

RECORD OF ORDINANCES

First Reading: July 17, 2019

Second Reading: August 7, 2019

Ordinance No. 2019-62

Passed August 21, 2019

SPONSOR: PLANNING AND ZONING

AN ORDINANCE ADDING THE DEFINITIONS OF "CONSTRUCTION DUMPSTER," "DUMPSTER BAG," AND "RUBBISH DUMPSTER" IN SECTION 152.002 OF THE VILLAGE OF MOGADORE CODIFIED ORDINANCES AND ESTABLISHING SECTIONS 152.034 AND 152.035 IN THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

WHEREAS, this Council finds it appropriate and necessary regulate the use of Construction Dumpsters, Rubbish Dumpsters, and Dumpster Bags; and,

WHEREAS, the Planning Commission has reviewed the proposed legislation regarding the regulation of Construction Dumpsters, Rubbish Dumpsters, and Dumpster Bags and reported its findings and recommendations to Village Council; and,

WHEREAS, it is in the best interests of and furthers the public peace, health, safety, and general welfare of the Village residents to amend Section 152.002 of the Village of Mogadore's Codified Ordinances to add three provisions establishing the definitions of "Construction Dumpster," "Dumpster Bag," and "Rubbish Dumpster," and to add Sections 152.034 and 152.035 to the Codified Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio, as follows:

SECTION 1: That the Village of Mogadore Codified Ordinances Section 152.002 is hereby amended to add three provisions establishing the definitions of "Construction Dumpster," "Dumpster Bag," and "Rubbish Dumpster" as follows:

CONSTRUCTION DUMPSTER. Any roll-off or similar unit intended for the collection of large quantities of trash, garbage, housewares, building or construction debris, yard waste, or trees and limbs. Such units are commonly designed to be delivered and collected by a roll-off truck. Construction Dumpster does not include any garbage can that can be moved by an individual or any Rubbish Dumpster.

DUMPSTER BAG. Any large bag intended for the collection of large quantities of trash, garbage, housewares, building or construction debris, yard waste, or trees and limbs, and designed to be picked up by a truck.

RUBBISH DUMPSTER. Any large front load or rear load waste receptacle intended for trash and garbage and designed to be picked up by and emptied directly into a garbage truck.

SECTION 2: That Section 152.034 of the Village of Mogadore Codified Ordinances is hereby established as set forth on Exhibit "A" attached hereto and incorporated by reference herein.

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SECTION 3: That Section 152.035 of the Village of Mogadore Codified Ordinances is hereby established as set forth on Exhibit "B" attached hereto and incorporated by reference herein.

SECTION 4: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare of Village residents, for the immediate implementation of these rules, and to allow for the continued operations of the Village Administration and other departments shall, therefore, take effect and be in force from and immediately after its passage.

Michael Raddish 8-21-19
President of Council Date

Michael 8-21-19
Mayor Date

Attest:

[Signature]
Clerk-Treasurer