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CITY OF BROOK PARK, OHIO

ORDINANCE NO. ~~1529-2026~~

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE AMENDING CHAPTER 1361 OF THE CODIFIED ORDINANCES OF THE CITY OF BROOK PARK TO ADD SECTION 1361.041, BULK WASTE SET-OUT RESTRICTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Brook Park finds that improperly placed bulk waste creates unsanitary conditions, attracts rodents, detracts from neighborhood appearance, and interferes with the orderly collection of refuse; and

WHEREAS, the City currently provides monthly bulk waste collection, but bulk items are frequently placed at the curb outside of designated collection weeks, resulting in public nuisance conditions; and

WHEREAS, the Council desires to establish clear, enforceable regulations governing the placement of bulk waste and to authorize immediate citation without prior warning when bulk waste is placed out on non-authorized weeks; and

WHEREAS, the Council finds it necessary and appropriate to amend Chapter 1361 of the Codified Ordinances to protect the public health, safety, and welfare of the residents of the City of Brook Park;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brook Park, County of Cuyahoga and State of Ohio:

SECTION 1: Chapter 1361 of the Codified Ordinances of the City of Brook Park is hereby amended to read by adding new Section 1361.041, which shall read as follows:

1361.041 BULK WASTE SET-OUT RESTRICTIONS.

(a) **Definition.** "Bulk waste" means any item that does not fit within the standard City-issued refuse cart, including but not limited to furniture, mattresses, large appliances, and similar oversized materials.

(b) Authorized Set-Out Period. Bulk waste may be placed out for collection no earlier than 5:00 P.M. the day before your regular scheduled pickup day and only during the week designated by the City for monthly bulk pickup.

(c) Prohibited Conduct. No person shall place, or permit to be placed, any bulk waste at the curb, tree lawn, driveway apron, or any exterior portion of a property on any day that is not part of an authorized bulk-collection week.

(d) Immediate Citation. A violation of this section shall be subject to citation **without prior warning**. Each day the bulk waste remains constitutes a separate offense.

(e) Responsibility. The owner, occupant, or person in control of the premises shall be responsible for compliance with this section.

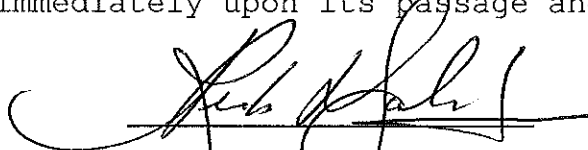
(f) Penalty. Violations of this section shall be subject to the penalties set forth in Section 1361.99.

Section 2: Existing provisions of Chapter 1361 not amended herein shall remain in full force and effect.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

Section 4: This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Brook Park, and shall take effect and be in force immediately upon its passage and approval.

PASSED: April 7, 2024


PRESIDENT OF COUNCIL

ATTEST: Carol Johnson
Clerk of Council

APPROVED: E. H. O. [Signature]
MAYOR

April 8, 2024
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS.


DIRECTOR OF LAW

CERTIFICATE

Carol Johnson, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance Resolution

No. 11529-2020

passed on the 7 day of April

20 20 by said council.

Carol Johnson
Clerk of Council

	Yea	Nay
Gonzalez	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McCorkle	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dufour	<input checked="" type="checkbox"/>	<input type="checkbox"/>