



AGENDA
ATHENS CITY COUNCIL
MONDAY, JANUARY 8, 2024
7:00 PM
e-mail: dwalker@ci.athens.oh.us
Streaming is available at www.ci.athens.oh.us/video

COMMITTEE OF THE WHOLE:

- Council of Governments (solid waste, recycling and composting management)

FINANCE & PERSONNEL COMMITTEE:

- City Sewer System Improvements, Project #330 (Water Pollution Control Loan; Tentative Award of Contract; and authorize appropriation and expenditure)
- Wastewater Remote Site Telemetry Improvements (amend 0-50-23)
- Property Sold by Internet Auction

CITY & SAFETY SERVICES:

- City Fiber Network, Project #347 (amend 0-05-22)
- Updated Fire Station Easement (amend 0-123-23)
- Richland Avenue Playground Renovation, Project #368
- Amend ACC Titles 9 and 13 (recreational marijuana)

TRANSPORTATION COMMITTEE:

- Columbus Road Shared Use Path, Project #365 (appropriate/authorize funds for engineering design services)
- Vehicle & Equipment Disposals (APT Bus, and Fire Department Ventilation Fan)

Sam Crowl
President of Council

The City of Athens supports the Americans with Disabilities Act. Requests for reasonable accommodation may be made with the ADA Coordinator in the City Building or by calling 592-3367.

Southeast Ohio Area Resources Council of Governments

BY-LAWS

(Adopted: [_____])

I. AUTHORITY

The City of Athens, Ohio, the City of Logan, Ohio, the City of Nelsonville the Village of Amesville, Ohio and the Athens Hocking Solid Waste Management District, having entered into the Agreement for the Establishment of the Southeast Ohio Area Resources Council of Governments (hereinafter "the Agreement"), which entity is a regional council of governments pursuant to Chapter 167 of the Ohio Revised Code (hereinafter "the Council"), unanimously adopt these By-Laws pursuant to Section 167.04 of the Ohio Revised Code.

II. BOARD OF DIRECTORS

A. The Board of Directors (hereinafter, "Board") created by these By-Laws shall be the governing body of, and shall act for and exercise all authority of, the Council.

B. Board Membership

a. The membership of the Board shall consist of the representatives designated by each of the Members of the Council pursuant to Article II(C) of the Agreement (hereinafter, "Representative") to comprise no more than two thirds but no less than a majority of the total representative, with the remaining representatives chosen by the initial two thirds, nor employees of, a general purpose unit of local government. These appointments may be composed of citizens who represent principal community or regional interests or groups, including but not limited to: commerce, industry, labor, agriculture, environmental, education, health, senior citizens, and low-income and minority groups. together with ad hoc members, if any, appointed as provided in these By-laws (Representatives and ad hoc members collectively hereinafter, "Board Members").

i. Municipal corporations shall have two representatives

1. One council member appointed by a majority of the council

2. One Director or Assistant Director from any of the following departments: Service Safety, Sanitation, Code Enforcement, or Public Works, Health Department, Planning/Zoning, or Economic Development, appointed by the mayor.

ii. Townships shall have one representative

iii. Special Districts shall have one representative

iv. Counties shall have one representative

- b. Representatives of the Initial Members of the Council (these being the City of Logan, Ohio, the City of Nelsonville, the City of Athens, Ohio, the Village of Amesville, Ohio, Athens County, Ohio and the Athens Hocking Solid Waste Management District shall serve as voting members of the Board (hereinafter, "Voting Representatives").
 - c. Except as otherwise determined by the Board, Representatives of Members other than the Initial Members shall be non-voting members of the Board (hereinafter, "Non-Voting Representatives") until after 1-3 years (as determined by the board in regard to the programmatic and/or service needs of the Member), provided the maximum number of Voting members is not exceeded thereby Non-Voting Representatives shall receive notice of meetings of the Board and, except as otherwise determined by the Board, may be present in person, may present matters for consideration, and may take part in consideration of any business by the Board at any meeting of the Board, but such Non-Voting Representatives shall not be considered for quorum purposes and shall have no vote on any matter acted upon by the Board.
 - d. The Board may appoint and remove other non-voting ad hoc members to the Board. Ad hoc members of the Board shall receive notice of meetings of the Board and, except as otherwise determined by the Board, may be present in person, may present matters for consideration, and may take part in consideration of any business by the Board at any meeting of the Board, but such ad hoc members shall not be considered for quorum purposes and shall have no vote on any matter acted upon by the Board.
- C. Each Voting Representative shall be entitled to one (1) vote at any meeting of the Board at which such Representative is present
- D. There shall be a maximum of 15 Voting Representatives
- E. Board Member Terms
 - a. Elected officials - shall remain for the duration of their holding office
 - b. Municipal and administrative members - shall remain until replaced by the Member they represent.
 - c. Private citizens - three year terms
 - i. At the initial founding of the Council by adoption of the Council Agreement, the Athens-Hocking County Recycling Centers, Inc. Board of Directors, shall by majority vote, appoint three (3) Representatives to the Council Board for one (1) term.
- F. A quorum of the Board shall consist of a majority of the Voting Representatives. Except as otherwise provided herein or in the Agreement, or as required by law, any action of the Council or of the Board provided for in the Agreement or in these By-Laws may be taken upon a majority vote of those Voting Representatives voting at any meeting of the Board at which a quorum is present.

III. OFFICERS

At the Annual Meeting, the Board shall elect from among the Voting Representatives, a President, Vice-President, and Secretary. If a vacancy occurs in any office a replacement shall be chosen at the next meeting of the Board. Until the first meeting following the approval of the Agreement, the officers shall be as follows:

President, the _____;
Vice-President, the _____;
Secretary, the _____.
Treasurer, the _____

IV. DUTIES OF OFFICERS

- A. President: The President shall preside at all meetings of the Board, shall approve the records thereof and shall sign all written contracts, deeds, mortgages, bills of sale and all other conveyances, conditional or otherwise, notes and all other obligations of this Council upon resolution of the Board. The President shall see that all orders and resolutions of the Board are carried into effect. The President may appoint a parliamentarian. The President has the authority to create, appoint the membership of, and dissolve, all committees, and shall be a member ex-officio of all committees.
- B. Vice-President: The Vice-President shall perform all duties of the President in the President's absence or inability to act, and shall have such other and further powers and perform such other and further duties as may be assigned by the Board.
- C. Secretary: The Secretary shall keep the minutes of all proceedings of the Board and make a proper record of them. The Secretary shall keep such books as may be required and generally perform such duties as may be assigned by the Board.
- D. Treasurer: The Treasurer shall be the fiscal officer for the Council. The fiscal officer shall have responsibility for the funds of the Council, which shall be maintained separately from any of the Members and shall receive, deposit, invest and disburse Council funds, or be responsible for the supervision thereof, as may be ordered by the Board and in accordance with the Agreement, these By-Laws, and all relevant laws, rules, and regulations. When necessary and proper, the fiscal officer may endorse for collection on behalf of the Council checks, notes, and other obligations. The fiscal officer shall make or supervise the making of monthly statements of Council accounts and such other statements as may be required by the Board. The fiscal officer shall keep in books of the council full and accurate accounts of all moneys received and paid for the accounts of the Council. The fiscal officer will supervise the work of any employees hired by the Council to aid the fiscal officer in the performance of the duties of the office of Treasurer. The fiscal officer shall perform such other duties as may, from time to

time, be assigned to it by the Board. Pursuant to Ohio Revised Code Section 167.07 the fiscal officer may hold office in the Council or be employed by the Council concurrently with these duties.

V. MEETINGS

- A. Annual Meeting: The annual meeting of the Board shall be held at such time and location as designated in the notice to the Board Members.
- B. Regular Meetings: Regular meetings shall be as scheduled by the Board. Any meeting may be canceled by agreement of a majority of the Voting Representatives.
- C. Special Meetings: Special meetings of the Board may be held at any time upon the call of the President, Executive Committee, or any three (3) Voting Representatives at any location as designated by the President.
- D. Notice of Meeting: Written notice of the time and place of each regular and annual meeting shall be sent to each Board Member seven (7) days prior to said meeting. Special meetings may be called by informing the Board Members of the time, place and purpose of said meeting at least two (2) days prior to such meeting.
- E. Public Meetings: Meetings of the Board shall be conducted in accordance with the Ohio Open Meeting Act (Ohio Revised Code Section 121.22). By contacting the President of the Board:
 - a. Any person may obtain information regarding the time and place of any regularly scheduled meeting, and the time, place and purpose of any special meeting;
 - b. Any news media representative may request advance notice of any special meeting;
 - c. Any person may, upon payment of a reasonable fee or upon providing a sufficient number of self-addressed, stamped envelopes, request reasonable advance notice of all meetings at which a specific type of business is to be discussed.
- B. Virtual Meetings:
- C. Minutes: Minutes of any meeting shall be recorded, approved by the Board, maintained, and open to public inspection as required by law.
- D. Rules: Meetings shall be conducted informally except when a majority of the Voting Representatives in attendance vote to follow Robert's Rules of Order, Newly Revised.

VI. COMMITTEES

The Board may create standing committees and prescribe their respective duties. The members of such committees shall be appointed by the President, with the approval of the Board. The President, with the approval of the Board, may appoint such special

committees as he/she deems necessary and such committees shall serve at the pleasure of the President. No committee has the authority to take any official action; committees make recommendations for official action to the Board. Committees may be drawn from Board Members, from the member and/or contracting organizations of the Council, or from other sources, at the pleasure of the President and the Board.

A. Executive Committee

VII. **EXECUTIVE DIRECTOR**

The Director shall be the Chief Administrative officer of Southeast Ohio Area Resources Council of Governments and will be appointed by the Board. The powers and duties of the Director are:

- A. Responsible for the day-to-day overall management of Southeast Ohio Area Resources Council of Governments including appointing and discharging all employees and to be consistent with the guidelines set forth in the Personnel Policy. Annually to prepare and present a proposed budget to the Audit/Budget Committee and to control the agency's approved budget(s).
- B. Have the responsibility of proposing policies, programs, and services for consideration by the board, and shall have responsibility for implementing such policies;
- C. To purchase supplies, equipment, maintenance agreements, personnel services and authorize meeting expenditures related to agency functions, when the unit and/or total cost of such purchases does not exceed \$5,000.00 in amount per occurrence, except where collection vehicles or facility equipment need hasty repairs, in which case expenditures of up to \$20,000.00 per occurrence are authorized. When such costs exceed the above thresholds, the purchase or expenditure must be pre-approved by the Board.
- D. To perform such other duties as the Council and Executive Committee shall direct

VIII. **Solicitor:** The Board shall appoint a solicitor, who shall be the chief consultant of the Southeast Ohio Area Resources Council of Governments in all legal matters.

IX. **FISCAL YEAR**

The fiscal year of the Council shall begin on the first day of July and shall end on the thirtieth day of June of the following year.

X. **AFFILIATE STATUS**

Entities that do not qualify for membership in the Council may apply to the Board in writing for Affiliate status and may be granted such status as follows:

Affiliates must meet the following conditions:

- a. have a resolution executed by the governing body accepting the Constitution and By-Laws of the Council;
 - b. have received a vote of acceptance from the Council's Board; and
 - c. remain current in the payment of all dues and assessments as established by the Board.
- A. Affiliates are entitled to participate in any or all of the services provided by Council on such terms as determined by the Board.
- B. Affiliates shall have such other rights as determined by the Board.

XI. Dues

- A. Dues for all members shall be \$500 per year and paid by the first day of July each year.

XII. AMENDMENTS

These By-Laws may be amended by the action of a majority of the Voting Representatives.

IN WITNESS WHEREOF, these By-Laws have been duly adopted by the Initial Members of the Council and became effective on _____, 2023

Approved:

City of Logan

Village of Amesville

[title]
date _____, 2023

[title]
date _____, 2023

City of Athens

AHSWD

[title]
date _____, 2023

[title]
date _____, 2023

City of Nelsonville

[title]
date _____, 2023

**AGREEMENT
FOR THE ESTABLISHMENT OF THE**

Southeast Ohio Area Resources Council of Governments

WHEREAS, we, the representatives of the municipalities and entities in southeast Ohio, recognize that many of the problems and needs confronting this region are independent of political boundaries; that any solutions to our problems and the programs that we formulate to meet our common needs will have a greater chance of success if they are undertaken jointly and in a cooperative manner; and

WHEREAS, we believe that this goal can best be achieved through cooperative efforts by the regional municipalities, other governmental subdivisions, and other qualifying entities. This involves economies of scale to meet regional challenges which may be beyond our individual capabilities, and provides a means of communication, cooperation and joint action in the interest of the members individually and collectively; and

WHEREAS, this Southeast Ohio Area Resources Council of Governments will seek to facilitate cooperation among municipalities, other governmental subdivisions, and other qualifying entities in southeast Ohio area for the purpose of managing solid waste through a regional approach to sustainability, thereby increasing landfill diversion, building commonalities across regional communities in their opportunities for recycling access and proper disposal, bolstering circular economies through reduction, reuse, and recycling, as well as giving members direct control over solid waste management; and

WHEREAS, the parties to this Agreement have determined that economies, efficiencies, and innovation can be jointly achieved through their participation in this cooperative Agreement;

NOW, THEREFORE, pursuant to Chapter 167 of the Ohio Revised Code, the City of Athens, Ohio, the City of Logan, Ohio, the City of Nelsonville, the Village of Amesville, Ohio and the Athens Hocking Solid Waste Management District, hereby enter into this agreement, which establishes, and serves as the constitution for, a regional council of governments ("Agreement").

ARTICLE I. NAME AND PURPOSE

The name of this regional council of governments shall be the Southeast Ohio Area Resources Council of Governments (hereinafter "the Council"). The Council's core initial purpose shall be to building sustainable communities through providing, at at regional scale, solid waste collection, processing (materials recovery facilities), and disposal, while also providing the membership with related services, planning and educational resources for, and related to solid waste, landfill diversion, sustainability plans, creating a more circular economy, and to create a cleaner, safer, and better place to live in the southeast Ohio area.

ARTICLE II. MEMBERSHIP

- A. A. The Initial Members of the Council shall be the City of Logan, Ohio, the City of Athens, Ohio, the City of Nelsonville, the Village of Amesville, Ohio and the Athens Hocking Solid Waste Management District.
- B. Other entities may be admitted as Members of the Council provided the following conditions are satisfied:
- 1) the entity must be eligible for membership in a Regional Council of Governments pursuant to Chapter 167 of the Ohio Revised Code;
 - 2) the governing body of the entity must have executed a resolution agreeing to the Agreement and By-Laws of the Council;
 - 3) the entity must submit to the Council's governing authority ("the Board of Directors") a written request for admission as a Member, which the Board of Directors votes to accept;
 - 4) the entity must pay all dues and assessments as established by the Council.
- C. Each Member shall be represented in the Council by representatives designated by the governing body.
- D. Any Member may withdraw from the Council as follows:
- 1) Any Member wishing to withdraw from membership may do so by serving the President with a certified copy of a duly adopted Resolution of the member's Governing Board declaring its intent to withdraw at least 120 days before the end of a fiscal year. Such withdrawal shall be effective on the **second 30th day of June** subsequent to the receipt of this Resolution. All financial commitments of the Member shall be met or secured prior to the effective date of the withdrawal. The Member shall remain responsible for its share of Program Costs through the end of the Fiscal Year in which the withdrawal is effective.
 - 2) A Member's decision to withdraw from the Council shall not affect the obligations of the Parties under any existing contract(s) between the Council and the withdrawing Member. Any such contract(s) shall expire and/or can be continued/renewed as set forth in the terms of such contract(s).

- 3) No dues or assessments paid by a withdrawing Member shall be refunded unless specifically identified as refundable or conditionally refundable, and all obligations to the Council assumed by the Member prior to submitting the notice of intent to withdraw shall continue until the end of the Council's then current fiscal year or, if applicable, until the end of the expiration of the term of the agreement creating a specific obligation extending across fiscal years.
 - 5) Upon withdrawal from the Council, an entity may not become a Member again until it has fully complied with the criteria and procedures for membership contained herein or otherwise established by the Board of Directors.
- E. The Council may terminate the membership of any Member other than an Initial Member (i.e. the City of Logan, Ohio, the City of Athens, Ohio, the city of Nelsonville, the Village of Amesville, Ohio and the Athens Hocking Solid Waste Management District) as follows:
- 1) The Council may terminate an entity's membership effective at the end of a fiscal year by giving written notice of termination to the entity no later than March 1 of such year.
 - 2) The Council may terminate an entity's membership at any other time by giving 120 days written notice of such termination.
- F. Entities that do not qualify for Membership may apply to the Council for Affiliate status pursuant to criteria and procedures established in the Council's By-Laws.
- G. Members Rights and Duties
- 1) All Members in good standing are entitled to participate in any or all of the services provided by Council.
 - 2) To be deemed a "Member in good standing," a Member must have currently paid any fees, dues and/or Council costs due to the Council.
- D. Limitation of Liability of Members
- By becoming Members and making use of the Council's services, the Members assume no liabilities beyond the payment of any fees, dues, or Council Costs assessed by the Council and any contractual obligations or agreements entered into between the Member and the Council. Members do not assume liability for the debts of the Council.

- E. Title to any and all equipment, buildings, furniture and other goods purchased and titled for the Council shall be held in trust for the Members by the Treasurer or the Fiscal Agent. Any Member withdrawing from the Council shall forfeit any claim to the Council's assets. In the event of dissolution, the proceeds from the assets shall go first to satisfy the debts of the Council and then shall be distributed to the Members in good standing immediately prior to dissolution pro rata, based upon their respective contributions to the Council in the three-year period preceding dissolution.

ARTICLE III. POWERS

- A. As a Regional Council of Governments pursuant to Chapter 167 of the Ohio Revised Code, the Council has the power to do all of the following:
 - 1) Study such area governmental problems common to two or more Members of the Council as it deems appropriate, including but not limited to matters affecting health, safety, welfare, education, economic conditions, and regional development;
 - 2) Promote cooperative arrangements and coordinate action among its Members, and between its Members and other agencies of local or state governments, whether or not within Ohio, and the federal government;
 - 3) Make recommendations for review and action to the Members and other public agencies that perform functions within the region;
 - 4) Promote cooperative agreements and contracts among its Members or other governmental agencies and private persons, corporations, or agencies;
 - 5) Perform planning directly by Council personnel, or under contracts between the Council and other public or private planning agencies;
 - 6) Review, evaluate, comment upon, and make recommendations, relative to the planning and programming, and the location, financing, and scheduling of public facility projects within the region and affecting the development of the area;
 - 7) Act as an area wide agency to perform comprehensive planning for the programming, locating, financing, and scheduling of public facility projects within the region and affecting the development of the area and for other proposed land development or uses, which projects or uses have public metropolitan wide or interjurisdictional significance;

- 8) Act as an agency for coordinating, based on metropolitan wide comprehensive planning and programming, local public policies, and activities affecting the development of the region or area;
- 9) By appropriate action of the governing bodies of the Members, perform such other functions and duties as are performed or capable of performance by the Members and necessary or desirable for dealing with problems of mutual concern;
- 10) Contract with the appropriate officials, authorities, boards, or bodies of counties, municipal corporations, townships, special districts, school districts, or other political subdivisions to provide any service or to receive any service from such entities; such contracts may also authorize the Council to perform any function or render any service in behalf of such counties, municipal corporations, townships, special districts, school districts, or other political subdivisions, which such counties, municipal corporations, townships, special districts, school districts, or other political subdivisions may perform or render;
- 11) Employ such staff and contract for the services of such consultants and other organizations, and purchase or lease or otherwise provide for such supplies, materials, equipment, and facilities, as it deems necessary and appropriate in the manner and under procedures established by the By-Laws of the Council;
- 12) Acquire, construct, and otherwise improve real and personal property to be used by or for the benefit of the Council or one or more of its Members.
- 13) Establish schedules of dues to be paid by the Members to aid the financing of the operations and programs of the Council in the manner provided in the By-Laws of the Council; and the Council may permit non-member political subdivisions to participate in any of its activities regardless of whether such political subdivisions have paid dues to the Council.

B. The Council additionally has all other powers permitted by law and authorized by the Board of Directors.

ARTICLE IV. BY-LAWS

The Initial Members of the Council shall by adopt By-Laws that create the Board of Directors, provide for the designation of the officers of the Council, appoint a Fiscal Officer, and otherwise provide for the conduct of Council business. No By-Law shall be inconsistent with this Agreement or with the Ohio Revised Code.

ARTICLE V. BOARD OF DIRECTORS

- A. The Board of Directors shall be created as provided by the By-Laws and shall be the governing body of, and shall act for and exercise all authority of, the Council, as a Regional Council of Governments.
- B. As an illustration but not as a limitation, the Board shall have the following specific powers and duties in connection with the management and operation of the Council:
 - 1) approve new Council ventures;
 - 2) approve Council programs, including but not limited to approving the terms and conditions of any program agreement;
 - 3) approve and amend the annual Council budget;
 - 4) approve the annual estimate and apportionment of fees, dues, and/or Council costs;
 - 5) elect officers as provided in the By-Laws;
 - 6) amend the Council Constitution;
 - 8) act on any other matter related to the business of the Council and By-Laws.
 - 9) exercise any other powers or duties of the Council permitted by law, including but not limited to Revised Code Section 167.03, to the extent such exercise is consistent with this Constitution and the By-Laws adopted hereunder.

ARTICLE VI. FINANCIAL SUPPORT AND EXPENDITURES

- A. The Council shall be supported by financial and in-kind contributions from its Members, dues from members, and from other revenue sources as determined by the Council. Contributions from Members shall become binding obligations upon those entities following actions assuming such obligations by the governing bodies of those entities. The Council also may accept any gift, bequest, devise, grant, services or payment by vote of the Board of Directors.
 - a. Southeast Ohio Area Resources Council of Governments members: Aside from member dues, a member is only obligated to contribute to those programs or services in which it participates.

- b. Non-Member Organizations: Non-member organizations may participate in Council programs and services with the approval of the Board. Program costs for these organizations shall be set by the Board, using any method it deems appropriate.
- B. The Council shall determine the appropriate expenditure of all money available to it in order to carry out the purposes of this Agreement.
- C. The Council shall make an annual report of its activities to the Members.
- w D. To the extent permitted by law, the Council shall indemnify, defend and hold harmless each and every Member, Officer, and Director from any and all losses, costs (including attorney fees and expenses), claims, actions, damages, obligations, or liabilities (together "Losses") arising out of the acts or omissions of the Council up to the limits of the Council's liability insurance, provided, however, that the Parties to this Agreement shall be liable for their own negligence and the negligence of their employees, agents and assigns if 1) a court of competent jurisdiction determines that the obligation to indemnify and hold the Members harmless as set forth herein is void or 2) if and to the extent that the Losses exceed the limits of the Council's liability insurance. The foregoing obligation to indemnify and hold the Members harmless shall survive a Member's voluntary or mandatory withdrawal from the Council.

ARTICLE VII. START UP PROVISIONS

During the initial two fiscal years of this Agreement, the Council may borrow operating funds as necessary to carry out its mission to the maximum extent permitted by Ohio law. The Council may establish addenda to the schedule of dues during the initial two fiscal years of the Agreement for the purpose of generating operating funds, which shall be refundable to the Members as provided in the schedule.

ARTICLE VIII. AMENDMENTS; DISSOLUTION

This Agreement may be amended from time to time, by the action of a majority of the Board of Directors. The dissolution of the council will require the action of a two-thirds majority of the Board of Directors provided a majority of the representatives of the then-remaining Initial Members, if any, also approve of the amendment or dissolution.

Approved:

City of Logan

Village of Amesville

[title]
date _____, 2023

City of Athens

[title]
date _____, 2023

AHSWD

[title]
date _____, 2023

City of Nelsonville

[title]
date _____, 2023

[title]
date _____, 2023

[title]
date _____, 2023

Chapter 9.15. Parks, Open Spaces, and Nature Preserves

9.15.02. DEFINITION

“Use of any form of tobacco” means all uses of tobacco, including inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, other lighted smoking device or papers for burning tobacco, or any other plant; chewing tobacco, snuff, ,or any other matter or substances that contain tobacco, **INCLUDING BUT NOT LIMITED TO VAPING.**

9.15.02

“Use of any form of recreational marijuana” includes inhaling, exhaling, burning, edibles, liquid, vapes, other lighted smoking device or papers for burning marijuana, or any other matter or substance that contains marijuana, including but not limited to vaping.

9.15.03. USE OF TOBACCO, **RECREATIONAL MARIJUANA**, TOBACCO PRODUCTS, **RECREATIONAL MARIJUANA PRODUCTS**, OR TOBACCO OR **RECREATIONAL MARIJUANA** DERIVATES PROHIBITED.

(A) NO PERSON SHALL USE ANY FORM OF TOBACCO OR **RECREATIONAL MARIJUANA** AT OR ON ANY CITY-OWNED OR OPERATED OUTDOOR RECREATIONAL FACILITIES, INCLUDING PARKING AREAAS, RESTROOMS, SPECTATOR, AND CONCESSION AREAS, OUTDOOR RECREATION FACILITIES INCLUDING PLAYGROUNDS, ATHLETIC FIELDS, AQUATIC AREAS, PARKS, PAVILIONS, SHELTERS, AND WALKING/HIKING TRAILS OR PATHS.

9.15.04. POSTING OF SIGNS

(A) CITY-OWNED OR OPERATED OUTDOOR RECREATIONAL FACILITIES SHALL CAUSE TO BE CONSPICUOUSLY POSTED “TOBACCO/**RECREATIONAL MARIJUANA** FREE”, “NO SMOKING”, OR “SMOKING PROHIBITED” SIGNS AT THE ENTREANCE TO EACH SUCH FACILITY.

13.07.06. Littering public ways.

No person shall place or dispose of in any manner any garbage, waste, or peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil, tobacco products, **MARIJUANA, MARIJUANA PARAPHERNALIA**, or anything else of an unsightly or unsanitary nature along or near or on any public road, street, parkway, park, drive, highway, ditch, or any land adjoining any public road or highway or ditch, except on land provided by a zoning commission, city ordinance, or other governmental authority, unless directed to do so by public officials on special cleanup days. Citations for violations of this section may be issued by code enforcement officers, police officers, meter attendants, sanitarian litter control officer, and others assigned by the service safety director.