

11/27/12

Yard Waste Site Hours of Operation

Motion, pursuant to Paragraph C of the attached Yard Waste Legislation, to amend the Yard Waste Site hours of operation:

8 a.m. to 3 p.m.	Monday through Friday
9 a.m. to 5 p.m.	Saturday
Closed	Sunday and Holidays

11/13/12

Yard Waste Site Hours of Operation

Motion that the yard waste site be opened from 8:00 a.m. – 3 p.m., Monday through Friday, closed weekends and holidays, effective November 26, 2012.

5/12/08

Yard Waste Site Hours of Operation

Motion, pursuant to Paragraph C of the attached Yard Waste Legislation, to amend the Yard Waste Site hours of operation to:

9:00 a.m. to 8:00 p.m. April 1 to October 31

9:00 a.m. to 5:00 p.m. November 1 to March 31

4/28/08

Yard Waste Site Hours of Operation

Motion, pursuant to clause C of the Yard Waste Legislation as attached, that the hours of operation be changed to:

May 1 through October 31, 8:00 a.m. to 8:00 p.m.

and from

November 1 through April 30, 8:00 a.m. to 5:00 p.m.

JACKSON TOWNSHIP BOARD OF TRUSTEES, STARK COUNTY, OHIO

RESOLUTION

RESOLUTION NO. 04 - 094

ADOPTED: 8/23/04

SUBJECT: Use of Yard Waste Drop Off Area Legislation

The Board of Trustees of Jackson Township, Stark County, Ohio, met in regular session on the 23rd day of August, 2004 with the following members present:

Steven M. Meeks
William M. Burger
John E. Pizzino

Trustee MEEKS moved for the adoption of the following resolution:

WHEREAS, Ohio Revised Code (hereafter ORC) Section 504.04(A)(1) and (2) authorizes the Board of Trustees to exercise powers of local self-government in the Township and to adopt and enforce within the Township local police, sanitary and other similar regulations.

WHEREAS, ORC Section 504.05 authorizes the Jackson Township Board of Trustees to impose a civil fine up to \$1,000 for the violation of a resolution adopted under ORC Section 504.04 which can be graduated based on previous violations and ORC Section 504.06 requires the adoption of a citation form.

WHEREAS, non residents or commercial businesses have been using the yard waste drop off area which is limited to residents bringing their property's yard waste to the drop off area.

BE IT RESOLVED THAT, pursuant to the above statutes, we hereby adopt the attached yard waste drop off area use legislation and fines for violations thereof, effective September 23, 2004, and further adopt the attached citation form and request the Township Clerk to publish the attached notice.

Trustee BURGER seconded the motion and upon roll call the vote resulted as follows:

Mr. Meeks YES
Mr. Burger YES
Mr. Pizzino YES

The foregoing is a true and correct counterpart of Resolution Number 04-094, duly adopted on August 23, 2004 and filed with me as the Township Clerk on August 24, 2004.

Randy Gonzalez
Randy Gonzalez, Clerk

The foregoing resolution is approved as to form:

Neal Fitzgerald
Neal Fitzgerald, Law Director

LIMITED HOME RULE GOVERNMENT RESOLUTION
USE OF YARD WASTE DROP OFF AREA

- A. Only residents of Jackson Township bringing yard waste from their property can use the designated yard waste drop off area. Residents must appear in person at the drop off site with proof of residency in Jackson Township. No commercial businesses, commercially labeled vehicles or vehicles in excess of 8600 GVW are permitted drop off at the site.
- B. No construction materials, treated wood, dirt, rocks or plastics can be dropped off at the site. Only biodegradable yard waste will be accepted. Plastic bags used for transport must be removed from the material.
- C. No drop off after posted drop off hours of operation as determined by the Board of Trustees which currently is dusk to dawn Sunday through Saturday.
- D. Sign(s) shall be posted by Township personnel containing these regulations.
- E. Whoever violates this resolution is subject to a fine of \$500 for the first violation and a fine of \$1,000 for each subsequent violation.

USE OF YARD WASTE DROP OFF AREA VIOLATION CITATION

JACKSON TOWNSHIP LIMITED SELF-GOVERNMENT RESOLUTION NO. 04-094

\$500 fine for the first violation and a
\$1,000 fine for each subsequent violation

Place _____ Date _____

Time _____ Officer _____ Viol. No. _____

Violation description _____

Resolution Section _____ Resolution on other side. Fine _____

Name _____

Address _____

You are required to answer this violation citation within (14) days after service of the citation.
The following answers can be made:

1. AN ADMISSION THAT YOU COMMITTED THE VIOLATION, BY PAYMENT OF THE FINE ARISING FROM THE VIOLATION, PAYABLE TO THE CLERK OF JACKSON TOWNSHIP.
2. A DENIAL THAT YOU COMMITTED THE VIOLATION. IF THE VIOLATION IS DENIED, YOU WILL BE AFFORDED A HEARING IN MASSILLON MUNICIPAL COURT.

Violations can be paid by mailing this violation along with a MONEY ORDER or CERTIFIED CHECK payable to the Jackson Township Clerk, 5735 Wales Avenue N.W., Massillon, Ohio 44646 Phone: 330-832-5886. If you deny the violation, please circle No. 2 above and mail this violation citation in. Citations may also be answered or paid in cash at the Office of the Township Clerk located at the above address during the hours of 9:00 a.m. - 12:00 p.m. and 1:00 p.m. -4:00 p.m., Monday through Friday.

If the fine is not paid within (14) days of the service of this summons or you deny the violation, a hearing upon the violation will be scheduled in Massillon Municipal Court of which you will be notified of. Attached ORC Section 504.07 describes the citation procedures and the procedures for any hearing conducted in Massillon Municipal Court.

I hereby affirm the facts contained herein.

Issuing Officer

R.C. § 504.07

C

Baldwin's Ohio Revised Code Annotated Currentness

Title V. Townships

* Chapter 504. Optional Limited Home Rule Government (Refs & Annos)

→ 504.07 Citation proceedings

(A)(1) A person who is served with a citation pursuant to division (B) of section 504.06 of the Revised Code shall answer the charge by personal appearance before, or by mail addressed to, the township clerk, who shall immediately notify the township law director. An answer shall be made within fourteen days after the citation is served upon the person and shall be in one of the following forms:

(a) An admission that the person committed the violation, by payment of any fine arising from the violation. Payment of a fine pursuant to division (A)(1)(a) of this section shall be payable to the clerk of the township and deposited by the clerk into the township general fund.

(b) A denial that the person committed the violation.

(2) Whenever a person pays a fine pursuant to division (A)(1)(a) of this section or whenever a person answers by denying the violation or does not submit payment of the fine within the time required by division (A)(1) of this section, the township clerk shall notify the court having jurisdiction over the violation.

(B) If a person answers by denying the violation or does not submit payment of the fine within the time required by division (A)(1) of this section, the court having jurisdiction over the violation shall, upon receiving the notification required by division (A)(2) of this section, schedule a hearing on the violation and send notice of the date and time of the hearing to the person charged with the violation and to the township law director. If the person charged with the violation fails to appear for the scheduled hearing, the court may hold him in contempt, or issue a summons or a warrant for his arrest pursuant to Criminal Rule 4. If the court issues a summons and the person charged with the violation fails to appear, the court may enter a default judgment against the person and require him to pay the fine arising from the violation.

(C) The court shall hold the scheduled hearing in accordance with the Rules of Civil Procedure and the rules of the court, and shall determine whether the township has established, by a preponderance of the evidence, that the person committed the violation. If the court determines that the person committed the violation, it shall enter a judgment against the person requiring him to pay the fine arising from the violation.

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R.C. § 504.07

If the court determines that the township has not established, by a preponderance of the evidence, that the person committed the violation, the court shall enter judgment against the township whose resolution allegedly was violated, shall dismiss the charge of the violation against the person, and shall assess costs against the township.

(D) Payment of any judgment or default judgment entered against a person pursuant to this section shall be made to the clerk of the court that entered the judgment, within ten days after the date of entry. All money paid in satisfaction of a judgment or default judgment shall be disbursed by the clerk as required by law and the clerk shall enter the fact of payment of the money and its disbursement in the records of the court. If payment of a judgment or default judgment is not made within this time period, execution may be levied, and such other measures may be taken for its collection as are authorized for the collection of an unpaid money judgment in a civil action rendered in that court. The municipal or county court shall assess costs against the judgment debtor, to be paid upon satisfaction of the judgment.

(E) Any person against whom a judgment or default judgment is entered pursuant to this section and any township against which a judgment is entered pursuant to this section may appeal the judgment or default judgment to the court of appeals within whose territorial jurisdiction the resolution allegedly was violated. An appeal shall be made by filing a notice of appeal with the trial court and with the court of appeals within thirty days after the entry of judgment by the trial court and by the payment of such reasonable costs as the court requires. Upon the filing of an appeal, the court shall schedule a hearing date and notify the parties of the date, time, and place of the hearing. The hearing shall be held by the court in accordance with the rules of the court. Service of a notice of appeal under this division does not stay enforcement and collection of the judgment or default judgment from which appeal is taken by the person unless the person who files the appeal posts bond with the trial court, in the amount of the judgment, plus court costs, at or before service of the notice of appeal.

Notwithstanding any other provision of law, the judgment on appeal of the court of appeals is final.

(1991 H 77, eff. 9-17-91)

LIBRARY REFERENCES

OJur 3d: 4, Appellate Review § 223; 20, Counties, Townships, and Municipal Corporations § 340, 355

R.C. § 504.07, OH ST § 504.07

Current through 2004 File 76 of the
125th GA (2003-2004), apv. by 5/6/04

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