

**ORDINANCE NO. 25, 2024**

**AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF ST. BERNARD, OHIO, REVISING THE TRAFFIC AND GENERAL OFFENSES CODES TO COMPLY WITH STATE LAW, AND DECLARING AN EMERGENCY**

**WHEREAS,** various ordinances of a general and permanent nature have been passed, which should be included in the Codified Ordinances of St. Bernard, Ohio; and

**WHEREAS,** there have been numerous statutes passed since the last codification which should be reflected in the Traffic, and General Offenses Codes in the Codified Ordinances; now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD, STATE OF OHIO:**

**Section 1.** That the editing, arrangement and numbering of those ordinances and resolutions enacted by Council from 4/01/2024 to 7/01/2024, as listed in the Comparative Section Table, are hereby approved and adopted as printed in the July 2024 Replacement Pages to the Codified Ordinances so as to achieve uniformity of style and classification. A copy of such Replacement Pages is attached to this ordinance and incorporated as a part hereof.

**Section 2.** That the following sections of the Codified Ordinances enacted, amended or repealed in the manner respectively indicated in order to comply with current State law:

Traffic Code

None

General Offenses Code

529.07 Open Container Prohibited. (Amended)

**Section 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety. The reason for the emergency is the immediate need to update the Codified Ordinances of St. Bernard. Therefore, this Ordinance shall take effect immediately by and upon its passage, and the approval of two-thirds of the members of said Council. However, this Ordinance shall take effect on the earliest date provided by law if approved by no more than a majority of the members of Council and in that event the emergency provisions herein are set at naught.

Passed this 22nd day of August, 2024

Steve Asbach

President of Council

ATTEST:

Stacy Culbertson  
Clerk of Council

Approved this 22<sup>nd</sup> day of August, 2024



\_\_\_\_\_

I, CAROLINE STEGMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Ordinance No. 25, 2024, was made by posting true copies of the same in the most public places designated by Council: the Village website; and the Village social media account, for a period of fifteen (15) days or more commencing Sept. 12, 2024.

ATTEST: Deidi Culbaker, pro tem DATE 8-22-2024  
Clerk of Council

Approved as to form Sam Dan Sisk, Esq. Date 22 Aug 2024  
Director of Law

INSTRUCTIONS FOR INSERTING  
JULY 2024 REPLACEMENT PAGES  
FOR THE  
CODIFIED ORDINANCES OF ST. BERNARD

All new replacement pages bear the footnote "July 2024 Replacement". Please discard old pages and insert these new replacement pages immediately as directed in the following table.

Discard Old Pages

Insert New Pages

PRELIMINARY UNIT

Cover and Certification Page

3, 4

13, 14

42C, 42D

Cover and Certification Page

3, 4

13, 14

42C, 42D

PART THREE - TRAFFIC CODE

123, 124

129, 130

123, 124

129, 130

PART FIVE - GENERAL OFFENSES CODE

99, 100

99, 100

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

13 through 16C

13 through 16D

**CODIFIED  
ORDINANCES  
OF THE  
VILLAGE OF  
ST. BERNARD,  
OHIO**

**Local legislation current through July 1, 2024**

**State legislation current through February 28, 2024**

VILLAGE OF ST. BERNARD  
ROSTER OF OFFICIALS  
(2024)

COUNCIL

Steve Asbach	President
Patty Hausfeld	At Large
Ray Culbertson	At Large
Chris Schildmeyer	At Large
John Estep	At Large
Jeff Edwards	At Large
Connor Moreton	At Large
Gus Stuchell	At Large
Caroline Segman	Clerk

OFFICIALS

Jonathan Stuchell	Mayor
Peggy Brickweg	Auditor
John Ungruhe	Treasurer
Valerie VanValkenburg-Walden	Director of Law
Tim Werdmann	Director of Public Safety and Service
Mike Simos	Police Chief
Bryan Young	Fire Chief
Leighanne Helmes	Tax Commissioner
Gerry Stoker	Building Commissioner
Paul Schildmeyer	Recreation Director

CANAL BED AREA			
golf prohibited	521.13		
CANDY			
adulterated	537.13		
CANVASSERS (see PEDDLERS, SOLICITORS AND CANVASSERS)			
CARRYING CONCEALED WEAPONS	549.02		
CAR SEAT, CHILDREN'S	337.26		
CAT (see ANIMALS)			
CATTLE (see ANIMALS)			
CELL PHONE			
texting while driving prohibited	333.11		
use prohibited while driving	335.032		
CELLULAR COMMUNICATIONS (see WIRELESS COMMUNI- CATIONS SYSTEMS)			
CERTIFICATE OF TITLE			
motor vehicle	335.08		
off-highway motorcycle, all purpose vehicle	375.08		
CHARTER			
amendments	Chtr. 10.02		
continuity			
administration	Chtr. 9.02		
laws	Chtr. 9.03		
municipal structure	Chtr. 9.01		
preamble	Chtr. 1.01		
severability	Chtr. 10.01		
CHEATING	517.05		
CHECKS			
passing bad	545.09		
CHILDREN (see JUVENILE; MINOR)			
CHILD RESTRAINT SYSTEM	337.26		
CIGARETTES			
illegal distribution to minors	535.02		
CIVIL RIGHTS			
ethnic intimidation	541.08		
interfering with	525.13		
CIVIL SERVICE COMMISSION			
continuity	Chtr. 9.04		
created	Chtr. 5.03		
CODE ASSISTANCE OFFICER			
Flood Damage Prevention Administrator	1331.13		
generally	139.01		
CODIFIED ORDINANCES (see also ORDINANCES AND RESOLUTIONS)			
amendment or repeal	101.04		
conflicting provisions	101.06		
definitions	101.02		
designation; citation	101.01		
headings	101.01		
legislative intent	101.07		
penalty, general	101.99		
revivor	101.04		
rules of construction	101.03		
section references	101.05		
severability	101.08		
COERCION	537.09		
COIN MACHINE			
amusement (see AMUSEMENT DEVICES)			
definition	545.01		
slug use	545.11		
tampering	545.12		
COMMERCIAL AND HEAVY VEHICLE			
air cleaner required	337.25		
brakes	337.18		
chains, spikes or lugs	339.10		
engine braking	339.12		
explosives, transporting	339.06		
height, maximum	339.03		
highway maintenance vehicle	301.161		
length, maximum	339.03		
lights (see VEHICLE LIGHTS)			
loads (see VEHICLE LOADS)			
local streets, use	339.02		
mud flaps	339.05		

## COMPARATIVE SECTION TABLE

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
6-2015	1-22-15	353.04	15-2018	4-5-18	333.01, 337.28, 513.09, 529.08
17-2015	4-2-15	739.04	16-2018	4-5-18	121.10
18-2015	4-2-15	351.16	18-2018	6-14-18	121.10
19-2015	4-2-15	523.01	25-2018	8-9-18	505.22, 505.23
39-2015	7-30-15	159.17	26-2018	8-9-18	521.15
52-2015	12-10-15	182.01 to 182.20, 182.97, 182.98, 182.99	32-2018	10-11-18	141.05
55-2015	11-19-15	515.05	18-2019	10-10-19	141.05, 143.03
58-2015	12-10-15	301.19, 303.081, 303.082, 335.031, 335.09, 335.10, 341.01, 341.03, 341.05, 341.06, 351.04, 373.02, 529.07	21-2019	11-14-19	121.10(b)(2) and (3)
11-2016	5-19-16	505.01, 505.02	24-2019	12-17-19	121.10(b)(9), (c)(5), (j)(5), 139.01(b), 139.02, 139.03, 141.01, 141.03, 143.01, 143.02, 145.01, 145.02 to 145.04, 145.07, 149.02, 153.01, 159.03, 159.05(b), 159.09, 191.11, 303.12, 305.01, 305.02, 305.04, 305.06 to 305.08, 311.02, 505.03, 521.14, 523.04, 523.05, 547.03 to 547.07, 560.01 to 560.03, 705.05, 711.08, 739.08, 901.01 to 901.05, 905.04, 905.06, 923.01, 923.12, 1107.05, 1109.09, 1113.01, 1113.05, 1186.05 to 1186.07, Zon. Appdx. A, 1305.05, 1501.13, 1501.14
13-2016	8-18-16	1186.01 to 1186.09, 1186.99			
31-2016	12-15-16	1335.07			
4-2017	2-16-17	301.04, 301.19, 331.21, 331.211, 335.09, 373.02, 501.06, 513.02, 513.03, 513.04, 513.05, 513.07, 513.08, 513.11, 513.12, 513.121, 513.13, 529.01, 529.07, 537.17, 541.04, 541.15			
10-2017	6-15-17	303.081, 303.082, 313.09, 331.03, 333.01, 501.01, 525.05, 529.07, 537.18, 541.02, 549.01, 549.02			
13-2017	6-15-17	121.10			
15-2017	7-20-17	547.01 to 547.09, 547.99			
18-2017	9-7-17	521.10, 549.04	06-2020	5-28-20	121.10(a), (i)
20-2017	10-5-17	560.01 to 560.05	12-2020	7-30-20	182.03, 182.042, 182.097, 182.14, 182.21
25-2017	12-7-17	121.10	21-2020	9-24-20	133.03
26-2017	11-2-17	303.04, 335.09, 351.07, 529.08, 537.15	25-2020	10-15-20	121.08
34-2017	12-7-17	121.10	16-2021	10-28-21	1153.01
04-2018	3-1-18	923.22	05-2022	3-21-22	123.01(b)
10-2018	2-1-18	182.014, 182.03, 182.062, 182.063, 182.093, 182.097	12-2022	4-18-22	751.01 to 751.03
			26-2022	8-25-22	121.10(a)(3)

**CHAPTER 339**  
**Commercial and Heavy Vehicles**

<p><b>339.01</b> Oversize or overweight vehicle operation on State routes; State permit.</p> <p><b>339.02</b> Use of local streets; local permit and conditions.</p> <p><b>339.03</b> Maximum width, height and length.</p> <p><b>339.04</b> Route and load information.</p> <p><b>339.05</b> Wheel protectors.</p> <p><b>339.06</b> Vehicles transporting explosives.</p>	<p><b>339.07</b> Towing requirements.</p> <p><b>339.08</b> Loads dropping or leaking; removal required; tracking mud.</p> <p><b>339.09</b> Shifting load; loose loads.</p> <p><b>339.10</b> Vehicles with spikes, lugs and chains.</p> <p><b>339.11</b> Use of studded tires and chains.</p> <p><b>339.12</b> Engine braking.</p>
--	---

**CROSS REFERENCES**

See sectional histories for similar State law  
 Weighing vehicle; removal of excess load - see Ohio R.C. 4513.33  
 Arrest notice of driver - see Ohio R.C. 5577.14  
 Slower moving vehicles to be driven in right-hand lane - see  
 TRAF. 331.01(b)

**339.01 OVERSIZE OR OVERWEIGHT VEHICLE OPERATION ON STATE ROUTES; STATE PERMIT.**

(a) No person shall operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in Ohio R.C. 5577.01 to 5577.09, inclusive, or otherwise not in conformity with Ohio R.C. 4513.01 to 4513.37, inclusive, upon any State route within the Municipality, except pursuant to special written permit issued by the Ohio Director of Transportation, or upon any local truck route. Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer.

No holder of a permit issued by the Ohio Director of Transportation shall be required to obtain any local permit or license or pay any local fee or charge for movement on any State route within the Municipality; however, it shall be unlawful to operate any such vehicle or combination of vehicles upon any roadway within the Municipality which is not a State route, except as provided in Section 339.02. (ORC 4513.34)



**339.08 LOADS DROPPING OR LEAKING; REMOVAL REQUIRED;  
TRACKING MUD.**

(a) No vehicle shall be driven or moved on any street, highway or other public place unless such vehicle is so constructed, loaded or covered as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand or other substances may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway.

(b) Except for a farm vehicle used to transport agricultural produce or agricultural production materials or a rubbish vehicle in the process of acquiring its load, no vehicle loaded with garbage, swill, cans, bottles, waste paper, ashes, refuse, trash, rubbish, waste, wire, paper, cartons, boxes, glass, solid waste or any other material of an unsanitary nature that is susceptible to blowing or bouncing from a moving vehicle shall be driven or moved on any street, highway or other public place unless the load is covered with a sufficient cover to prevent the load or any part of the load from spilling onto the street, highway or other public place.  
(ORC 4513.31)

(c) No person shall operate any vehicle so as to track or drop mud, stones, gravel or other similar material on any street, highway or other public place.

(d) It shall be the duty of the driver of a vehicle who unlawfully drops or deposits mud, stones, gravel or other similar material or permits the load or any portion thereof to be dropped or deposited upon any street, highway or other public place to immediately remove the same or cause it to be removed. (ORC 4513.31)

(e) Whoever violates this section is guilty of a minor misdemeanor.  
(ORC 4513.99)

**339.09 SHIFTING LOAD; LOOSE LOADS.**

(a) In addition to any other lawful requirements of load distribution, no person shall operate any vehicle upon a street or highway unless such vehicle is so laden as to prevent its contents from shifting or otherwise unbalancing the vehicle to such an extent as to interfere with the safe operation of the same.

(b) No motor vehicle or trailer shall be driven unless the tailboard or tailgate, tarpaulins, chains (except ground or contact chains), ropes, stakes, poles, and the like, or any part of the load, are securely fastened to prevent dangling, flapping, swinging or falling from the side, end or top of the load or body. All projecting cargo shall be properly guarded by a red flag or cloth or a red light or lantern as required by Section 337.08.

(c) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

(k) Whoever violates subsection (b) hereof shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). The court imposing a fine for a violation of subsection (b) hereof may order that the fine be paid by the performance of public work at a reasonable hourly rate established by the court. The court shall designate the time within which the public work shall be completed. (ORC 4301.99)

**529.07 OPEN CONTAINER PROHIBITED.**

- (a) As used in this section:
- (1) "Chauffeured limousine" means a vehicle registered under Ohio R.C. 4503.24.
  - (2) "Street," "highway" and "motor vehicle" have the same meanings as in Ohio R.C. 4511.01.
- (b) No person shall have in the person's possession an opened container of beer or intoxicating liquor in any of the following circumstances:
- (1) Except as provided in subsection (c)(1)E. hereof, in an agency store;
  - (2) Except as provided in subsection (c) or (i) hereof, on the premises of the holder of any permit issued by the Division of Liquor Control;
  - (3) In any other public place;
  - (4) Except as provided in subsection (d) or (e) hereof, while operating or being a passenger in or on a motor vehicle on any street, highway or other public or private property open to the public for purposes of vehicular travel or parking;
  - (5) Except as provided in subsection (d) or (e) hereof, while being in or on a stationary motor vehicle on any street, highway or other public or private property open to the public for purposes of vehicular travel or parking.
- (c) (1) A person may have in the person's possession an opened container of any of the following:
- A. Beer or intoxicating liquor that has been lawfully purchased for consumption on the premises where bought from the holder of an A-1-A, A-2, A-2(f), A-3a, D-1, D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o, D-7, D-8, D-9, E, F, F-2, F-5, F-7, F-8 or F-9 permit;
  - B. Beer, wine, or mixed beverages served for consumption on the premises by the holder of an F-3 permit, wine served as a tasting sample by an A-2, A-2f, S-1, or S-2 permit holder for consumption on the premises of a farmers market for which an F-10 permit has been issued, or wine served for consumption on the premises by the holder of an F-4 or F-6 permit;
  - C. Beer or intoxicating liquor consumed on the premises of a convention facility as provided in Ohio R.C. 4303.201;
  - D. Beer or intoxicating liquor to be consumed during tastings and samplings approved by rule of the Liquor Control Commission.
  - E. Spirituous liquor to be consumed for purposes of a tasting sample, as defined in Ohio R.C. 4301.171.
  - F. Beer or intoxicating liquor to be consumed in an outdoor area described in Ohio R.C. 4303.188(B)(1).
- (2) A person may have in the person's possession on an F liquor permit premises an opened container of beer or intoxicating liquor that was not purchased from the holder of the F permit if the premises for which the F permit is issued is a music festival and the holder of the F permit grants

**TITLE FIVE - Public Services**  
 Chap. 923. Waste Collection and Recycling.  
 Chap. 931. Municipal Swimming Pool.

**CHAPTER 923**  
**Waste Collection and Recycling**

<p>923.01 Rules and enforcement.          923.02 Reserved.          923.03 Separability.          923.04 Compliance required.          923.05 Definitions.          923.06 Type of container for storage.          923.07 Responsibility to provide containers.          923.08 Garbage to be wrapped.          923.09 Garbage to be placed in containers promptly.          923.10 Location of containers.          923.11 Setting out waste for collection.          923.12 Waste and refuse removal.          923.13 Scavenging prohibited.</p>	<p>923.14 Recycling Collection Program established.          923.15 Recycling containers.          923.16 Separation.          923.17 Placing recyclable materials.          923.18 Collection of recyclable materials.          923.19 Additional methods of disposal.          923.20 Registered property owner prima-facie liable for violations.          923.21 Yard waste.          923.22 Residential solid waste collection fee.          923.99 Penalty.</p>
--	---

**CROSS REFERENCES**

Collection and disposal of garbage - see Ohio R.C. 715.43, 717.01  
 Employment of scavengers - see Ohio R.C. 3707.39  
 Disposal and transportation upon public ways - see Ohio R.C. 3767.20 et seq.  
 Vehicle loads dropping, sifting, leaking - see TRAF. 339.08  
 Littering - see GEN. OFF. 521.08  
 Removing waste from containers - see GEN. OFF. 541.11  
 Abandoned refrigerators and airtight containers - see GEN. OFF. 521.01

**923.01 RULES AND ENFORCEMENT.**

(a) The Director of Public Service and Safety or his or her designee shall adopt rules and regulations consistent with this Chapter and any other ordinance of the Village of St. Bernard for the collection and placement of waste, garbage, refuse, and debris in a manner that will promote efficiency and the protection of the quality of neighboring properties. Such rules and regulations shall be available for review with the Village Hall Clerk during regular business hours.

- (g) "Householder" means the head of a family or one maintaining his or her separate living quarters in which kitchen, cooking or eating facilities are provided, and shall include owners, tenants, and occupants of all premises upon which waste is created.
- (h) "Owner or person in control" means the owner of the freehold estate of the premises; occupant; lessee or holder of a lesser estate in the premises; mortgagee or vendee in possession; receiver; executor; trustee; and any person, public or private entity, and/or its duly authorized agent(s), with the authority to bring the lot or of any lot or parcel of land situated within the Village into compliance with the provisions of this Chapter.
- (i) "Special pickup" means all household items, such as, but not limited to, furniture, appliances, carpeting and padding, metal windows and door frames (excepting glass), outdoor play equipment (dismantled) and other items that require a separate collection. These are items that are usually not placed in the regular garbage paker.
- (j) "Waste" means all trash, rubbish, garbage, offal, and other refuse or discarded matter required to be removed from private and public places. It does not include recognized byproducts of any business or industry having commercial value and regularly handled in the ordinary course of business, unless the byproducts or the handling of them becomes a nuisance or menace to the public health.
- (k) "Yard Waste" means leaves, grass, clippings, weeds, brush or branch clippings, and small limbs.  
(Ord. 31-2023. Passed 10-12-23.)

#### **923.06 TYPE OF CONTAINER FOR STORAGE.**

Containers for storing all wastes, garbage and yard waste shall be of galvanized iron or other non-rusting material of a substantial construction with tight fitting lids, watertight, and no larger than sixty-five (65) gallons and/or seventy (70) pounds. Containers for recycling do not require lids but need to be clearly designated for recycling.  
(Ord. 31-2023. Passed 10-12-23.)

#### **923.07 RESPONSIBILITY TO PROVIDE CONTAINERS.**

Every householder or family residing in a building that is arranged for occupancy of five (5) or less households or families shall each provide their own proper containers as described in Section 923.06, sufficient in number for the accumulation between the dates of regular collections. In any building that is arranged for occupancy of six (6) or more households or families, the owner or person in charge thereof or their agent, shall be responsible to provide the necessary number of containers for each householder or family.  
(Ord. 31-2023. Passed 10-12-23.)

#### **923.08 GARBAGE TO BE WRAPPED.**

Before being deposited in waste containers, waste and garbage must be placed and sealed in Village purchased plastic bags or those of equal quality until the day of collection. Recycling does not have to be wrapped before being placed into a proper recycling container. All containers used for waste, garbage, yard waste and recycling shall be kept clean and disinfected.  
(Ord. 31-2023. Passed 10-12-23.)

(c) If the owner or person in charge of any lot or parcel of land places or allows to be placed any containers, plastic garbage bags, refuse, or debris in violation of this Chapter in a manner or location, or in such amounts or types, that the Director of Public Service and Safety, or their designee, determines it infringes on a public right of way, creates a public nuisance, or is a safety hazard to persons or property, the Director of Public Service and Safety, or their designee, is authorized to cause such containers, garbage bags, refuse or debris to be removed at a time other than that scheduled for regular collection for that property. Such action may be in addition to the issuance of a notice of violation as provided for in Section 923.12(b), but does not require the issuance of a ticket prior to any action by the Director of Public Service and Safety.

(d) When, in accordance with Section 923.12(c) any such containers, garbage bags, refuse, or debris is removed at a time other than that scheduled for regular collection for that property as determined by the Director of Public Service and Safety, or their designee, then after such work is performed, the Village shall give notice by regular mail to the owner or person in charge of such lot or parcel of land, at his or her known address, to pay the cost of such removal, including any overtime costs, which notice shall be accompanied by a statement of the amount of fees. If the same is not paid within thirty (30) days after the mailing of the notice, such amount may be certified to the County Auditor for collection as other taxes and assessments and collected in accordance with Ohio R.C. 731.54, or the Village may seek recovery of such costs by filing a misdemeanor charge against the property owner involved.

(e) When garbage bags, refuse, waste, or yard waste are improperly placed for collection in accordance with the provisions of this Chapter, the owner or person in control shall be charged at the rate of fifty dollars (\$50.00), increasing by that same amount for each additional violation. The minimum charge therefor shall be as follows:

<u>Violations</u>	<u>Minimum Fee</u>
1st violation	warning
2nd violation	\$50.00
3rd violation	\$100.00
4th violation or more	\$150.00

(d) Except as provided in Section 932.12(d), whoever violates this section is guilty of a minor misdemeanor.  
(Ord. 31-2023. Passed 10-12-23.)

### **923.13 SCAVENGING PROHIBITED.**

(a) No person other than authorized Village personnel shall remove any recyclable materials, waste, worn-out, cast off or discarded items that have been deposited on a public street, curb, or alley for collection by the Service Department.

(b) Whoever violates this section is guilty of scavenging, a minor misdemeanor.  
(Ord. 31-2023. Passed 10-12-23.)

(b) Any person who violates this section shall be guilty of a minor misdemeanor.  
(Ord. 31-2023. Passed 10-12-23.)

#### **923.19 ADDITIONAL METHODS OF DISPOSAL.**

Any resident or property owner may donate or sell recyclable material to any person, partnership or corporation whether operating for profit or not for profit. Such person, partnership or corporation may not, however, under any circumstances pick up such recyclable materials from any curbside in the Village.  
(Ord. 31-2023. Passed 10-12-23.)

#### **923.20 REGISTERED PROPERTY OWNER PRIMA-FACIE LIABLE FOR VIOLATIONS.**

The registered owner of the real property lot or parcel shall be primarily responsible for any violations of the provisions of this Chapter. The registered owner listed in the Hamilton County Auditor's property records determines proof of ownership of property.  
(Ord. 31-2023. Passed 10-12-23.)

#### **923.21 YARD WASTE.**

(a) No person shall dispose of branches or limbs that exceed two (2) inches in diameter nor five (5) feet in length by including such materials in their yard waste. All branches and limbs shall be neatly bundled.

(b) While the fall leaf pickup program is in progress, leaves may be placed on verge which is located between the curb and the sidewalk.

(c) Placing leaves and other yard waste in the street gutter or street is prohibited.  
(Ord. 31-2023. Passed 10-12-23.)

#### **923.22 RESIDENTIAL SOLID WASTE COLLECTION FEE**

(a) Establishment and Determination of Fees. For Solid waste collection and disposal and recycling, commencing in the year 2018, the Village shall charge all residential properties within the Village a monthly fee per dwelling unit. The owner of each residential property shall be responsible for the timely payment of said fee. The monthly fee rate shall be set by the Village by ordinance or resolution each year. The Village shall review the monthly rate on a yearly basis to determine the amount of the fee for the ensuing year.

(b) All residential properties are subject to the residential solid waste collection fee except for residential property for which monthly dumpster service is paid.

(c) Definitions. As used in this chapter, unless otherwise expressly provided or the content otherwise requires:

- (1) "Dwelling unit" means space, comprised of living, dining and sleeping rooms, storage closets and the space and equipment for cooking, bathing and toilet facilities, which can be used by one family.
- (2) "Residential property" means all single and multifamily dwellings.

(d) Billing and Collection of Fee. The monthly collection fee shall be billed in such intervals and collected in such lawful manner established by Council in the annual Ordinance or Resolution establishing rates. The waste collection fee so collected shall be credited to Fund line item 01-1015, Trash Fee of the Village of St. Bernard.