

1 ORDINANCE NO. 2012-213

Late Filing

2
3 SPONSOR Mr. Roemer

4
5 DATE _____

COMMITTEE Rules

6

7 **An Ordinance enacting Chapter 171 of the Codified Ordinances of the County of Summit,**
8 **entitled “Mandatory Use of Biodegradable Oil,” to require County employees or**
9 **contractors employed by the County, who must use chainsaws and other outdoor power**
10 **equipment as part of their employment or contract to use biodegradable bar and chain and**
11 **2 cycle engine oil for lubrication of said chainsaws and other outdoor power equipment in**
12 **order to protect and preserve Summit County’s drinking water and soil, for the Council,**
13 **and declaring an emergency.**

14

15 WHEREAS, Summit County’s drinking water and soil is a vital natural resource that
16 needs to be protected and preserved; and

17

18 WHEREAS, the County of Summit performs, and contracts with others to perform,
19 certain improvements and maintenance to the County's real property and other work who employ
20 the use of chainsaws and other outdoor power equipment that require bar and chain and 2 cycle
21 engine oil for lubrication; and

22

23 WHEREAS, the County strives to protect natural resources as well as the safety of our
24 employees and contractors; and

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26 WHEREAS, the current practice of using bar and chain oil when operating chain saws
27 results in oil leaking into the ground which poses a threat to the environment and to the
28 groundwater supply due to the fact that 100% of Bar & Chain oil ends up in the ground or water;
29 and

30

31 WHEREAS, chainsaws spill a quart of oil every four hours of use; and

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33 WHEREAS, there are many bar and chain and 2 cycle engine oils that are based on oils
34 that are not petroleum products that have the right viscosity, tackiness and flow qualities for the
35 full range of professional chainsaw applications; and

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37 WHEREAS, biodegradable oils operate at higher and lower temperatures with sufficient
38 flow properties while remaining toxicologically safer than petroleum chainsaw and 2 cycle
39 engine oils; and

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41 WHEREAS, using biodegradable oil poses no health danger to underground aquifers,
42 other water supplies and soil; and

43

44 WHEREAS, using biodegradable oil eliminates unpleasant and irritating petroleum oil
45 odors, and can be less costly than petroleum products because these products adhere better to
46 steel and last longer enabling a chainsaw/engine operator to use less oil; and

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48 WHEREAS, scientific investigation performed by Intertek proved that bio oil achieves
49 remarkable environmental benefits when compared to petroleum oil: carbon footprint up to 67%
50 lower; resource depletion up to 76% lower and overall environmental score up to 56% better.

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4 WHEREAS, enacting an ordinance to require County employees or contractors employed by the
5 County, who must use chainsaws or other outdoor power equipment as part of their employment
6 or contract to use biodegradable bar and chain and 2 cycle engine oil for lubrication of said
7 equipment, and prohibiting them from using petroleum based engine oil, will help to protect and
8 preserve Summit County’s drinking water soil and air quality; and

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10 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
11 that it is necessary and in the best interest of the County of Summit to enact Chapter 171 of the
12 Codified Ordinances of the County of Summit, entitled “Mandatory use of Biodegradable Oil,”
13 for the aforementioned reasons;

14

15 NOW, THEREFORE, IT IS HEREBY ORDAINED by the Council of the County of
16 Summit, State of Ohio, that:

17

18 SECTION 1

19

20 Chapter 171 of the Codified Ordinances of the County of Summit, entitled “Mandatory
21 Use of Biodegradable Oil,” is hereby enacted as follows:

22

23 **“CHAPTER 171**
24 **Mandatory Use of Biodegradable Oil**

25

26 **171.01 Mandatory use of biodegradable oil for chainsaws and other outdoor power**
27 **equipment.**

28

29 **SECTION 171.01 MANDATORY USE OF BIODEGRADABLE OIL FOR**
30 **CHAINSAWS.**

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32 (a) Applicability. This section shall apply to all employees of, and all contractors
33 hired to perform contract services on behalf of, the County of Summit and any of its individual
34 offices, boards, agencies and commissions.

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36 (b) Use of biodegradable oil required. Any contractor hired after the enactment of
37 this section to perform contractor services on behalf of the County who uses a chainsaw or other
38 outdoor power equipment as part of their employment or contract shall use biodegradable bar
39 and chain and 2 cycle engine oil for lubrication of said chainsaws/equipment and shall not use
40 petroleum based bar and chain and 2 cycle engine oil for that purpose.

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42 Effective as of this effective date of this Ordinance, no office, board, agency or
43 commission of the County may purchase petroleum based bar and chain or 2 cycle engine oil for
44 lubrication of chainsaws and outdoor power equipment. Except for the purpose of expiring
45 existing stock of petroleum based bar and chain and 2 cycle engine oil during use, all employees
46 of the County shall use only biodegradable bar and chain and 2 cycle engine oil for lubrication of
47 chainsaws and outdoor power equipment after the effective date of this section.”

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49 SECTION 2

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51 This Ordinance is hereby declared to be an emergency measure in the interest of the
52 health, safety and welfare of the citizens of the County of Summit, Ohio, and for the further
reason that it is necessary in order to immediately enact Chapter 171 of the Codified Ordinances
to preserve and protect Summit County’s drinking water.

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4 SECTION 3

5

6 Provided this Ordinance receives the affirmative vote of eight members, it shall take
7 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
8 effect and be in force at the earliest time provided by law.

9

10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating
13 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
14 were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised
15 Code.

16

17 INTRODUCED May 14, 2012

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19 ADOPTED _____

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24 _____
CLERK OF COUNCIL

PRESIDENT OF COUNCIL

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26 APPROVED _____

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31 _____
EXECUTIVE

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33

34 ENACTED EFFECTIVE _____