

ORDINANCE NO. 31, 2022

AN ORDINANCE AMENDING AND/OR REPEALING SECTIONS 953.01 – 953.99 OF CHAPTER 953. REFUSE COLLECTION OF THE CITY OF BRYAN CODIFIED ORDINANCES.

WHEREAS, the Council of the City of Bryan has authorized the dissolution of Municipal refuse collection and further authorized refuse collection by an outside contractor, and

WHEREAS, Chapter 953 of the Bryan Municipal Codified Ordinances shall be revised to reflect rules and regulations for Contracted refuse collection.

THEREFORE, BE IT ORDAINED, by the Council of the City of Bryan, Williams County, Ohio, four-fifths (4/5) of the members thereto concurring:

SECTION 1: That Section 953.01 of the City of Bryan Codified Ordinances shall be amended and read as follows:

953.01 TERMS.

For the purpose of this Chapter the following terms, whenever used in this Chapter, shall have the meaning herein indicated:

(a) **Garbage** – shall include all animal and vegetable matter, singularly or in combination, which has been used as food, or intended to be used as food, for humans including fruit from fruit trees.

- Specifically excluded from Garbage shall be: any yard waste such as leaves, grass, weeds, branches and flowers.

(b) **Rubbish** – shall include all household waste not considered recyclable, including but not limited to, contaminated paper, broken glass and crockery, floor sweepings, disposable diapers and other personal hygiene products, clothes, shoes, rubber, leather and general household scraps.

- Specifically excluded from Rubbish shall be construction debris such as stones, masonry, concrete, lumber, shingles, siding and tar paper.

(c) **Recyclables** – shall include aluminum cans, tin cans, bimetal cans, glass food and beverage containers, PET and SDPE plastic containers, newspapers, magazines and corrugated cardboard.

(d) **Bulk Items** – shall include household furnishings and appliances which may be set at curbside on regular trash pickup day **ONCE** a month on the scheduled day. Customers are to have Freon removed from appliances for removal by trash hauler.

(e) Yard Waste – shall include leaves, grass, weeds, branches, bushes, flowers and any matter commonly associated with residential property maintenance.

- Included as Yard Waste shall be Christmas trees.

(f) Contractor – shall mean the refuse provider selected by the City of Bryan.

(g) Refuse – shall mean garbage and/or rubbish.

(h) Shall; May – "Shall" is mandatory; "may" is permissible.

(i) "City" – shall mean the City of Bryan."

SECTION 2: That Section 953.02 of the City of Bryan Codified Ordinances shall be amended and read as follows:

953.02 EACH RESIDENTIAL UNIT TO PAY FOR COLLECTION.

(a) The owner or occupant of each residence shall pay a set fee for the collection and disposal of refuse directly to the Contractor. The term "residence" includes each residential unit of a multiple dwelling.

(b) The City shall allow for commercial refuse collection for multiple-unit dwellings containing four (4) or more units, if so elected by the owner(s) of the complex.

SECTION 3: That Section 953.03 of the City of Bryan Codified Ordinances shall be amended and read as follows:

953.03 CHARGES.

(1) Each residence shall pay a monthly charge to be billed by, and paid directly to, the Contractor.

(2) Beginning July 1, 2022, the monthly charge shall be \$19.04 per residence. (Charges may be billed on a quarterly basis.)

(3) Beginning January 1, 2023, and each year thereafter through January 2028, there shall be an annual increase of 3.5% per residence.

(4) Any Multiple-Unit Dwelling that has elected commercial refuse collection shall be billed by, and pay the commercial rate directly to, the Contractor.

(5) Any issues or concerns with billing shall be directed to the Contractor and not the City.

SECTION 4: That Section 953.04 of the City of Bryan Codified Ordinances shall be amended and read as follows:

953.04 COLLECTION TIMES, LOCATIONS; EXCEPTION.

A. Collection Receptacle.

1. Contractor will provide one (1) 95 gallon rolling tote for garbage and rubbish. Contractor will also provide one (1) 95 gallon rolling tote for recyclables. One (1) additional tote may be obtained at a reduced monthly rate for the additional tote by contacting the Contractor directly. No other receptacle shall be used.
2. All totes SHALL have the address of the residence placed on the outside by the resident. The address shall be printed on duct tape or sticker in black permanent marker and placed on the top of the tote. No other writing, stickers or advertising shall be placed on totes.
3. It shall be the duty of the owner, occupant or person in charge of the premises to place or cause to be placed the tote(s) no earlier than 6pm on the day before collection and before 6am on collection day.
4. Refuse and/or Recycling Totes shall be removed from the curb, roadway or point of collection no later than 11:59 p.m. on collection day.
5. When not in use for collection as described herein, refuse and recycling totes shall be stored in a garage or outbuilding. When no such building is available, refuse and recycling containers shall be stored in a fenced area, side-yard, backyard or area not otherwise visible from the street.

B. Collection Times/Days.

1. Contractor will collect refuse tote one (1) time per week between 6 a.m. and 6 p.m.
2. Recyclables will be collected every other week on between 6 a.m. and 6 p.m.
3. There will be no collection on the following holidays: New Year's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving and Christmas. Collection for holidays shall occur on the Contractor's next business day.
4. Residents will be allowed ONE (1) bulk item one (1) time per month which shall be set at curbside for collection.

5. Individuals who are physically unable to place the refuse or recycling tote at the curb may contact the Contractor for assistance with collection.
6. If a resident has a physical limitation preventing the placement of totes at curbside for collection, the resident may contact the Contractor for assisted pick-up.

C. Missed Collection.

1. If a collection is missed and caused by the Contractor, it shall be collected within 24 hours upon call by the resident to the Contractor.
2. If a collection is missed and caused by the resident, it shall be collected within 24 hours upon call by the resident to the Contractor, but only one (1) resident missed collection per year shall be allowed.

SECTION 5: That Section 953.05 of the City of Bryan Codified Ordinances shall be amended and read as follows:

953.05 BRUSH; YARD WASTE; LEAVES.

(a) Brush such as sticks, limbs, branches and/or trees will be picked up by the City one (1) time per month. Brush shall be cut into six (6) foot lengths. Brush from a major windstorm need not be cut. Collection may not be at the same time as refuse/recycling collection.

(b) Yard waste in the form of grass clippings and garden waste may be placed in designated hoppers at the City of Bryan Street Department on Buffalo Road.

(c) Autumn leaf pick-up shall be performed by the City of Bryan Street Department.

SECTION 6: That Section 953.06 of the City of Bryan Codified Ordinances shall be amended and read as follows:

953.06 SEMI-ANNUAL ALL TRASH DEPOSIT.

(a) The City, in conjunction with Contractor, shall have a semi-annual all trash deposit at the City of Bryan Street Department on Townline Road. Residents of Bryan may deposit any bulk items in the dumpsters provided. All trash deposit shall run Thursday and Friday from 8 a.m. to 6 p.m. and on Saturday from 8 a.m. until 2 p.m.

(b) Residents will be required to provide proof of residency by bringing a copy of the previous bill from Contractor to utilize the all trash dumpsters.

SECTION 7: That Section 953.07 of the City of Bryan Codified Ordinances shall be amended and read as follows:

953.07 MISCELLANEOUS REQUIREMENTS.

(a) No non-resident and/or resident of the City of Bryan shall bring trash or garbage into the City and add it to a City resident's refuse or add to the semi-annual all trash removal.

(b) No person shall tamper with or remove another resident's receptacle, recyclable materials, or any material discarded for trash collection, other than the occupants of the residence discarding the same or Contractor employees.

SECTION 8: That Section 953.08 of the City of Bryan Codified Ordinances shall be amended and read as follows:

953.08 REGULATIONS OF STREET COMMISSIONER.

Failure to abide by the provisions of ANY division of this Chapter shall be enforced by the Street Commissioner.

SECTION 9: That Section 953.09 of the City of Bryan Codified Ordinances shall be repealed.

SECTION 10: That Section 953.99 of the City of Bryan Codified Ordinances shall be amended and read as follows:


953.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred fifty dollars (\$150.00) on a first offense. The second offense shall constitute a fourth degree misdemeanor and shall carry a fine of up to two hundred fifty dollars (\$250.00) and jail time of up to thirty days in jail.

SECTION 11: That any and all existing Ordinances and Resolutions that are inconsistent herewith are hereby repealed.

SECTION 12: That this Ordinance shall be in full force and effect at the earliest period provided by law.

PASSED this 2nd day of May, 2022.



President of Council

APPROVED this 2nd day of May, 2022.

