

City of Willoughby Hills

ORDINANCE NO. 2019-46

AN ORDINANCE AMENDING PART FIVE – GENERAL OFFENSES CODE, CHAPTER 521 – HEALTH, SAFETY AND SANITATION, SECTION 521.13 – DEPOSIT OF YARD WASTE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO; REPEALING ANY AND ALL CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, the City of Willoughby Hills accepts brush accumulated from the yards of residents; and

WHEREAS, the City of Willoughby Hills needs to regulate the brush disposal site for the benefit of the community and the environment.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. Chapter 521 – Health, Safety and Sanitation, Section 521.13 – Deposit of Yard Waste of the Codified Ordinances of the City of Willoughby Hills be and it hereby is amended to read and provide in its entirety as follows:

“521.13 DEPOSIT OF BRUSH.

- (a) No corporation, partnership, firm, associations or other business entity shall place or dispose of, in any manner, at the City Brush Pile or upon any public property any yard waste including, but not limited to grass, trees, branches, other tree parts, vegetation of any kind, or any other substance or material.
- (b) No person who is not a resident of the city, shall place or dispose of, in any manner, at the City Brush Pile or upon any public property any yard waste, including, but not limited to, grass, trees, branches, other tree parts, vegetation of any kind or any other substance or material.
- (c) No person, being a resident of the City, shall place or dispose of, in any manner, at the City Brush Pile or upon any public property any materials, unless all of the following conditions are met:
 - (1) The brush or other material originated on property located in the City and zoned as R Residential pursuant to Title Five of Part Eleven of the City’s Planning and Zoning Code; and
 - (2) The brush material is deposited at the City Brush Pile between the designated hours set forth by the Willoughby Hills Service Department and
 - (3) NO yard waste has been previously designated by the City as appropriate for deposit at the City Brush Pile; only trees and branches of a caliper of six inches or less are designated as appropriate for deposit at the City Brush Pile.
- (d) No person shall place or dispose of, in any manner, at the City Brush Pile until a permit has been secured in the manner approved by the Director of Public Service.

- (e) Whoever violates this section is guilty of a misdemeanor and shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for a first offense; for each subsequent offense the fine shall be not less than two hundred fifty dollars (\$250.00) nor more than seven hundred fifty dollars (\$750.00). A separate offense shall be deemed committed on each day that a violation occurs or continues.”

SECTION 2. All Ordinances or parts thereof in conflict with the provisions of this Ordinance be, and they are hereby repealed as of the effective date of this Ordinance.

SECTION 3. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the municipality and further reason being to allow the immediate regulation of the City’s brush disposal site for the benefit of the community and the environment; wherefore this Ordinance shall be in full force and take effect from and after its adoption and approval by the Mayor.

PASSED: May 23, 2019

Nancy E. Fellows
Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval
on this 23 day of May, 2019

Approved by the Mayor
May 23, 2019

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor