

P/C 9-3-19 LEGISLATIVE  
CA PRICE 10-1-19  
1st R 10-15-19  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11121-2019

INTRODUCED BY: COUNCILMAN SCOTT, *C/W + MAYOR GAMBELLA*

AN ORDINANCE  
AMENDING SECTION 933.04  
OF THE BROOK PARK CODIFIED ORDINANCES  
ENTITLED 'CONTAINER PLACEMENT FOR COLLECTION; REMOVAL'  
AND DECLARING AN EMERGENCY

WHEREAS, there is a need to amend Section 933.04 to provide clarification for when waste containers must be brought from the collection site; and

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

SECTION 1: Section 933.04 of the Codified Ordinances of the City of Brook Park is hereby amended to read as follows:

**933.04 CONTAINER PLACEMENT FOR COLLECTION; REMOVAL.**

Combustible and noncombustible wastes shall be set out in proper waste containers on collection days at such places, on the premises or on the sidewalk adjacent thereto, as shall be in accordance with the rules prepared by the Director of Public Service. Waste containers may be placed not earlier than 5:00 p.m. the evening before the scheduled pick-up, and shall be promptly removed therefrom, **not later than twenty-four hours** after the same have been emptied.

SECTION 2: Former Section 933.04 of the Brook Park Codified Ordinances as enacted by Ordinance No. 8083-1995, passed July 5, 1995, is hereby expressly repealed.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 action 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 hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason of amending Section 933.04 of the Brook Park Codified Ordinances; therefore, provided this ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: October 15, 2019

*Mich. P. Burdick*  
PRESIDENT OF COUNCIL

ATTEST: *Michelle Blazak*  
Clerk of Council

APPROVED: *J. D. [Signature]*  
MAYOR

10/16/19  
DATE

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

*[Signature]*  
DIRECTOR OF LAW

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing October 17, 2019  
*Michelle Blazak*  
MICHELLE BLAZAK  
Clerk of Council

CERTIFICATE

Michelle Blazak, 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. 11121-2019 passed on the 15th day of October 2019 by said council.

*Michelle Blazak*  
Clerk of Council

	Yea	Nay
Stemm	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>