

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2023#5**

**AN ORDINANCE PROHIBITING THE OPERATION OF
RECYCLING OPERATIONS AND STORAGE OF
RECYCLING MATERIALS IN RESIDENTIALLY AND
COMMERCIALY ZONED AREAS OF THE CITY OF
DAYTON.**

**NOW, THEREFORE BE IT ORDAINED BY THE CITY OF DAYTON,
CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:**

Section I

A new section of the Dayton Code of Ordinances is created as Title XI, Business Regulations, Chapter 118, as follows:

RECYCLING ESTABLISHMENTS AND RECYCLERS

§ 118.01 DEFINITIONS

(1) "Person" means any individual, firm, agency, company, association, partnership, business trust, joint stock company, body politic or corporation.

(2) "Recycler" means a person, firm, or corporation operating a recycling establishment or allowing recycling materials to be deposited, parked, collected, or otherwise located on premises owned or controlled by such person, firm, or corporation.

(3) "Recycling establishment" means any place where wrecked or nonoperative automobiles, vehicles, machines, and other scrap, salvage materials, or recycling materials, as defined below, are deposited, parked, collected, or otherwise located.

(4) "Recycling materials" shall mean old appliances and equipment; scrap copper, brass, iron, steel, and other old or scrap ferrous or nonferrous materials; rope; rags; batteries; paper; plastic; trash, debris, and waste; used tires and rubber debris; or old or used motor-vehicle parts, whether these recycling materials are placed or located on land or in or on trucks, trailers, or other vehicles or equipment.

**§ 118.02 RECYCLERS AND RECYCLING ESTABLISHMENTS PROHIBITED ON
PROPERTIES IN RESIDENTIALLY AND COMMERCIALY ZONED AREAS**

No person shall operate or cause to be operated in the City of Dayton any recycling establishment or store, place, or locate recycling materials on any property located in the city that is zoned for residential or commercial uses.

§ 118.03 CRIMINAL PENALTY

A violation of this ordinance shall be a Class A misdemeanor and a person convicted thereof in a court of competent jurisdiction shall be sentenced to shall pay a criminal fine not to exceed the maximum amount of five hundred dollars (\$500) and/or serve a term of imprisonment not to

exceed the maximum period of twelve (12) months. The penalties provided in this section shall be in addition to any civil fines or civil penalties imposed for violations of other city ordinances.

Section II

This ordinance shall be in full force and effect from and after its adoption, approval, and publication as is required by law.

PASSED by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

First Reading: May 16, 2023

Second Reading: _____

MAYOR BEN BAKER

ATTEST:

TRISTAN KLEIN
CITY CLERK/TREASURER