

# City of Cincinnati

MRM

## An Ordinance No. 391

- 2023

17914

**MODIFYING** the provisions of Title VII, "General Regulations," of the Cincinnati Municipal Code by **AMENDING** Section 729-7, "Setting Out Containers," to ensure the clean and safe storage of garbage containers and dumpsters throughout Cincinnati.

WHEREAS, the collection and disposal of solid waste within the city of Cincinnati is a matter that affects the public health and welfare of all local residents; and

WHEREAS, ensuring that waste containers are timely brought to and removed from the appropriate collection point is crucial to ensuring the accessibility of the City's public rights of way; and

WHEREAS, the City of Cincinnati currently provides waste collection to certain occupied residential structures, while private waste haulers contract with property owners to provide waste collection services to commercial structures and residential structures with five or more units; and

WHEREAS, the public health and welfare is best protected by ensuring the prompt collection and removal of waste containers from all types of property regardless of whether the collection of the waste is by the City, a commercial waste collector or a private waste collector; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 729-7, "Setting Out Containers," of Title VII, "General Regulations," of the Cincinnati Municipal Code is hereby amended to read as follows:

### **Sec. 729-7. Setting Out Containers.**

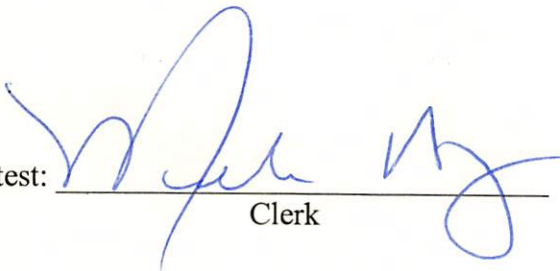
It shall be the duty of every owner, tenant, agent, lessee, occupant, and person in charge of any and every building, premises, or place of business ~~of any and every dwelling~~ in the city to place all waste that is to be collected ~~by the division of sanitation~~ in properly closed containers that meet the requirements of Section 729-5. Such containers shall be placed not more than three feet from the curb or curblin in front of the building unless the owner, tenant, agent, lessee, occupant, or person in charge of the building, premises, or place of business ~~a dwelling~~ is notified by or receives approval from the department of public services to place the containers in another location ~~for collection~~. All containers must be set out for collection no earlier than 5:00 p.m. on the day before the scheduled day of collection, but no later than 6:00 a.m. on the day of collection. The waste containers shall in all cases be kept outside of any fence, wall, enclosure, dwelling, or building on the day of collection.

Any city resident with a physical ~~disability~~ limitation that impacts the resident's ability ~~who is unable~~ to set the week's accumulation of waste at the curb for collection ~~can~~ may receive set-out service as provided in Section 729-11 by providing written documentation of ~~his or her~~ the condition to the director of public services or ~~his or her~~ the director's designee and following procedures established by the director for requesting set-out service. The director of public services or ~~his or her~~ the director's designee will approve any request for set-out service that meets the requirements of this section.

Section 2. That existing Section 729-7, "Setting Out Containers," of Title VII, "General Regulations," of the Cincinnati Municipal Code is hereby repealed.

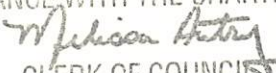
Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: November 15, 2023

Attest:   
Clerk

  
Aftab Pureval, Mayor

New language underscored. Deleted language indicated by strikethrough.

I HEREBY CERTIFY THAT ORDINANCE NO 391-2023  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 11/28/2023  
  
CLERK OF COUNCIL