

VILLAGE OF PLEASANT HILL, OHIO

ORDINANCE 964

AN ORDINANCE PROHIBITING LITTERING AND DEPOSIT OF GARBAGE, RUBBISH AND JUNK IN THE VILLAGE OF PLEASANT HILL

WHEREAS, the Village Council finds and declares that the present ordinance does not adequately address the issue of littering; and

WHEREAS, the Village Council finds that amending litter disposal requirements is in the best interests of the public health, safety and welfare of the citizens of Pleasant Hill; and

NOW, THEREFORE BE IT ORDAINED by the council of the Village of Pleasant Hill, a majority of the members elected or appointed thereto concurring.

- SECTION ONE:
- A) No person regardless of intent shall deposit litter, cause litter to be deposited or remain in place on any public or private property within the Village of Pleasant Hill or on waters of the Municipality or of the State of Ohio. Any such litter is considered offensive and damaging to others including the general public creating a detrimental effect on property values and being further detrimental to the health, safety, and welfare of the residents of the Village.
 - B) No person, without privilege to do so, shall knowingly deposit litter, or cause it to be deposited, in a litter receptacle located on any public property or on any private property not owned by him, unless the following apply:
 - 1) The litter was generated or located on the property on which the litter receptacle is located.
 - 2) The person is directed to do so by a public official as part of a litter collection drive.
 - 3) The person is directed to do so by a person he reasonably believes to have the privilege to use the litter receptacle.
 - 4) The litter consists of any of the following:
 - a) The contents of a litter bag or container of a type and size customarily carried and used in a motor vehicle.
 - b) The contents of an ashtray of a type customarily installed or carried in a motor

- vehicle.
 - c) Beverage containers and food sacks, wrappings and containers of a type and in an amount that reasonably may be expected to be generated during routine commuting or business or recreational travel by a motor vehicle.
 - d) Beverage containers, food sacks, wrappings, containers, and other materials of a type and in an amount that reasonably may be expected to be generated during a routine day by a person and deposited in a litter receptacle by a casual passerby.
- C)
 - 1) As used in subsection (B)(1) hereof, "public property" includes any private property open to the public for the conduct of business, the provision of a service, or upon the payment of a fee does not include any private property to which the public does not have a right of access.
 - 2) As used in subsection (B)(4) hereof, "casual passerby" means a person who does not have depositing litter in a litter receptacle as his primary reason for traveling to or by the property on which the litter receptacle is located.
- D) As used in this section:
 - 1) "Litter means garbage, trash, ashes, waste, rubbish, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass, or anything else of an unsightly or unsanitary nature.
 - 2) "Deposit" means to throw, drop, discard, or place.
 - 3) "Litter receptacle" means a dumpster, trash can, trash bin, garbage can, or other similar container in which litter is deposited for removal.
- E) No person shall cause or allow litter to be collected or remain in any place to the damage or prejudice of others or of the public, or unlawfully obstruct, impede, divert, corrupt, or render unwholesome or impure, any natural watercourse.
- F) Whoever violated any provision of subsection (A) to (D) hereof, is guilty of a misdemeanor of the third degree. The sentencing court may, in addition to, or in lieu of the penalty provided in this subsection require a person who violates

subsection (A) to (D) hereof, to remove litter from any public or private property, or in or on any waters.

- G) Whoever violates subsection of (E) is guilty of a minor misdemeanor.

Approved as to form:

Paul Wagner, Solicitor

Mary Stanforth
Clerk-Treasurer

Larry Johnston
Mayor

President of Council

Passed December 2., 2002

This is to certify that this Ordinance in the form above, was posted in five (5) Public posting places within the Village of Pleasant Hill, Ohio for a period of fifteen (15) days after the passage of said Ordinance by the Council of the village of Pleasant Hill, Ohio.

Post Office, Covington Savings and Loan Assn., Village Sunoco, Library, Village Council Room.