

CLARK COUNTY COMBINED HEALTH DISTRICT
SANITARY REGULATIONS FOR SOLID WASTE MANAGEMENT FOR CLARK COUNTY
excluding those areas of the county falling within the municipal limits of
the City of Springfield and the City of New Carlisle

ORDERS AND REGULATIONS GOVERNING SOLID WASTE COLLECTION AND DISPOSAL AND NUISANCES, NOT OTHERWISE CONTROLLED BY THE LAWS OF THE STATE OF OHIO OR THE REGULATIONS OF THE OHIO DEPARTMENT OF HEALTH.

Be it ordered by the Board of Health of the Clark County Combined Health District:

Section 1. DEFINITIONS.

- 1.1 Bulk waste means scrap tires, combustible and noncombustible material, construction and demolition debris and such other unwanted residual solid material as results from industrial, commercial, agricultural, and domestic operations; but excludes garbage and dangerous substances. For the purposes of this definition, bulk wastes include items such as clothing, household goods, and furniture.
- 1.2 Construction and demolition debris (C &DD) means those materials resulting from the alteration, construction, destruction, rehabilitation, or repair of any manmade physical structure including, without limitation, houses, buildings, industrial or commercial facilities, or roadways such as rock, stone, concrete, asphalt, glass, wallboard, framing and finishing lumber, shingles, insulation, and plumbing fixtures. C & DD does not include materials identified or listed as solid wastes, garbage, litter, rubbish, or refuse.
- 1.3 Dangerous waste means controlled substances, hazardous substances, and all other substances that are harmful or inimical to public health.
- 1.4 Garbage means all putrescible matter, including but not limited to animal or vegetable wastes or feces, whether solid, liquid, or mixed, which attends, exists, or is created or accumulates within the County.
- 1.5 Public nuisance means any residential or non-residential premises, yard, land, or lot, fence, wall, garage, shed, house, building, structure, or any excavation, basement, cellar, well, cistern, or sidewalk subspace or part thereof, having an accumulation of demolition material, garbage, litter or rubbish, which accumulation creates a danger to health, life, limb, or property or will cause hurt, harm, discomfort, damage, or injury to the public or to any considerable number of persons in the City by reason of any one (1) or more of the following:
 - (1) Being detrimental to the general health of the community.
 - (2) Being a fire hazard.
 - (3) Being unsafe for occupancy, or use.
 - (4) Being an attractive nuisance to children.
- 1.6 Solid waste means garbage, scrap tires, litter, combustible and noncombustible material, street dirt, and debris and such other unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and domestic operations; but excludes dangerous substances and construction and demolition debris. For the purposes of this definition, solid wastes include bulk wastes such as rubbish, refuse, furniture, bed springs, clothing, household goods, and large appliances. For the purposes of this definition, "semisolid" means that the material in question, while

cohesive and viscous, slowly flows or loses its shape when unconfined, and does not readily release liquids under normal climatic conditions.

- 1.7 Solid waste collection vehicle means any vehicle which is used for the purpose of collection and transportation of solid waste, to an approved landfill site.

Section 2. COLLECTION AND DISPOSAL.

- 2.1 No person place or deposit or permit to be placed or deposited, solid waste, bulk waste, garbage, litter, offal or any other putrescible refuse of vegetable, animal, fish or fowl origin in any street, alley, road, open excavation, abandoned well or cistern, ditch, stream or body of water, or on the surface of the ground, or in any other manner deemed improper by the health commissioner; provide, however, that this regulation shall not prohibit the depositing of such wastes for the purpose of feeding animals and fowls as hereinafter provided. Unless disposed of immediately after production, such wastes shall be stored in water-tight metal containers with tight fitting lids and upon removal from such containers shall be properly disposed of in a manner to avoid the creation of a nuisance or the pollution of a public or private water supply.
- 2.2 Each householder or commercial operator shall have his garbage removed for disposal as often as may prove necessary to prevent putrefication, noxious odors or the attraction of rodents and insects. Fermenting, putrefying or odoriferous garbage or refuse in containers or dumped in the open shall be prima facie evidence of the violation of this chapter and the person or persons responsible therefore shall be liable to prosecution as provided in Section 3709.99 of the Ohio Revised Code.

Section 3. PERMITS AND SOLID WASTE (REFUSE AND GARBAGE) COLLECTORS.

- 3.1 No person, firm or corporation shall engage in the collection and removal of solid waste in the Clark County Combined Health District, until a permit is obtained from the health commissioner. Permits will be issued only after vehicles engaging in the collection and removal of solid waste have been inspected and deemed to have met the necessary regulations. Permits shall be issued for such periods, times, and fees as deemed advisable by the health commissioner. The permit shall state the conditions under which material shall be removed and disposed. Failure to obtain said permit is a violation of this section and will cause the health commissioner to invoke section 5 of the Clark County Combined Health District Sanitary Regulations for Solid Waste Management. Any and all permits may be revoked at any time at the discretion of the health commissioner.
- 3.2 All vehicles used for the collection and transportation of solid waste shall have enclosed bodies or suitable provisions for covering the body of the vehicle, unless all the solid waste is kept in an approved packer type or compaction type truck. All vehicles shall be leak-proof; of easily cleanable construction; shall be cleaned at sufficient frequency to prevent odor, nuisance or insect breeding; and shall be maintained in good repair.
- 3.3 All vehicles used for the collection of solid waste shall be properly identified with the firm's name or individual's name, telephone number and address of operation. Lettering shall be three (3) inches or larger in size and displayed on both sides of the vehicle.
- 3.4 All solid waste shall be disposed of only at Ohio Environmental Protection Agency approved facilities or other facilities compliant with Ohio Revised Code.

Section 4. NUISANCES.

As defined in Section 3707.01 of the Ohio Revised Code, “the board of health of the Clark County Combined Health District shall abate and remove all nuisances within its jurisdiction. It may, by order, compel the owners, agents, assignees, occupants, or tenants of any lot, property, building, or structure to abate and remove any nuisance thereon. The time limit for compliance with the order shall be specified in such notice. In cases of neglect or refusal to abate the nuisance in accordance with such notice, the board of health shall cause said owner or occupant to be prosecuted as provided by law.”

Section 5. PENALTY.

Section 3709.99 of the Ohio Revised Code provides: “Whoever violates any order or regulation of the board of health of the Clark County Combined Health District, or interferes with the execution of such an order or a regulation by a member of the board or person authorized by the board, shall be fined no more than one hundred and fifty dollars (\$150.00).

Except in case of an emergency endangering the public health, no prosecution for violation of any regulation or order adopted shall take place until twenty (20) days after such board of health has notified the person subject to such regulation or order of the specific violation alleged. Any person notified by the board of a violation of any such regulation or order may file an action for declaratory judgment to have determined whether such regulation or order is unreasonable or unlawful. No prosecution shall be commenced when, within such twenty-day (20) period, the violation has been corrected. No such prosecution shall be commenced until such a declaratory judgment has been given.”