

**ORDINANCE NO. 163-2025**

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

**AN ORDINANCE AMENDING ORDINANCE NO. 76-2025 TO REFLECT AN ADDITION IN WORDING IN SECTION 1060.99(B) IN THE BARBERTON CODIFIED ORDINANCES CHAPTER 1060 TITLED “REFUSE COLLECTION AND DISPOSAL”, AND DECLARING AN EMERGENCY.**

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

**SECTION 1.** Council hereby amends BCO Chapter 1060 “Refuse Collection and Disposal” by showing said amendments with a ~~strike through~~ for any deletions and **bold** for any additions:

**1060.99 PENALTY**

(A) 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.

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

(C) **Whoever receives a trash container violation and chooses to file an appeal to the Board of Appeals, the required appeal filing fee of twenty-five dollars (\$25.00) shall be refunded to the appellant if the Board of Appeals finds in the Appellant’s favor.**

**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 these measures are facilitated in a timely manner, 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 November 24, 2025

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Clerk of Council

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President of Council

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

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Mayor