

# Ordinance No.848-12

**Council Member Sweeney**

## An Emergency Ordinance

To amend Section 555.111 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No.1291.11, passed December 5, 2011 relating to setting out excessively large quantities of waste.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Section 555.111 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1291-11 passed December 5, 2011 is hereby amended to read as follows:

**Section 551.111 Setting out an Excessively Large Quantity of Waste for Collection Prohibited; Applicability; Penalty**

(a) No person shall set out for collection on a parcel's tree lawn or other designated place for collection a quantity of solid waste exceeding six (6) cubic yards but not exceeding ten (10) cubic yards in volume including special waste, if any, as described in Section [551.05](#).

(b) No person shall set out for collection on a parcel's tree lawn or other designated place for collection a quantity of solid waste exceeding ten (10) cubic yards in volume including special waste, if any, as described in Section [551.05](#).

(c) *Applicability.* The offenses established in this section are applicable without regard to whether the offender:

(1) Sets the waste out due to an eviction, a house or garage cleanout, or for any other reason;

(2) Uses or intends to use a public or private vendor or entity for its disposal;

(3) Sets out the waste for the purpose of staging it for eventual disposal.

(d) *Penalty.* Any person who violates this section is liable for the civil infraction established under Section [551.991](#) and is guilty of a special misdemeanor for which the maximum penalty shall be two hundred fifty dollars (\$250.00).

**Section 2.** That existing Section 555.111 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1291-11, passed December 5, 2011 is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**MJS:rns**

**June 4, 2012**

**Referred to Directors of Public Works, Finance, Law;  
Committees on Public Service, Legislation, Finance.**

**Ord. No. 848-12**

**REPORT**  
after second Reading

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READ FIRST TIME

REPORTS

and referred to **Directors of Public Works, Finance, Law;  
Committees on Public Service, Legislation, Finance.**

by the council **June 4, 2012.**

CITY CLERK

READ SECOND TIME

by the council

CITY CLERK

READ THIRD TIME

by the council

PRESIDENT

CITY CLERK

APPROVED

MAYOR

