

AN ORDINANCE AMENDING BCO CHAPTER 660 TITLED "SAFETY, SANITATION AND HEALTH," BY ENACTING SECTION 660.23 RELATING TO THE REGULATION OF SCAVENGING; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, the Service Director, in his memorandum to the Mayor dated May 11, 2017 has recommended an amendment to the current BCO Chapter 660, titled "Safety, Sanitation, and Health," by enacting Section 660.23 relating to the regulation of scavenging; and

NOW, THEREFORE, BE IT ORDAINED BY THE Council of the City of Beachwood, County of Cuyahoga, and State of Ohio, that:

Section 1. Based upon the recommendations of the Director of Public Safety and the Mayor, Council hereby amends BCO Chapter 660 titled "Safety, Sanitation, and Health," to enact Section 660.23 as follows (new language in **bold**):

§ 660.23 SCAVENGING AND TRANSPORTING WASTE MATERIAL

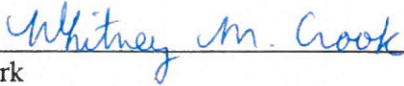
- (a) **Definitions.** As used in this section, "waste material" includes **garbage, rubbish, offal, junk, ashes, cans, bottles, paper, cardboard, cartons, boxes, parts of automobiles, furniture, dirt, trash, glass, wood, leaves, garden or grass cuttings, dead animals, birds or fish, or any other form of refuse which has been discarded, placed in a container, or otherwise made ready for collection.**
- (b) **Scavenging Prohibited.** No person shall pick up, collect, take, remove, or appropriate to his or her own use, in any manner whatsoever, any waste material, whether it is located on public or private property.
- (c) **Transporting Wastes.** No person shall transport or haul waste material on any public street or ground except in a vehicle constructed or covered as to prevent any waste material from escaping the vehicle.
- (d) **Exceptions.** The provisions of division (b) hereof shall not apply to any person authorized by the City to collect or transport waste material or the owner of, or the person who originally discarded any, waste material. Also, the provisions of division (b) hereof shall not apply to any law enforcement officer in the performance of his or her official duties.
- (e) **Penalty.** Whoever violates any provision of this section shall be guilty of a misdemeanor of the fourth degree.

Section 2: It is found and determined that all formal actions and deliberations of Council and its committees, relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105, Codified Ordinances of the City.


Section 3: This Ordinance is hereby declared an urgent measure which is immediately necessary for the public peace, health, or safety or the efficient operation of the City.

WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 13th day of June, 2017, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 14th day of June, 2017.


Clerk

Approval: I have approved this legislation this 14th day of June, 2017, and filed it with the Clerk.


Mayor