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

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

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

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

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

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

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

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

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

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

WHEREAS, scientific investigation performed by Intertek proved that bio oil achieves remarkable environmental benefits when compared to petroleum oil: carbon footprint up to 67% lower; resource depletion up to 76% lower and overall environmental score up to 56% better.
ORDINANCE NO. 2012-213

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

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

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

SECTION 1

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

“CHAPTER 171
Mandatory Use of Biodegradable Oil

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

SECTION 171.01 MANDATORY USE OF BIODEGRADABLE OIL FOR CHAINSAWS.

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

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

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

SECTION 2

This Ordinance is hereby declared to be an emergency measure in the interest of the 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.
SECTION 3

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

SECTION 4

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

INTRODUCED ____May 14, 2012____

ADOPTED __________________________

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CLERK OF COUNCIL                PRESIDENT OF COUNCIL

APPROVED __________________________

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EXECUTIVE

ENACTED EFFECTIVE __________________________