

VILLAGE OF WINDHAM
OHIO
ORDINANCE O-2012-18

**AN ORDINANCE TO REVISE SECTION 943.08 WITH RESPECT TO REFUSE
COLLECTION OF THE WINDHAM CODIFIED ORDINANCES**

WHEREAS, the Council of the Village of Windham has identified the need to revise the requirements with respect to refuse collection within the Municipality; and

WHEREAS, the Streets and Sidewalks Subcommittee of the Village of Windham Council has recommended that Section 943.08 be amended so that to establish a requirement that garbage containers be removed from the street on the same day that they are emptied and the refuse is picked up, as well as increasing the penalty for violations of 943.08; and

WHEREAS, the Council of the Village of Windham has determined it is appropriate to make the recommended revisions.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Windham, County of Portage, State of Ohio, a majority or more of the members elected thereto concurring that:

Section 1: The following sentence is added at the end of Paragraph (f) of Section 943.08 of the Windham Codified Ordinances: "All refuse containers placed for collection on property near a street, ally or public right-of-way and accessible to a refuse hauler shall be removed from the area near the street, ally or public right-of-way and returned to a storage place way from the street, ally or public right-of-way on the same day that the refuse is collected by the refuse hauler."

Section 2: The penalty contained in Section 943.99 of the Windham Codified Ordinances is hereby increased from the current fine of One Hundred Dollars (\$100.00) to a fine of One Hundred Fifty Dollars (\$150.00).

Section 3: It is hereby found and determined that all 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 of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

First Reading: March 27, 2012
Second Reading: April 26, 2012
Third Reading: May 22, 2012

Passed in Council on this the 22nd day of May, 2012.

Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Mrs. Barrett, Mrs. Miranda, Mrs. Prem
Nays: Ms. Blewitt

ATTEST:

Fiscal Officer, Lloyd Billman

APPROVED:

Robert Donham, Mayor

APPROVED AS TO FORM:

Village Solicitor, Thomas Reitz