

First Reading: September 12, 2006  
Second Reading: September 26, 2006  
Third Reading: October 10, 2006

**ORDINANCE 27 -2006**

**AN ORDINANCE REQUIRING THE REMOVAL OF DOG EXCREMENT**

**WHEREAS**, the deposit of dog excrement on public property or the property of another without removal is a nuisance and health hazard.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Newtown, State of Ohio:

**SECTION 1.** No person or owner shall fail to remove and properly dispose of any excrement deposited by any dog under his or her control or ownership on public property or the property of another.

**SECTION 2.** This ordinance shall not apply to guide dogs under the control of a blind person.

**SECTION 3.** Whoever violates this ordinance shall be guilty of a minor misdemeanor.

**SECTION 4.** Ordinance 44-1997 passed September 9, 1997 is repealed in its entirety.

**SECTION 5.** The Council of the Village of Newtown, by at least three-fourths vote of all of its members, dispenses with the requirement that this Ordinance be read on three separate days and authorizes its passage upon one reading.

**SECTION 6.** This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of the Village of Newtown. The reason for the emergency is to provide for the immediate removal of excrement by owners of dogs for health purposes.

**VOTE RECORD:**

Mr. Cosby yes

Mr. Evans yes

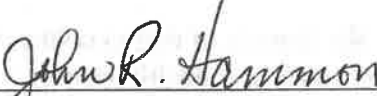
Ms. Hueber yes

Mr. Kobasuk yes

Ms. McCarthy yes


Mr. Pulskamp yes

**PASSED** this 10<sup>th</sup> day of October, 2006.


  
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John R. Hammon, Mayor  
Village of Newtown, Ohio

**AUTHENTICATION**

This is to certify that this ordinance was duly passed, and filed with the Village of Newtown Fiscal Officer, this 10<sup>th</sup> day of October, 2006.

  
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Keri Everett, Fiscal Officer  
Village of Newtown, Ohio

**APPROVED AS TO FORM**

  
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R. Douglas Miller, Solicitor  
Village of Newtown, Ohio

First Reading: October 9, 2007  
Second Reading: October 23, 2007  
Third Reading: November 13, 2007

**ORDINANCE 14 -2007**

**AN ORDINANCE TO REGULATE THE PROCEDURE FOR PLACING RECEPTACLES CONTAINING GARBAGE AND TRASH TO BE COLLECTED BY THE VILLAGE OF NEWTOWN'S INDEPENDENT CONTRACTOR AND REGULATING THE TYPE AND SIZE OF SAID RECEPTACLES**

**WHEREAS**, the Council of the Village of Newtown has entered into a contract with Rumpke Waste, Inc., an independent contracting firm, to provide waste collecting and disposal services to the residents of the Village of Newtown; and

**WHEREAS**, as part of the agreement with said company the residents of the village are to place the receptacles containing the waste at the curb line on the specified times for collection; and

**WHEREAS**, certain citizens of the Village have placed these receptacles in containers of such type as to cause the waste to be disbursed over the streets and sidewalks of the Village; and

**WHEREAS**, certain citizens of the Village have also placed the containers at the curb site as required by the contract several days prior to the pickup date as per the contract with said contractor, so as to cause a nuisance on the streets generally; and

**WHEREAS**, it is the desire of Council to eliminate the use of receptacles for the containment of garbage and other wastes which do not properly retain the waste material until it is collected by the contractor, and further prevent citizens from placing containers of any type at the curb site at any time regardless of the collection date.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Newtown, State of Ohio:

**SECTION 1.** That the containers containing garbage and other trash to be picked up for the regularly scheduled collection by the Village and/or its authorized contractors or agents shall not be set out on the curb before 5:00 p.m. of the evening preceding the scheduled collection day.

**SECTION 2.** That containers used for the storage of garbage and other trash must be removed from the curb and/or public right-of-way on the day of collection.

**SECTION 3.** Containers for the storage of garbage and other trash shall not be stored in

the front yard of any real property when not set out for pick-up. Containers for the storage of garbage and other trash shall not be stored in the side yard of any real property unless such containers are shielded from view from the street.

**SECTION 4.**

That the property owners and/or their tenants or other persons occupying the premises shall be responsible to place the garbage and other waste materials in receptacles that are capable of preventing said garbage and other waste materials from in any manner being disbursed on the curb and/or public right-of-way or the private property prior to the pickup by the Village and/or its authorized agent, and if said containers are not suitable the said property owner, tenant or person occupying said premises shall be liable for a citation for creating a nuisance unless said property owner can prove that the disbursal of the garbage or other refuse was in a suitable container but disbursed for reasons beyond his, her or their control.

**SECTION 5.**

Individual property owners, tenants or other persons occupying the private property may apply for an exemption for the set out times as provided in this ordinance by making a written application to the Mayor or other agent designated by the Mayor to consider said application. The exemptions by any property owner, tenant or other person occupying the premises may only be considered and granted to persons who must depend on another person to set out their garbage and other refuse for collection, because of age and/or handicap and/or absence from their homes on the evening preceding or morning of the scheduled collection date.

**SECTION 6.**

Whoever violates any provision of this ordinance is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, such person is guilty of a misdemeanor of the third degree. Each day that the violation of any provision of this ordinance continues shall be considered a separate offense for which a citation may be issued.

**VOTE RECORD:**

Mr. Cosby YES

Mr. Evans YES

Ms. Hueber YES

Mr. Kobasuk YES

Ms. McCarthy YES

Mr. Pulskamp YES