEFINITIONS AND INCINERATOR SPECIFICATIONS.

(a) As used in this chapter:

(1) "Garbage" means that accumulation of animal, vegetable and other matter that results from the preparation, consumption, decay or storage of meats, fish, fowl, fruits, vegetables and all other food substances or other organic matter subject to rapid bacterial action and decay.

(2) "**Rubbish**" means that accumulation of material, such as paper, cardboard, rags, straw, felt, leather, wearing apparel, packing material, sweepings, small pieces of wood, crockery, glassware, ashes, tin, small metal objects and other refuse, dirt or other nonorganic matter which can be reduced in size so that it can be transported in and by vehicles that are provided by the City for that purpose.

(3) "Dwelling unit" means any separate and self-contained place of human habitation occupied or intended for occupancy by one or more persons, including, without limiting the generality of the foregoing, each separate and self-contained place of habitation in two-family residences, multiple-family residences, apartment buildings and those flats and apartments maintained incidentally but separately in nonresidential buildings.

(4) "Contract **rubbish** hauler" and "salvage dealer" means those licensed by the City.

(5) "Ordinary collection" means any residential or nonresidential **rubbish** and/or garbage collected on the regularly scheduled day in accordance with guidelines established by the Director of Public Service.

(6) "Properly prepared residential garbage and/or **rubbish**" means all residential waste materials according to the provisions of this chapter.

(7) "Properly prepared **rubbish** and/or garbage" means all that is contained within the closed lid of an approved sanitation collection container. All additional **rubbish** and/or garbage around the container is subject to additional charges.

(8) "Sanitation truck hopper" means the rear of the sanitation truck where garbage and/or **rubbish** is loaded for compaction and transport with a volume of 2.74 yards capacity in uncompacted loose form.

(9) "Special pick-up" means any residential **rubbish** and/or garbage collected other than the normal scheduled collection day.

(b) The following specifications are prescribed for garbage incinerators. A garbage incinerator shall:

(1) Be of a type tested, approved and listed by the American Gas Association in their current Directory of Approved Gas Appliances and Listed Accessories and shall be installed in accordance with the provisions of the National Building Code, current edition or other current standards of the American Insurance Association. If activated electrically, it shall be approved by and bear evidence of Underwriters' Laboratories, Incorporated approval.

(2) Operate so as to completely consume wet or dry garbage by burning it to ash without causing noise, offensive or noxious odors, vapors or gases, and without the discharge or emission into the atmosphere of sparks, ash or the powdered residue of the substance which has been burned.

(3) Comply with Ohio and United States Environmental Protection Agency regulations.

(Ord. 50-89. Passed 4-24-89.)

941.02 STORAGE OF GARBAGE; CONTAINERS.

(a) Every owner, tenant, lessee or occupant of any single-family residence, two family residence, multifamily residence, flat, apartment, hotel, restaurant, eating place, boarding house, store, school, church or any other dwelling unit, industry or place of business premises where garbage is or may be accumulated or produced, shall provide ~~and keep within a building~~ on the premises ~~or within twenty-five feet therefrom~~, suitable and sufficient receptacles that meet the requirements of this chapter, without the escape of odors, containing all garbage that accumulates on such premises between the regular garbage collection dates. Any and all such garbage produced or accumulated by such owner, tenant, lessee or occupant shall be stored by him in such receptacles during the interim between regular garbage collection dates. Such receptacles shall be so placed that they are readily accessible for removal and emptying of the garbage therefrom by the collectors at the front line of the premises for each scheduled collection, and at all other times where they will not be a public nuisance or in any degree offensive.

When the placing of such receptacles at the front line of a premises causes a public nuisance or otherwise causes undesirable health problems or hazards, the Director of Public Service may advise the owner, tenant, lessee or occupant that scheduled collection will be made at or from other designated parts of the premises.

(b) All garbage, as defined in Section 941.01(a)(1), shall be drained of free water ~~and wrapped in paper~~ before it is placed in the can or receptacle.

(c) If suitable and sufficient containers of a size larger than one cubic yard are not provided, nonresidential and residential garbage and **rubbish** shall be placed in a plastic bag, securely tied, be of a minimum 1.5 mil thickness and not exceed thirty-five pounds or thirty gallons when filled. Suitable and sufficient metal and/or plastic containers may be used to store properly prepared garbage and/or **rubbish** and shall have two handles, a tight fitting lid and not exceed forty gallons in volume or thirty-five pounds in weight.

(d) Garbage may be reduced by finely grinding or shredding and flushing with water into the sanitary sewer system of the City, or by burning it at any time within properly constructed incinerators within buildings. Unless otherwise specifically provided for herein, the incineration of garbage, or the flushing of the same into the sanitary sewer system shall not excuse the owner, tenant, lessee or occupant from the collection charges provided for hereinafter.

(e) No person shall bury garbage within the corporation limits of the City, ~~except while composting pursuant of the law.~~

(f) No person shall throw or deposit garbage upon any public or private property within the corporate limits of the City, ~~except while composting pursuant of the law.~~

(g) No person shall permit rats or mice or other animals to live in or feed upon garbage.

(h) No person other than City employees shall collect or haul garbage within the corporate limits of the City ~~or deposit garbage on any City landfill.~~
(Ord. 50-89. Passed 4-24-89.)

941.03 STORAGE OF RUBBISH; CONTAINERS.

(a) Every owner, tenant, lessee or occupant of any two-family residence, flat, apartment, hotel, motel, restaurant, eating place, boardinghouse, store, school, church, industry or place of business or any other premises where **rubbish** is produced shall provide ~~and keep within a building;~~ on such premises ~~or within twenty-five feet~~ therefrom suitable and sufficient metal containers for receiving and holding between collections all garbage and **rubbish** that accumulates on such premises. The containers shall be placed at the front line of the premises in time for the scheduled collection. All **rubbish** produced or accumulated by such owner, tenant, lessee or occupant shall be stored in such containers.

(b) Whenever the placing of containers at the front line of premises causes a public nuisance or otherwise causes undesirable health problems or hazards, the Director of Public Service may advise the owner, tenant, lessee or occupant that scheduled collections will be made at or from other designated parts of the premises.

(c) If suitable and sufficient containers of a size larger than one cubic yard are not provided, nonresidential and residential garbage and **rubbish** shall be placed in a plastic bag, securely tied, be of a minimum 1.5 mil thickness and shall not exceed thirty-five pounds or thirty gallons when filled. Suitable and sufficient metal and/or plastic containers may be used to store properly prepared garbage and/or **rubbish** and shall have two handles, a tight fitting lid and not exceed forty gallons in volume or thirty-five pounds in weight.

(d) Unless otherwise specifically provided for herein, the incineration of **rubbish** or use of contract **rubbish** haulers shall not excuse the owner, tenant, lessee or occupant from the collection charges provided for hereinafter to be defined as the minimum monthly charge.

(e) No person shall throw or deposit any **rubbish** upon any public or private property within the corporate limits of the City unless in compliance with the procedures described in this chapter.

(Ord. 50-89. Passed 4-24-89.)

941.04 COLLECTION DISTRICTS.

For the purpose of the collection of garbage and/or **rubbish**, as defined in Section 941.01, the Director of Public Service shall divide the City into as many districts as he deems necessary for the convenient collection thereof and he shall fix a day or days in each week on which garbage and/or **rubbish** will be collected by the City. The Director may arrange for collections of garbage and/or **rubbish** more often than once each week, if in his opinion and experience, such special collections are deemed proper for the maintenance of health and sanitation.

(Ord. 50-89. Passed 4-24-89.)

941.05 LICENSING OF COLLECTORS; FEE; REGULATIONS.

(a) **Rubbish** or industrial waste may be collected within the City in loose form or in containers of not less than eight cubic yards in size or in stationary compactors, by any person, firm or corporation after first obtaining a license from the Director of Public Service.

The license fee shall be ~~two~~ three hundred dollars (~~\$200.00~~)(\$300.00 per year and shall permit such person, firm or corporation to collect **rubbish** and industrial waste from a list that shall be submitted by the person, firm or corporation prior to the fifth day of each month. This list shall include the name and address of any person, firm or corporation by which the licensed hauler or dealer is employed.

(b) The Director shall inspect the equipment of all contract **rubbish** haulers and salvage dealers at intervals not to exceed six months, and shall suspend or revoke any license that has been issued when the contract **rubbish** hauler or salvage dealer is using equipment that is unsightly, inadequate to prevent the presence of rodents or vermin, or is inadequate to prevent **rubbish**, waste or salvage from being scattered on the streets or elsewhere in the City.

The Director may suspend or revoke the license of any person, firm or corporation who fails to submit the monthly report of his employers or who otherwise fails to comply with the provisions of this section.

(Ord. 50-89. Passed 4-24-89.)

941.06 COLLECTION RATES.

(a) Nonresidential and Residential with Containers. The City shall charge each school, church, industry, commercial establishment, place of business or other nonresidential building, or multifamily dwelling of four units or more that has assigned approved container collection of one cubic yard or larger on the basis and at the rate as follows:

(1) Container charges (monthly).

Number of Pick-ups per Week (\$5.50 per cubic yard)

Volume	1	2	3	4	5	6
1 cubic yard	\$22.00	\$44.00	\$66.00	\$88.00	\$110.00	\$132.00
2 cubic yards	44.00	88.00	132.00	176.00	220.00	264.00
3 cubic yards	66.00	132.00	198.00	264.00	330.00	396.00
4 cubic yards	88.00	176.00	264.00	352.00	440.00	528.00
5 cubic yards	110.00	220.00	330.00	440.00	550.00	660.00
6 cubic yards	132.00	264.00	396.00	528.00	660.00	792.00
7 cubic yards	154.00	308.00	462.00	616.00	770.00	924.00
8 cubic yards	176.00	352.00	528.00	704.00	880.00	1056.00

Containers of a size not specified shall be charged at a rate prorated in the manner prescribed above.

(2) Additional hourly charges shall be assessed to customers for failure to provide City workers reasonable access to **rubbish** or garbage to be collected or in any other way

impeding the process of efficient collection. Time shall be assessed at a rate of ~~sixty~~ **One Hundred** dollars ~~(\$60.00)~~ **(\$100.00)** per hour.

(b) Residential and Nonresidential Without Container Collection.

(1) A minimum monthly pick-up charge of ~~fourteen dollars (\$14.00)~~ **sixteen (\$16.00)** per dwelling unit as defined by Section 941.01(a)(3) shall apply to all multifamily residential accounts of three units or less and to all nonresidential accounts that are not serviced by an approved collection container of one cubic yard or more. Multi-family residential accounts of four units or larger have the option of installing an approved collection container according to the plans and specifications on file from the Director of Service. All accounts that are serviced by an approved collection container of one cubic yard or larger shall be billed according to the container charges as defined in subsection (a)(1) hereof.

(2) Any residential special pick-up defined as a collection requested other than the regularly scheduled day shall have an additional ten dollars (\$10.00) charge.

(3) Unless otherwise specified in subsection (a)(1) hereof, the City shall charge each single-family residential and multifamily residential dwelling unit of three units or less ~~fourteen~~ **sixteen** dollars (\$16.00) per month for the pick-up of all garbage and normal household **rubbish** which is properly prepared as described in Section 941.01 (a).

(c) Other Charges (Nonresidential and Residential).

(1) A. For the producers of nonresidential or residential multi-family units of three or less, garbage and/or **rubbish** other than defined or as described in subsections (a) and (b) hereof requiring pick-up by the City Sanitation Department, a charge of five dollars and fifty cents (\$5.50) per cubic yard shall be assessed. Not properly prepared garbage and/or **rubbish** for residential units of three or less shall be charged at a rate of five dollars and fifty cents (\$5.50) per cubic yard. Cubic yardage shall be determined by sanitation truck hopper loads. There shall be a minimum charge of one cubic yard. For producers of garbage and/or **rubbish** in quantities larger than twenty-eight uncompacted cubic yards per pick-up, a partial truck load rate shall apply as follows:

Description (Panels)	Volume Compacted (Cubic Yards)	Flat Rate
1	6.2 7.5	\$135.00 165.00
2	12.4 15	270.00 330.00
3	18.6 22.5	405.00 495.00
4	24.8	540.00
5	31.0	675.00

Additional charges may be assessed if access to loading or other delays cause undue time to be expended in the collection prices as defined by subsection (a)(2) hereof.

(Ord. 146-05. Passed 6-13-05.)

B. 1. Roll off container rate schedule:

(Pull rates shall be set based upon location of required disposal site regardless of the number of pulls per week.)

\$100.00 - Medina Paper Recycling (20 minute round-trip)

~~\$125.00~~ ~~\$150.00~~ - Medina County Central Processing Facility (45-60 minute round-trip)

~~\$150.00~~ ~~\$175.00~~ - Zollinger sand and gravel (75-90 minute round-trip)

~~\$175.00 - Norton Environmental~~ ~~\$200.00 - Rumpke Transfer Station - Broadview Heights~~ (105-120 minute round-trip)

~~\$200.00 Strongsville Transfer Station~~ (105-120 minute round-trip)

~~\$150.00 Liverpool Waste Water Treatment Plant Digester~~ (45-60 Minute round-trip)

~~\$150.00 Country view Auto Recycling - Spencer~~ (45-60 minute round-trip)

~~\$275.00 Congress Lake Farms - Mogador~~ (150-180 minute round-trip)

~~\$275.00 - Kurtz Bros, Inc. - North Canton~~ (150-180 minute round-trip)

Accounts needing special consideration shall be set by the Board of Control. (Special consideration could be special handling, disposal site at a location further away, etc.)

(Ord. 210-05. Passed 9-12-05.)

2. Roll off container rental rate schedule: Accounts needing special consideration, such as special handling, disposal site at location further away, etc. shall be set by the Board of Control on the request of the Service Director. At no time shall the recommended rate be less than the cost of service.

3. All temporary, residential and non-permanent commercial roll off customers, shall be subject to a \$75.00 additional pull charge fee per container pull.

(2) A. For multifamily residential accounts of four units or larger, the collection of special **rubbish** items including refrigerators, washers, dryers, stoves, hot water heaters, trash compactors, furnaces, couches, chairs, mattresses, box springs or other similar **rubbish** items shall be charged at the rate of ~~five dollars and twenty five cents (\$5.25)~~ ~~five dollars and fifty cents (\$5.50)~~ per cubic yard. Charges shall be levied according to the

volume when placed in the truck hopper. A one-yard minimum charge shall apply to all special pick-up **rubbish**.

B. In observance of "Earth Week", local civic groups who register with the Service Director may have the materials they collect to help clean up the environment collected by the City at no charge during the month of April.

(3) A. Long term container rental schedule: The City shall charge each customer that specifically contracts with the City for the long term rental (in excess of two weeks) of a sanitation collection container the rental rate set forth below. Charges for partial monthly usage shall be prorated after rounding forward to the end of a service week. Customers who contract for use of a sanitation collection container for two weeks or less shall be charged in accordance with the schedule set forth in subsection (c)(3) hereof. Containers are available to qualified accounts based on availability. Long term rental customers shall be charged for collection according to the schedule set forth in subsection (a)(1) hereof. There shall be no minimum charge or maximum rental time for long term customers, however, the City reserves the right to withdraw any container at its discretion.

<u>Rear Load Containers</u>	<u>Monthly Rental</u>
<u>Volume (Cubic Yards)</u>	
1-8	\$ 8.00 \$10.00
<u>Front Load Containers</u>	<u>Monthly Rental</u>
<u>Volume (Cubic Yards)</u>	
1-8	\$ 6.00 \$10.00

~~B. Temporary container rental schedule: The City shall charge each customer that specifically contracts with the City for the temporary placement (two weeks or less) of a sanitation collection container the following rental and collection rates. Containers are available to qualified accounts on availability.~~

<u>Container</u> <u>Volume</u> <u>(cubic</u> <u>yards)</u>	<u>Rental</u> <u>Fee</u>	+	<u>Minimum</u> <u>Charge</u> <u>(1st</u> <u>pick up)</u>	+	<u>(1st</u> <u>Pick-up</u> <u>Charges</u>
1	\$ 10.00		\$ 5.50		\$5.50 per cubic yard
2	10.00		11.00		
3	10.00		16.50		
4	10.00		22.00		
6	10.00		33.00		
8	10.00		44.00		

~~C. All single family residential container rentals shall be treated as temporary placements.~~

(4) Claims by the City or users of the service for reclassification shall be reviewed by the Board of Control. Copies of their conclusions shall be on file for review.

(5) Grass clippings shall not ~~be collected by the City and may not~~ be mixed with normal household **rubbish** or garbage ~~or with any other yard waste~~. Yard waste shall be separated from normal household **rubbish** and placed in approved metal or solid plastic containers not to exceed forty gallons in size or thirty-five pounds in weight. Containers shall have a secure handle(s) and solid bases. Yard waste may not be placed in paper boxes or paper or plastic bags.

(6) Tree limbs, brush and branches shall be cut to lengths between forty-eight and sixty inches. The limbs, brush and branches shall be tied into manageable bundles not exceeding twenty-four inches in diameter or thirty-five pounds in weight. These materials shall be collected by the City on the ~~same~~ collection day ~~immediately following each~~ as the scheduled **rubbish** collection day. Yard waste such as limbs, trunks, stumps, etc. in excess of eight inches in diameter or thirty-five pounds in weight will not be picked up.

The City shall annually collect, at no charge, decorative evergreen trees and branches during the two to three-week period immediately following December 25.

(Ord. 146-05. Passed 6-13-05.)

(d) Customers Outside City Limits. Commercial hauling is permitted outside the corporate City limits in an area not-to-exceed the geographic boundaries of the four adjacent townships at a ten percent (10%) premium.

(Ord. 164-08. Passed 8-25-08.)

941.07 CHARGES A LIEN; DISCONNECTION OF WATER.

(a) Billing. The monthly charges provided for above shall be made directly against the real estate (premises) and the owners thereof, except that such charges may be billed directly to the current tenant, lessee or occupant. The City shall bill such charges monthly and allow at least ten days for payment.

(Ord. 56-96. Passed 3-25-96.)

(b) Each charge for the collection and disposal of garbage and/or **rubbish** that is levied pursuant to the provisions of this chapter shall be made a lien on the premises to which service was rendered after the expiration of thirty days from the last date on which such charge could have been paid without penalty, by the certification of such unpaid charge with penalty by the Director of Finance to the County Auditor for collection. It shall be placed on the tax duplicate, with interest and penalties allowed by law, and be collected as other Municipal taxes.

(c) In the event of failure to pay the billing for garbage and/or **rubbish** collection and disposal service, the City shall suspend or discontinue sanitation and water services to the delinquent premises until all unpaid billings have been paid in full. In the event of discontinuance of water service, the charge for restoration of service shall be collected.

(Ord. 50-89. Passed 4-24-89.)

(d) If the holder of the delinquent account has more than one account with the City of Medina, the delinquent accounts may be consolidated and the full amount owed billed to the current account.

(Ord. 39-10. Passed 2-22-10.)

941.08 SANITATION FUND.

The charges levied pursuant to this chapter shall be collected by the Utility Department and shall be deposited with the Director of Finance, and all money so deposited shall be credited to a separate and distinct fund, which shall be known as the Sanitation Fund. When appropriated by Council, such appropriation shall be subject to the order of the Director of Public Service and shall be used only by him solely for the payment of the costs and expenses of the operation, maintenance, repair and management of the Department of Sanitation. When new equipment or land is needed, the Director shall certify the facts to Council for appropriate action as to a special appropriation from the Fund.

(Ord. 50-89. Passed 4-24-89.)

941.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). Each violation shall be a separate offense. Each day of a violation shall constitute a separate offense.

(Ord. 50-89. Passed 4-24-89.)