

**ORDINANCE NO. 76-2025****TITLE: AMEND BARBERTON CODIFIED ORDINANCE  
CHAPTER 1060: REFUSE COLLECTION AND DISPOSAL  
SECTION 1060.02 (B)(7) AND SECTION 1060.99**

**AN ORDINANCE AMENDING BARBERTON CODIFIED ORDINANCES CHAPTER 1060: REFUSE COLLECTION AND DISPOSAL” TO REFLECT A CHANGE IN WORDING FOR SECTION 1060.02(B)(7) “METHOD OF COLLECTION” AND SECTION 1060.99 “PENALTY”, AND DECLARING AN EMERGENCY.**

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Barberton, State of Ohio:

**SECTION 1.** That Sections, 1060.02 (B)(7) “Method of Collection,” 1060.99, “Penalty,” and “Refuse Recyclable Collection and Disposal Program”(BCO Chapter 1060) shall be amended to reflect a change in wording, by showing the following additions in **bold** print and deletions with ~~strikethrough~~

**1060.02 METHOD OF COLLECTION.**

(B) Exceptions:

1. No appliances containing freon
2. No contractor generated construction/remodeling material
3. No dirt, soil or feces
4. No evictions or whole-house cleanouts
5. No tires; and
6. No hazardous waste

(2) Upon written notice to the Service Department, cancellation of this program requires a thirty (30) day written notice, the water must be turned off, may be cancelled 3 only in increments of thirty (30) days, and may not be cancelled more than twice a year. The residential unit must continue to pay for the service for the first 30 days of the cancellation period. When the residential unit intends to resume its entitlement to citywide pickup service, such service shall be reinstated upon proper notification to the Service Department.

(3) All Kimble provided trash and recycle containers, along with any materials allowed for collection under 1 (b) must be available for pickup at the curb unless the resident is physically disabled. In such cases, special arrangements will be made. Special arrangements do not include the service of bulk items. Such items must be placed at the curb.

(4) All recyclable items must be placed in assigned Republic Waste Services Kimble Recycling and Disposal, Inc. recycling containers, except large cardboard boxes, which may be placed outside of the container. Such boxes must be broken down and secured at placement and placed at curbside along with nonrecyclable trash and garbage.

(5) All trash and recyclables must be generated in the City of Barberton to be eligible for the citywide trash services. Any trash and recyclables not generated from the City of Barberton is prohibited from being placed curbside for residential citywide pickup.

(6) Carts and additional allowable trash placed for pick-up must be placed at the curbside or designated collection point of the residence that generated such trash and recyclables.

(7) ~~All trash containers and receptacles must be removed from the city right-of-way within 24 hours of trash pickup~~ **Trash containers and receptacles shall be removed from the City right-of-way and placed behind the front building line.**

**1060.99 PENALTY.**

Whoever violates any of the provisions of this chapter shall be deemed guilty of a misdemeanor of the third degree and shall be fined not more than \$500 or imprisoned not more than 60 days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues after the offender has been notified of the violation. The Building Commissioner shall have the authority to enforce this section under the provisions set out by the ICC International Property Maintenance Code.

**Violations of 1060.02 (B)(7) of this Chapter shall result in a citation and fifty dollar (\$50.00) fine per occurrence. Citations issued under this section may be appealed to the City’s Board of Zoning and Building Appeals.**

**SECTION 2.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken 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 meetings open to the public in compliance with the law.

**SECTION 3.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that the amendments be implemented as soon as possible, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed June 23, 2025

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved \_\_\_\_\_ 2025

\_\_\_\_\_  
Mayor