

ORDINANCE NO. 53-17

**AN ORDINANCE AMENDING CHAPTER 1060
OF THE CODIFIED ORDINANCES OF THE CITY OF AVON
RELATING TO THE STORAGE AND DISPOSAL OF GARBAGE AND REFUSE
AND DECLARING AN EMERGENCY**

WHEREAS, the Council's Service Committee met on March 21, 2016 and reviewed Chapter 1060 and other provisions of the Avon Codified Ordinances to address issues raised by residents about the best practices for storing and disposing of garbage and refuse; and

WHEREAS, the Service Committee that day considered several amendments and found many to be appropriate but did not, however, formally recommend any legislation to City Council; and

WHEREAS, the issue has once again been brought to the attention of the Law Director who has reviewed the minutes of that March, 2016 Service Committee meeting along with samples of legislation from other communities and has prepared a draft of legislative changes to Chapter 1060 that takes into consideration many of the concerns raised by the Service Committee back in 2016; and

WHEREAS, Council as a whole, having reviewed said amendments, finds that adoption of same to be appropriate and in the best interests of the health, safety and welfare of the citizens of Avon and desires to amend Chapter 1060 as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN, AND STATE OF OHIO:

Section 1 - That the provisions of Chapter 1060 pertaining to Garbage and Rubbish Collection and Removal shall be amended to read as set forth in the new Chapter 1060 which is attached to this Ordinance as Exhibit "A" and incorporated herein by this reference.

Section 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 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.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend Chapter 1060 of the Avon Codified Ordinances to insert new requirements, update others, eliminate obsolete provisions and to ensure consistency and fairness in the imposition of penalties for non-compliance, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director