

CITY OF TWINSBURG, OHIO

ORDINANCE 40-2009

AN ORDINANCE AMENDING SECTION 1155.01 OF THE CODIFIED ORDINANCES OF THE CITY OF TWINSBURG SETTING FORTH THE PROHIBITED USES FOR LAND IN THE CITY OF TWINSBURG AND ESTABLISHING DEFINITIONS THEREIN

WHEREAS, the Planning Commission of the City of Twinsburg has reviewed and recommended a proposed amendment to Section 1155.01 of the Codified Ordinances of the City of Twinsburg setting forth Prohibited Uses; and

WHEREAS, a public hearing pertaining to the proposed adoption of this amendment is scheduled pursuant to due notice being first published according to a law prior to the Regular Council meeting on February 24, 2009; and

WHEREAS, Council has determined that it is in the best interests of the City of Twinsburg and its residents to enact and codify the proposed amendment to Section 1155.01 as herein described; and

WHEREAS, the Planning Commission at its regular meeting of November 17, 2008, recommended adoption of the amendment and adoption of the corresponding definitions; and

WHEREAS, this Council recognizes that, pursuant to §7A.01 of the Charter of the City of Twinsburg the proposed amendments to the Twinsburg Zoning & Development Regulations as approved by the Planning Commission and adopted by City Council must be submitted for approval by the qualified electors of the City of Twinsburg and that all changes to the Code which are subject to referendum are included herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Twinsburg, County of Summit and State of Ohio:

SECTION I: That Section 1155.01 of the Codified Ordinances of the City of Twinsburg are hereby proposed to be amended as follows:

**CHAPTER 1155
PROHIBITED USES**

- Q. The incineration of medical, pathological and anatomical waste shall be prohibited.

SECTION II. Provided the electorate adopts the proposed amendment, the following definitions which are directly related to the proposed prohibited use shall be included in the Definitions Section of Chapter 1105 of the Codified Ordinances of the City of Twinsburg:

18. Anatomical Waste: human tissues, organs, or body parts removed by trauma, during surgery, autopsy, studies, or another hospital procedure, which are intended for disposal. Anatomical wastes are typically distinguished as recognizable human organs, tissue and body parts, and may require special treatment under some state regulations.

199. Medical Waste (also known as clinical waste): refers to waste products that cannot be considered general waste, produced from healthcare premises, such as hospitals. Many medical wastes classified as infectious or biohazardous could potentially lead to the spread of infectious disease. Examples of infectious waste include blood, potentially contaminated sharps such as needles and scalpels and identifiable body parts.

228. Pathological Waste: wastes derived from the human body. Pathological wastes are unique in that these are typically samples of tissues that are examined in a laboratory setting to understand the nature of the disease or affliction from which a patient suffers. For the most part, pathological waste refers to very small tissues sections and body material derived from biopsies or surgical procedures that are then examined in the lab.

SECTION III: That as above referenced, this amendment to Section 1155.01 must, pursuant to §7A.01 of the Charter of the City of Twinsburg be submitted for approval of the qualified electors of the City.

SECTION IV: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION V: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

Steve Murphy, President of Council

Submitted to the Mayor for approval this
_____ day of _____, 2009

Approved by the Mayor _____, 2009

Katherine A. Procop, Mayor

ATTEST:

Marie K. Weaver
Clerk of Council

1st Rdg. _____
2nd Rdg. _____
3rd Rdg. _____

Passed: _____

Yes _____ No _____

CERTIFICATE OF POSTING

I, Marie K. Weaver, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the _____ day of _____, 2009.

Marie K. Weaver
Clerk of Council
City of Twinsburg