

**CITY OF OLIVE HILL, KENTUCKY
ORDINANCE NO. 2020-07**

AN ORDINANCE OF THE CITY OF OLIVE HILL, KENTUCKY TO PROHIBIT GRASS CLIPPINGS AND YARD DEBRIS ON THE STREETS AND SIDEWALKS

WHEREAS, an excessive accumulation of grass, shrubbery, vines, branches, limbs, leaves and cuttings are causing or potentially causing issues with the City's sanitary sewer system; and

WHEREAS, clippings on the sidewalks and roadways of the City can be a safety and health issue to the citizens and residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLIVE HILL, KENTUCKY AS FOLLOWS:

SECTION 1

DEFINITIONS: As used in this chapter, unless the context clearly indicates otherwise, the following items have the respective meanings as ascribed to them:

DUMP OUT. Any material emptied from a vehicle or building upon streets, roadsides, or public places other than that emptied in appropriate litter receptacles.

EXCESS GRASS/YARD CLIPPINGS. The cuttings and/or clippings of grass, shrubbery, vines, leaves or other natural materials which result from the care, and/or maintenance of the real estate within the City which accumulation is in excess of one gallon of volume.

HANDBILL. Any printed or written material excluding newspapers, which advertises for sale any commodity, or thing, or which directs attention to any business or other activity, or even of any kind.

LITTER. Any solid waste, including but not limited to, containers, packages, wrappings, printed matter or other material thrown or deposited as herein prohibited, but not including the wastes of the primary processes of mining, logging, sawmilling, farming, or manufacturing.

LITTER BAG. A bag, sack, or other container made of any material which is large enough to serve as a receptacle for litter inside the vehicle or watercraft of any person.

LITTER RECEPTICLE. A container meeting the requirements of the Department for Natural Resources and Environmental Protection.

NEWSPAPER. Any newspaper of general circulation as defined by general law.

PARK. A reservation, playground, beach, recreation center, or any other areas in the City devoted to active or passive outdoor recreation.

PRIVATE PROPERTY. Any property not publicly owned or held for use by the public.

PUBLIC PLACE. Any area that is used or held for use by the public, whether owned or operated by the public or private interests

SOLID WASTE. Any putrescible and non-putrescible solid and semi-solid waste, including garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities.

STREET. Synonymous with and includes highway, road, alley, collector, local, arterial, or freeway within the political subdivision.

SWEEP OUTS. Any collection of debris, resulting from cleanup operations that is deposited in or around a public place.

VEHICLE. Includes every device capable of being moved upon a street and in, upon or by which any person or property is or may be transported or drawn upon a public street.

Section 2

ENFORCEMENT OFFICERS AND PROCEDURES

Enforcement of this Ordinance may be made by any police officer or as otherwise set forth in the City's planning and zoning Ordinance(s). All such enforcement officers are empowered to issue citations and/or arrest without warrant, persons violating the provisions thereof. Said enforcement officers may serve an execute warrants, citations, and other processes issued by a Court of competent jurisdiction. In addition, mailing by registered or certified mail of such warrant, citation, or other process to the last known place of residence of the offender shall be deemed personal service upon the person charged.

Section 3

The City's planning, zoning and code Ordinance is amended as follows:

- A. No person shall deposit or discard an excessive amount of grass, shrubbery, vines, branches, limbs, leaves, cuttings and other excess yard or grass clippings or naturally created materials resulting from the care and maintenance of real property onto the street, sidewalk, or other public right-of-way.
- B. Leaves and grass shall be placed in substantial containers, or otherwise contained on the property from whence they came, or such clippings are on or closest to.
- C. The owner and/or occupant of the property closest to the sidewalk and/or street where any grass, shrubbery, vines, branches, limbs, leaves, cuttings and other excess grass/yard

clippings or naturally created materials may be is responsible for the cleanup and removal of same.

- D. The penalty for violation is a Class B Misdemeanor.
- E. All other regulations of the City's planning, zoning and code enforcement not in conflict with this Ordinance shall remain in full force and effect.

Ordained by the Council for the City of Olive Hill this 27 day of August, 2020.



JERRY CALLIHAN, MAYOR

ATTEST:



CHIMILA HARGETT, CITY CLERK

First reading: 07/21/2020
Second reading: 08/27/2020
Publication: _____