

AMENDED ORDINANCE NO. 2022-24

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN EMERGENCY ORDINANCE DETERMINING THAT THE OPERATION OF A SINGLE STREAM RECYCLING BUSINESS FOR THE RECOVERY OF RECYCLABLE MATERIALS INCLUDING ALUMINUM, CARDBOARD AND OTHER MATERIALS THAT ARE PROCESSED AND PLACED INTO THE SUPPLY CHAIN FOR THE PRODUCTION OF METALS, PLASTICS, TEXTILES AND OTHER PRODUCTS IS SIMILAR TO PERMITTED USES IN THE I-2 PRODUCTION-DISTRIBUTION DISTRICT AND SHOULD BE ADDED AS A PERMITTED USE IN SAID DISTRICT**

**WHEREAS**, Waste Management of Ohio, Inc., (“WMO”) f/k/a Chambers Waste Systems of Ohio, Inc., a longstanding business in the Village, has applied for permits to erect a 32,025 square foot addition to its present operation on Oak Leaf Oval as more fully described in Exhibit A attached hereto and incorporated herein; and,

**WHEREAS**, said addition is for purposes of operating a single stream recycling facility for the recovery of materials including aluminum, plastics, cardboard and other materials that are processed and placed into the supply chain for the production of metals, plastics, textiles and other products as more fully described in Exhibit B attached hereto and incorporated herein; and,

**WHEREAS**, the Planning Commission, as evidenced by the minutes attached hereto and incorporated herein as Exhibit C, has determined pursuant to Oakwood Codified Ordinances Chapter 1193 that the operation of a single stream recycling facility for the recovery of materials including aluminum, plastics, cardboard and other materials that are processed and placed into the supply chain for the production of metals, plastics, textiles and other products constitutes a similar use to the permitted uses in the I-2 Production-Distribution District; and,

**WHEREAS**, CO Section 1193.02 authorizes Council to consider and approve the Planning Commission’s recommendation;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

**SECTION 1:** The Council of the Village of Oakwood hereby adopts and approves the recommendation of the Planning Commission and determines that the following constitutes a similar use to the permitted uses in the I-2 Production-Distribution District and should be added to said uses:

The operation of a recycling facility for the recovery of materials including aluminum, plastics, cardboard, and other materials that are processed and placed into the supply chain for the production of metals, plastics, textiles and other products.

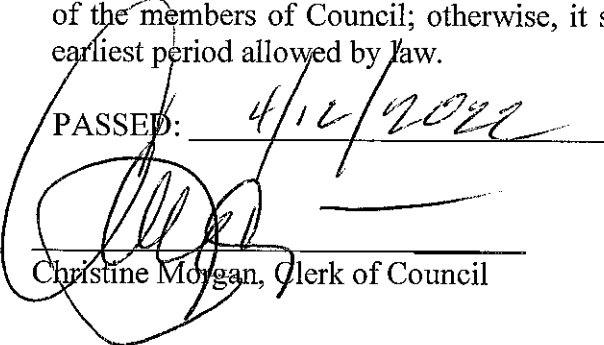
**SECTION 2:** The approval of the foregoing recommendation is contingent upon Chambers entering into a binding agreement with the Village providing for the following:

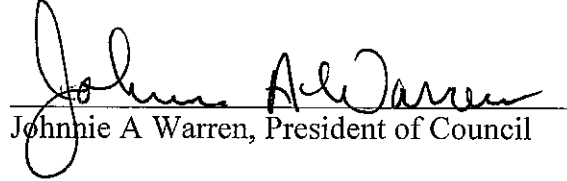
- a) There are ten (10) overhead transfer doors, and these overhead doors shall be closed daily in phases (except when opening of a door is necessary to permit ingress and egress for a person or vehicle): (i) six (6) doors will be closed at 6:00 p.m.; (ii) two (2) additional doors will be closed at 8:00 p.m.; (iii) the final two (2) doors will be closed at the conclusion of daily operations. In the event one or more doors are experiencing a mechanical failure and cannot be closed, WMO shall notify the Village designee that a failure has occurred and WMO shall use best efforts to ensure that all material inside of the door is properly secured so as to prevent litter from escaping the door.
- b) WMO shall retrieve litter on the full lengths of Oak Leaf Road and Fair Oaks Road two (2) time per week, weather permitting.
- c) WMO shall implement a rodent control program using the support of a profession rodent control vendor.

**SECTION 3:** The Clerk of Council is hereby instructed to certify this Ordinance to the Codifier to publish the revisions stated herein in accordance with Codified Ordinances Section 1193.02.

**SECTION 4:** This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the Village or Oakwood being that the foregoing expansion is urgently needed and of considerable economic and environmental benefit to the residents of the Village and the Northeast Ohio area and therefore this Ordinance shall take effect and be in force immediately upon its adoption and approval by the Mayor provided it receives at least five affirmative votes of the members of Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 4/12/2022

  
Christine Morgan, Clerk of Council

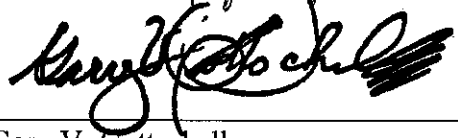
  
Johnnie A Warren, President of Council

Presented to the  
Mayor \_\_\_\_\_

4/18/2022

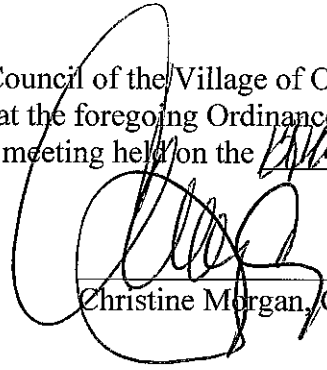
Approved: \_\_\_\_\_

4/18/2022



\_\_\_\_\_  
Mayor, Gary V. Gottschalk

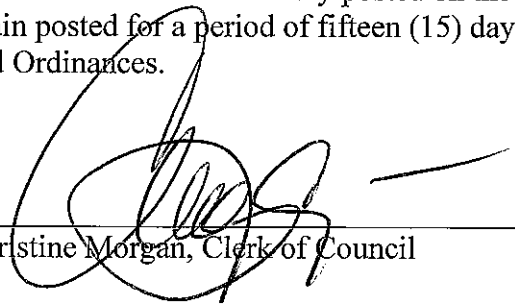
I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2022-24 was duly and regularly passed by this Council at the meeting held on the 18th day of April, 2022 .



\_\_\_\_\_  
Christine Morgan, Clerk of Council

**POSTING CERTIFICATE**

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2022-24 was duly posted on the 18th day of April, 2022, and will remain posted for a period of fifteen (15) days thereafter as provided in the Village Charter and Ordinances.



\_\_\_\_\_  
Christine Morgan, Clerk of Council

DATED: \_\_\_\_\_

4/18/2022