

**VILLAGE OF COVINGTON, OHIO**

**ORDINANCE NO. 02-23**

**AN ORDINANCE AMENDING THE TRASH AND RECYCLING  
COLLECTION RATES FOR THE VILLAGE OF COVINGTON,  
OHIO**

**WHEREAS**, the Council of the Village of Covington has determined that it is necessary to revise the curb-side collection rates for all trash and recycling customers of the Village of Covington;

**WHEREAS**, regulations related to these services continually are reviewed and are in need of updating; and

**WHEREAS**, under Ordinance 09-18 regulations and rates were last modified; and

**WHEREAS**, the Village desires to update regulations related to the trash services provided and to update fees applicable to the provisions of Services being provided by the Village; and

**WHEREAS**, this Ordinance updates the regulations related to Trash Services and the fees for those services; and

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Covington, State of Ohio, as follows:

**SECTION 1: Definitions.**

“Curbside” – Curbside means on the street in the designated location in front of a property within the Village of Covington.

“Curbside Collection” – Curbside collection is the once per week collection of residential trash and recycling materials that are placed at the curb for Village staff to collect and dispose of.

“Extra Trash” – Extra Trash is any items excluding hazardous waste that is placed curbside and is not inside of a village provided toter.

“Toter” – A toter is a wheeled container that is provided as part of the curb-side service to each trash customer. This toter remains the property of the Village of Covington and must be returned upon termination of the trash service.

“Hazardous Waste” – Any material such as liquid paint, flammable liquids, asbestos, mercury, pesticides, or other materials that require special disposal. Disposal of hazardous waste Via the curb-side collection service is strictly prohibited.

**SECTION 2: Rules and Regulations.** Attached *Exhibit A* shall provide all required rules and regulations related to trash services within the Village of Covington. Such rules and regulations may be changed from time to time by the Mayor or the Village Administrator to assure that the Village is able to provide services as efficiently and safely as possible.

**SECTION 3: Application Form.** As part of Ordinance 01-23, all customers must complete a “Utility Service Application – Owner” application, and those accounts that are being utilized as rentals or who have persons who are not the owners living within them, must also complete a “Utility Service Application – Tenant” application as described within the attached *Exhibit A*. All accounts will be required to complete said applications, and a copy of required applications will be mailed with the monthly billings until the applications are completed and filed with the Village. Those accounts not completing the required applications by January 1, 2024 may face shut off or account termination.

**SECTION 4: Monthly Trash Collection Charges.**

All monthly trash and recycling billing shall be sent with the Water and Sewer Bills monthly as defined within *Exhibit A*.

The following chart shall be utilized for the standard services provided as described above.

**Trash Collection Service Provided:**

	Monthly 96 Gallon Curbside	Monthly 48 Gallon (Low Volume) Curbside	Monthly Recycling Curbside
2023	\$ 18.03	\$ 15.71	\$ 4.38
2024	\$ 18.57	\$ 16.18	\$ 4.51
2025	\$ 19.12	\$ 16.66	\$ 4.64
2026	\$ 19.70	\$ 17.16	\$ 4.78
2027	\$ 20.29	\$ 17.68	\$ 4.93
2028	\$ 20.90	\$ 18.21	\$ 5.07
2029	\$ 21.52	\$ 18.76	\$ 5.23
2030	\$ 22.17	\$ 19.32	\$ 5.38
2031	\$ 22.83	\$ 19.90	\$ 5.55

2032	\$ 23.52	\$ 20.49	\$ 5.71
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**SECTION 5: Trash Service Rates for Services Outside of the Corporation Limits.**

Trash rates and fees will be charged 150% the rates listed in this Ordinance for trash services outside the corporation limits of the Village of Covington. Only dumpster service will be provided outside of the Village Corporation limits.

**SECTION 6: Dumpster Service.**

The Village of Covington offers dumpster service to residential, multi-family, and commercial customers. Multi-family and commercial customers may utilize dumpster service through the Village in lieu of curbside trash service. The Village Administrator may authorize the use of a dumpster for general residential service in lieu of curbside pickup service if the customer requests such a service and the Village has the ability to provide the service in a safe and accessible location on the property.

The following collection rates apply monthly:

	2 Yard Dumpster (1 dump / wk)	2 Yard Dumpster (2 dump / wk)	4 Yard Dumpster (1 dump / wk)	4 Yard Dumpster (2 dump / wk)
2023	\$ 69.89	\$ 139.77	\$ 111.03	\$ 222.07
2024	\$ 71.98	\$ 143.96	\$ 114.37	\$ 228.73
2025	\$ 74.14	\$ 148.28	\$ 117.80	\$ 235.59
2026	\$ 76.37	\$ 152.73	\$ 121.33	\$ 242.66
2027	\$ 78.66	\$ 157.31	\$ 124.97	\$ 249.94
2028	\$ 81.02	\$ 162.03	\$ 128.72	\$ 257.44
2029	\$ 83.45	\$ 166.89	\$ 132.58	\$ 265.16
2030	\$ 85.95	\$ 171.90	\$ 136.56	\$ 273.12
2031	\$ 88.53	\$ 177.06	\$ 140.65	\$ 281.31
2032	\$ 91.18	\$ 182.37	\$ 144.87	\$ 289.75

\*\*Any requested dumps beyond the contracted two per week noted above will be charged for each dump at the single dump rate. (Example being 3 dumps of 2 Yard dumpster will be billed \$209.67 per month).

**SECTION 7: Late Fees.**

A late fee of 10% will be charged on the unpaid monthly balance when the office opens on the 21<sup>st</sup> day of each month a bill is not paid in full. Accounts paid by credit card or

through online payment where payment has not been verified and completed on the 21<sup>st</sup> will be charged a late fee accordingly.

**SECTION 8: Other Service Fees.**

The table below lists additional fees related to the Trash Services being provided within the Village of Covington.

**Other Service Fee Table**

	Fee
Extra Trash Toter Fee	\$5.00 / Month for each additional toter
Replacement of Lost or Stolen Trash Toter	\$95.00
Bad Check Charge Fee	\$50
Returned Electronic Transaction Fee (ACH)	\$50
Final Notice Delivery Fee	\$20
<b>Credit Card / Debit Card Convenience Fee</b> Online payments are subject to additional convenience fees charged and collected by third-party vendors.	3% per transaction charged maximum

**SECTION 9: Extra Trash / Bulky Trash Collection / Fees**

The table below lists additional fees related to extra trash services being provided within the Village of Covington. Additional fees are approved on the monthly bill and will be reflected as “Extra Trash” on billings. These items will be collected from the curb on the standard day for trash and recycling collection for a customer.

Standards within Exhibit A for Extra / Bulky Trash collection shall be met for the Village to collect extra / bulky trash.

The Public Works Director or his designee will document additional trash collected each week and provide the list to the Billing Clerk for addition to the monthly bill.

	Fee
Trash Can set out that is NOT a Village of Covington toter	\$5.00 / each can collected
Furniture / Mattress (must be bagged) - chair, couch, etc.	\$15 / each
Furniture without fabric material – tv stand, dresser, etc.	\$10 / each
Appliances – Dishwasher, Fridge (w/o freon), oven, etc.	\$25 / each
General Additional Trash (Bagged or not Bagged) – Based on Size	\$5 - \$50

**SECTION 10: Yard Waste Fees**

Yard Waste collected will follow the below rates:

	Fee
April 1 – October 31 – Yard Waste Bag Collection (up to 10 / week)	No fee
November 1 – March 31 - Yard Waste Bag Collection	\$5 / each
Branch / Stick / Other Materials to be Chipped (once per month)	No fee
Branch / Stick / Other Materials to be Chipped each time after first free collection per month	\$25 / Collection Day

**SECTION 11: Violation of this Ordinance**

Anyone who violates or fails to comply with any of the provisions of this Ordinance is guilty of a minor misdemeanor and shall be fined not more than One Hundred Fifty Dollars (\$150.00) for each separate offense. Each day of failing to comply with any of the provisions herein shall constitute a separate offense.

**SECTION 12:** 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 the Council, and that all deliberations of this Council, and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

**SECTION 13:** If any section, subsection, paragraph, clause or provision, or any part thereof of this Ordinance shall be finally adjudicated by a Court of competent jurisdiction to being valid the remainder of this Ordinance shall be unaffected by such adjudication, and all the remaining provisions of this Ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause, or provision, or any part thereof so adjudicated to be invalid, had not, to the extent of such invalidity, been included herein.

**SECTION 14:** This Ordinance shall, as of February 1, 2023, repeal Ordinance 09-18 previously approved on September 10, 2018 and supersede and or replace any previously existing trash collection rates, trash collection service fees, and trash collection rate ordinances previously approved or passed by the Village of Covington Council or it’s representatives.

**SECTION 15: Effective Date**

This Ordinance shall take effect February 1, 2023 and rates shall be first reflected on the February 2023 billing with March 2023 collection.

Approved this: February 6, 2023.

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Edward L. McCord, Mayor

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Jesse Reynolds, President of Council

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Rhonda Gill, Fiscal Officer

## **EXHIBIT A: Trash Rules and Regulations**

**Originally Adopted:** February 6, 2023 | Ordinance 02-23

**Amended:** Never

### **SECTION 1: PURPOSE.**

The purpose of these Rules and Regulations, hereinafter “Rules,” is to provide Village of Covington, hereinafter “Village”, staff and the Village’s customers with easily accessed, written guidance on certain policies and procedures dealing with trash collection matters. These Rules act as supplements to the requirements as contained within the Trash Collection Ordinances of the Village of Covington.

Customers with specific questions dealing with any policy or procedures should contact the Village directly. These rules shall be considered a part of the contract of every person, company, or corporation that is supplied with trash collection by the Village.

### **SECTION 2: DEFINITIONS.**

The following terms as used within the Rules are defined as:

- A. **“Curbside”** – Curbside means on the street in the designated location in front of a property within the Village of Covington.
- B. **“Curbside Collection”** – Curbside collection is the once per week collection of residential trash and recycling materials that are placed at the curb for Village staff to collect and dispose of.
- C. **“Extra Trash”** – Extra Trash is any items excluding hazardous waste that is placed curbside and is not inside of a village provided toter.
- D. **“Toter”** – A toter is a wheeled container that is provided as part of the curb-side service to each trash customer. This toter remains the property of the Village of Covington and must be returned upon termination of the trash service.
- E. **“Hazardous Waste”** – Any material such as liquid paint, flammable liquids, asbestos, mercury, pesticides, or other materials that require special disposal. Disposal of hazardous waste Via the curb-side collection service is strictly prohibited.

### **SECTION 3: GENERAL RULES AND REGULATIONS.**

- A. **Service Required.** Village customers that have Village water and/or sewer services activated are automatically subscribed to the Village provided curbside trash and recycling services. If Village customers utilize a Village operated onsite dumpster service, they may be exempted from subscribing to the curbside trash service. Customers are always required to subscribe to the village curbside recycling service.

- B. Calculation of Number of Units for Trash and Recycling Collection.**
1. For the purposes of this Ordinance, each separate space capable of being occupied by a separate tenant; equipped with an outside entrance and separated from other parts of a structure, will be considered a separate unit.
  2. Each separate unit, as defined above, will receive a separate monthly trash and recycling charge unless the unit has the water/sewer services shut off at the curb stop by the Village.
  3. Customers may combine separate units into a single unit if a separate unit is no longer necessary.
  4. The Village Administrator, or his/her designee, will make the determination on the number of separate units contained in a structure. Before making this determination, an inspection of the premises may be required.
  5. Multi-family residential units (single structures with 2 or more units) may utilize dumpster services as defined below.

- C. Collection Policies / Toter Location Requirement.** The Village will collect trash and recycling toters that are setout per the agreed upon location for each customer. The Village utilizes a one-man trash collection system and requires that can are placed separately and spaced appropriately to allow for efficient collection. Toters not meeting this requirement will be noted and customers will be provided a reminder of this requirement. Continual misplaced toters may result in the discontinuation of service.

- D. Items not collected.** The Village follows the regulations of the Miami County Solid Waste District and the transfer station where trash and recycling is removed. These regulations do not allow the collection of the following items, and therefore the Village will not collect them.

1. Ashes
2. Batteries
3. Paint (unless the can is empty and has been dried out)
4. Motor Oil
5. Mercury Thermometers
6. Prescription Drugs
7. Florescent Light Bulbs (CFLs)
8. Lawn Chemicals
9. Smoke Detectors
10. Fireworks
11. Tires
12. Asbestos
13. Gasoline
14. Hazardous Waste
15. Medical Waste including needles or other sharp objects.
16. Yard Waste (grass clippings).

E. **Extra / Bulky Trash Collection.** Any trash placed outside of the standard Village trash or recycling toter will be considered extra / bulky trash. To request for additional trash to be picked up by the Village, a customer should call the Billing Office prior to their standard pick up date. The following regulations are related to the Extra / Bulky Trash Collection in the Village.

1. There is no limit to the number of items scheduled for pickup. Each item will be charged separately to the customer.
2. The Village will not pickup the following items:
  - a. Yard Waste (except as detailed below).
  - b. Electronics (TVs, Computers, Microwaves). This should be recycled at the Miami County Solid Waste District. Fees may apply.
  - c. Construction Materials (drywall, studs, etc.). A customer may rent a dumpster from the Village for such purposes. Additional fees apply.
  - d. Appliances containing freon. This should be recycled at the Miami County Solid Waste District. Additional fees apply.

F. **Yard Waste / Branches / Sticks.** The Village collects bagged yard waste (grass clippings), branches, sticks, and small shrubs that are able to be chipped. The following regulations are related to the collection of any yard waste, or other organic material.

1. The Village yard waste collection program shall start in April and end in October of each year. Collection outside of these dates will be billed to the customer.
2. Collection will occur on Thursday and Friday of the week and materials must be set out by 7AM for collection.
3. Yard Waste bags will be collected at no cost to the customer. Limit of 10 bags per week.
4. Each customer may set out branches, sticks, or small shrubs for chipping once per month for collection by the Village. Branches, sticks, or small shrubs that are set out to be chipped more than once per month will be billed per the approved Ordinance.

G. **Property Owner's Responsibilities**

1. Responsibility. The property owner is responsible for trash and recycling services provided to their property. No trash or recycling will be furnished to premises on which fees are due, whether or not there has been a change of ownership, possession, or tenant.
2. Owner Obligation. Should a problem develop in collecting from a tenant at any premises where service is provided, the Village will notify the property owner and the bills shall revert to the owner's name and be sent directly to the property owner.

#### **SECTION 4: BILLING.**

Trash and Recycling fees along with any additional extra fees shall be reflected on the monthly Utility Billing sent out by the Village.

#### **SECTION 5: DISCONTINUATION / RESTART OF SERVICE**

A customer is delinquent when the billing for service remains unpaid upon reaching the second billing cycle. Whenever a customer is delinquent, the Village shall notify the customer of the delinquency and intent to discontinue service. This notice will be prominently displayed on the customer's billing statement which shall be mailed to the customer by regular mail not less than ten (10) days prior to the date of termination of service.

Service terminated for delinquency shall be restored only after the account is paid in full or a Utility Payment Plan Agreement is approved by the Village and the service charge paid for the restart of service. The amount due to reinstate service must be paid either by cash, certified check, or money order. Credit card payment WILL NOT be accepted for turn-on.

#### **SECTION 6: INDEMNIFICATION.**

The Village shall be indemnified and held harmless in regard to property damage allegedly a result, whether direct or indirect, of the Village maintaining and operating the trash, recycling, and yard waste collection program within the Village.