

RECORD OF ORDINANCES

Ordinance No. 2015-23

Passed November 11, 2015

AN ORDINANCE REQUIRING MONTHLY PAYMENTS TO THE VILLAGE OF THURSTON FOR EACH CUBIC YARD OF CONSTRUCTION AND DEMOLITION DEBRIS DISPOSED OF WITHIN THE CITY AND DECLARING AN EMERGENCY

WHEREAS, Section 3714.07 of the Ohio Revised Code requires disposal fees to assist boards of health and the environmental protection agency in administering and enforcing Chapter 3714.

NOW, **THEREFORE, BE IT ORDAINED**, BY THE COUNCIL OF THE VILLAGE OF THURSTON, OHIO THAT:

SECTION 1: "Construction and Demolition Debris Facility," means a construction and demolition facility licensed under RC 3714.06.

SECTION 2: Each Construction and Demolition Debris Facility owner or operator shall pay a fee, pursuant to RC 3714.07(C,) for each cubic yard or per ton of construction and demolition debris disposed of within the Village of Thurston.

SECTION 3: Each Construction and Demolition Debris Facility operator shall record each load of construction and demolition debris material disposed of at their facility on an Ohio Environmental Protection Agency daily log form. The amount of material shall be recorded in either yards or tons. Any material recycled from the construction and demolition debris loads shall not be assessed the tipping fee provided that the Construction and Demolition Debris Facility operator maintains documentation on the amount of recycled material.

SECTION 4: Each Construction and Demolition Debris Facility operator shall make a monthly payment to the Village of Thurston based on the amount of material in yards disposed of during the month multiplied by the current tipping fee. If construction and demolition debris is recorded in tons, a conversion factor of two (2) yards equals one ton shall be used to determine the yardage. Payment shall be made to the Village of Thurston within thirty (30) days from the time the Fairfield Health Department receives the necessary information from the Construction and Demolition Debris Facility.

SECTION 5: Tipping fees collected under this section shall be deposited in the General Fund of the Village of Thurston.

SECTION 6: Council for the Village of Thurston may adopt and cause to be enforced any rules, policy or regulations to effectuate the purpose of this Ordinance, as determined by Council.

SECTION 7: It is hereby 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 Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thurston which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 8: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

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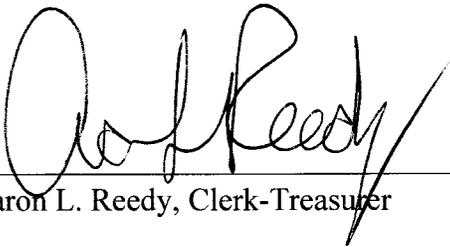
Ordinance No. _____

Passed _____, 20____

SECTION 9: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

Passed in Council this 11th day of November 2015.

ATTEST:



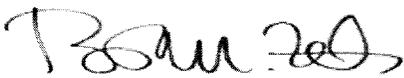
Aaron L. Reedy, Clerk-Treasurer



Mary Boring, Mayor

APPROVED:

Approved as to form this 2nd day of November 2015.



Brian M. Zets, Esq.
Village Solicitor