

MORROW COUNTY

SOLID WASTE

REGULATIONS

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SOLID WASTE REGULATIONS**

PURPOSE: Regulations establishing standards for the handling of solid waste on premises; for the collection and disposal of solid waste; and for permits to operate collection and disposal equipment in order to protect the public health and welfare and prevent unsanitary conditions and nuisances.

A regulation of the Morrow County Board of Health as follows:

SECTION I: DEFINITIONS

- A. “Board of Health” means the Board of Health of a city or general health district, or the authority having the duties of a Board of Health as authorized by Chapter 3709 of the Ohio Revised Code (ORC).
- B. “Composting” means the controlled biological decomposition of organic solid wastes under aerobic conditions. For purposes of Chapters 3745-27 and 3745-37 of the Administrative Code, composting shall be considered a form of solid waste disposal.
- C. “Disposal” means the discharge, deposit, injection, dumping, spilling, leaking, emitting, or placing of any solid wastes or hazardous waste into or on any land or ground or surface water or into the air, except if the disposition or placement constitutes storage or treatment, or if the waste consists of scrap tires, the disposition or placement consists for a beneficial use or occurs at a scrap tire recovery facility licensed under section 3734.81 or the ORC.
- D. “Facility” means any site, location, tract of land, installation, or building used for incineration, composting, sanitary land filling, or other methods of disposal of solid wastes; for the transfer of solid wastes; or if the solid waste consists of scrap tires, for the collection, storage, or processing of the solid wastes; for the treatment of infectious wastes; or for the storage, treatment or disposal of hazardous waste.
- E. “Garbage” means any putrescible animal or vegetable waste resulting from the handling, processing, preparation, cooking, and service of food.
- F. “Haulers” means any person who for a consideration collects and transports refuse, garbage, or other solid waste material.
- G. “Hazardous Waste” as defined by the ORC section 3734.01.
- H. “Health Commissioner” means the legally designated health commissioner of the Morrow County Health Department (MCHD) or his/her authorized representative.
- I. “Incinerator” means any equipment, machine, device, article, contrivance, structure, or part of a structure used to burn solid wastes.
- J. “Infectious Waste” as defined by the ORC section 3734.01.

- K. “Legitimate Recycling Facility” as defined by Section 3745.27 of the Administrative Code.
- L. “Nuisance” means any condition or use of premises, building, structure, or exteriors or any substance or materials which are or may become noxious, offensive, injurious, or dangerous to the public health or safety.
- M. “Open Burning” means the burning of solid wastes in an open area or burning of solid wastes in a type of chamber or vessel which is not approved in regulations adopted by the Director of the Ohio Environmental Protection Agency.
- N. “Open Dumping” means the depositing of solid wastes into a body or stream of water or onto the surface of the ground at a site that is not licensed as a solid waste facility under section 3734.05 of the ORC or, if the solid waste consists of scrap tires, as a scrap tire collection, storage, monocell, monofill, or recovery facility under section 3734.05 of the ORC; the depositing of solid wastes that consist of scrap tires onto the surface of the ground at a site or in a manner not specifically identified in divisions (C) (2) to (5), (7), or (10) of section 3734.85 of the ORC; the depositing of untreated infectious wastes into a body or stream of water or onto the surface of the ground at a site that is not licensed as a solid waste facility under section 3734.05 of the ORC.
- O. “Person” means any individual, firm, corporation, association, partnership, political subdivision, or other entity.
- P. “Premises” means any land, buildings, or structure upon or in which solid waste may be stored, placed, or accumulated.
- Q. “Recycling” means the process of collecting, sorting, cleaning, treating, and reconstituting solid waste that would otherwise be disposed in a solid waste disposal facility and returning waste materials to commerce as commodities for use or exchange.
- R. “Refuse” means any and all putrescible and non-putrescible solid and semi-solid materials, including but not limited to kitchen garbage, ashes and cinders, bottles, cans and other containers and rubbish such as paper and cardboard, rags, and household furnishings. Sewage sludge, chemical wastes, scrap metal, construction waste and other such materials shall not be considered refuse.
- S. “Sanitary Landfill” as defined by the ORC section 3734.01.
- T. “Solid Waste District” as defined by the ORC 3734.52, as amended.
- U. “Solid Waste Transfer Facility” as defined by the ORC.
- V. “Solid Wastes” means such unwanted residual solid or semi-solid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations or other waste materials of the type that would normally be included in demolition debris, nontoxic fly ash, spent non-toxic foundry sand, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to: garbage, tires, combustible and non-combustible material, street dirt, and debris. “Solid wastes: does not include any material that is an infectious waste or a hazardous waste.

SECTION II: WASTE HAULER VEHICLE PERMITS

- A. No person shall engage in the business of solid waste collection or solid waste refuse disposal for compensation, or as a required service for others in the health district, unless he possesses a refuse vehicle permit issued by the Health Commissioner of the Morrow County Health Department (MCHD).
- B. All disposals will be at an approved and licensed solid waste facility as provided by regulations of the Ohio Environmental Protection Agency (OEPA).
- C. Applications for permits shall be made to MCHD on the form prescribed by the Health Commissioner.
- D. Applications for permits must be made to the MCHD. A validation sticker will be issued to be placed on the lower left-hand corner of the vehicle's windshield, but should not obstruct the operator's view.
- E. Any person, firm, partnership, or corporation collecting refuse outside the solid waste district but disposing of the refuse at a solid waste facility located within the health district must make application to the health district.
- F. The Board of Health may deny, revoke, or suspend the permit of any vehicle demonstrating an inability to comply with any or all of these regulations.
- G. An application and registration fee found in the MCHD fee schedule shall accompany each application.
- H. The registration fee will be collected annually, payable in advance to MCHD for the purposes of inspection, administration, and enforcement of these regulations. The application fee is non-refundable.
- I. The Board of Health or its authorized agent shall issue permits to operate refuse collection equipment only to persons having proper equipment and facilities for collecting or disposing of refuse, and agreeing to comply with all conditions of issuance or possession of the permit and otherwise having met the requirements of these regulations. Upon approval of such application and the determination that the applicant has the equipment and facilities to meet the requirements of these regulations a permit shall be issued to the applicant.
- J. Any person whose application for a permit has been denied, or whose permit has been revoked, or who has been refused the re-issuance of a permit, may make a written request for a hearing before the Board of Health, stating his reasons why a permit should be issued or why his permit should not be revoked. Such request must be made within 10 days of written notification or denial or revocation. The Board of Health shall grant such a hearing within 30 days.
- K. All permits issued under these regulations shall be renewed on or before January 1st of the following year, as long as the license continues in operation. A 100% late fee will be collected for any permits renewed after January 1st.
- L. No license or permit will be transferable from one person to another.

SECTION III: REFUSE COLLECTION and HAULING GARBAGE

- A. Any vehicle used for the collection and transportation of refuse shall be of an approved type. Automobiles, vans, buses and other vehicles intended to carry passengers shall not be considered suitable. Any vehicle used for the collection and/or transportation of refuse shall be completely enclosable by means of doors, hatches, or other devices. Such doors or hatches shall be secured during transport. All vehicles shall be made of cleanable material. All seams and joints in the refuse holding compartment shall be sealed to prevent leakage of fluids from the refuse. Trucks equipped with compressing or packing mechanisms shall conform to the same standards.
- B. All refuse haulers shall make their vehicles available for inspection by MCHD at a convenient time and location.
- C. All vehicles must be inspected annually. Boards of Health may share inspection reports with other Boards of Health within the solid waste district so as to avoid repetitious and unnecessary inspections. Additional inspections shall be conducted in response to complaints or as necessary to ensure compliance with these regulations.
- D. All vehicles used to transport solid waste shall be cleaned as often as necessary to prevent odors and the harborage of rodents and insects. Said vehicle shall be maintained in satisfactory repair at all times. The vehicle must be safe to operate on public roadways. The licensor may require an inspection by the Ohio State Patrol or a qualified mechanic as proof of roadworthiness.
- E. All vehicle violations shall be corrected at the discretion of the licensor or the vehicle removed from service until appropriate corrections have been made.
- F. In the event that refuse, due to improper collection, transportation, handling, or disposal should present a threat to public health and safety, the refuse hauler that has handled said materials shall be held accountable for any violations of state statutes, Solid Waste Regulations or other applicable ordinances.
- G. Each person or company is responsible for the proper clean-up of all spillage of refuse or fluids resulting from collection, transportation, or disposal operations.
- H. All persons engaged in the collection of refuse within the solid waste district shall be required to maintain a list of locations from which refuse is collected, the date of collection, and the point of disposal.
- I. All refuse collected within the health district shall be taken to an approved disposal facility within twenty-four hours of collection. Refuse shall not be stored on or in the refuse hauler's vehicle beyond the time normally required to complete the collection route. Said refuse shall not be removed from the collection vehicle and placed upon any property other than an approved disposal site or site licensed for the purpose of salvaging, or a recycling operation.
- J. All refuse collected within the health district shall be placed in sealed bags or containers unless compressed by a compacting truck or transported in an enclosed dumpster unit. The transport of loose refuse by any other means, unless of a size or composition that prohibits compaction, shall be forbidden.
- K. Any refuse hauler collecting waste within the health district shall not operate any type of salvage, reclamation, or recycling operation within the district unless said operation complies with all state and

local statutes. In no case shall a refuse hauler be permitted to retain for salvage, reclamation or recycling materials gathered in the normal refuse collection operation unless said materials have been sorted before collection and are kept separate from all other refuse during transport. Such materials shall not be stored except at a salvage, secondhand, or recycling operation.

- L. No refuse hauler shall knowingly transport, handle, store, or dispose of any restricted or hazardous materials or infectious waste, unless that person is licensed by the OEPA and meets all applicable rules of the ORC and regulations of the OEPA.
- M. The name of the collector or company shall be displayed on the side of the vehicle in at least two (2) inch high letters.
- N. Each person or firm shall provide evidence of a bond in the amount of \$5,000 to ensure compliance with rules and regulations, and to clean up nuisances created from the improper collection, transportation, and disposal of refuse. The bond must be made to MCHD.

SECTION IV: PREMISE SANITATION

- A. No person shall permit refuse, garbage, or other solid wastes to accumulate upon his property. Said materials must be disposed of at a licensed disposal facility, and must not be burned, strewn upon the ground, or deposited along highways or streams, in open ditches, or at any other type of unauthorized site. Open burning or open dumping of any solid waste, refuse, or garbage shall be prohibited. Accumulations of refuse and solid waste and improper disposal of such material may also place the property owner in violation of the ORC.
- B. It shall be the duty of each occupant, owner, or lessee to provide approved containers of suitable size with tight fitting lids for the purpose of storing garbage, refuse, and other solid wastes. Containers must be leak proof, rust proof, and easily handled.
- C. Garbage, refuse, and solid waste shall be stored on the premises in such a manner as to prevent the harborage of rodents. Garbage, refuse, and solid waste shall be stored in suitable containers and shall be removed from the property at least one time per week to prevent odors, rodent and vector harborage and nuisance conditions. Construction and demolition debris and scrap tires shall not remain for more than 30 days at any premises not licensed as a storage facility.
- D. No person owning, leasing, occupying, or having charge of any lot or premises shall maintain or keep any nuisance resulting from the improper storage or disposal of refuse, garbage or solid waste. This includes, but is not limited to, the keeping or deposition on, or the scattering over the premises of any of the following:
 - 1. Junk, debris, garbage, wastes, trash, putrescible animal and vegetable wastes resulting from the handling, processing, preparation, cooking, or serving of food; rubbish, bottles, wire, oil paper, cardboard, cartons, boxes, furniture, glass, cans, containers; abandoned vehicles, or any parts thereof; tires, combustible or non-combustible waste materials, rags, wood, rubber, leather, metals, mineral matter, plastics, and crockery.
 - 2. Lumber or other building material scattered or kept in a manner which creates a condition that permits rodent harborage or other public health hazard. Lumber, building material, firewood should be stored 18 inches above ground level.

3. Any compost pile which is of such a nature as to spread or harbor disease, emit noxious odors, or harmful gas, attract or harbor rodents, vermin, or other disease carrying pests, animals or insects, provided that the presence of earthworms in a compost pile shall not constitute a nuisance.
 4. No person shall place or dispose of in any manner, upon any public property or upon the premises of another, any substance, solid waste, garbage, refuse, or material which may become noxious, offensive, injurious, or dangerous to the public health or safety.
- E. All garbage, refuse and solid waste shall be properly disposed at a licensed solid waste facility or an approved recycling center.
- F. All infectious and hazardous wastes will be collected, stored, transported, and disposed in accordance with section 3734.05 through 3734.22 and regulations adopted by OEPA.
- G. Open burning of solid wastes, garbage or refuse is prohibited.
1. Garbage cannot be burned.
 2. Materials containing grease, rubber, asphalt, or petroleum products cannot be burned.
 3. Dead animals cannot be burned.
 4. No wastes generated off premises may be burned.
 5. Open burning is prohibited within 1,000 ft. of an inhabited building off property.
 6. Grass clippings and leaves may not be burned within a town, village, or city, or within 1,000 ft. of a town, village, or city.
- H. Open dumping of garbage, solid waste, or refuse is prohibited.

SECTION V: PENALTIES

Any person who violates any provision of these regulations shall be subject to the penalties provided by section 3709.211, 3709.99 of the ORC, or any other applicable sections of the ORC.

SECTION VI: PARTIAL INVALIDITY

Should any part of these regulations be declared unconstitutional for any reason, the remainder of the regulations shall not be affected.

SECTION VII: EFFECTIVE DATE

- A. The Solid Waste Regulations adopted August 13, 1990 and amended January 27, 1998, are hereby repealed.
- B. The effective date of the regulation shall be January 12, 2010.

Adopted by the Board of Health of the Morrow County Health Department the 11th day of January, 2010.