

Litter Amnesty

Frequently Asked Questions

Q. What is a Potential Waiver or Suspension of Fines for Property Susceptible to Littering by Third Parties?

A. If a property is susceptible to littering by third parties who are not the owner or person in control and who are not invited to be present on the property by the owner or person in control, or if the property is susceptible to illegal and prohibited waste disposal as defined by the Cincinnati Municipal Code – [Chapter 729](#) the owner or person in control may be eligible for suspension or waiver of fines incurred for violations of [Section 714-35, 714-37, or 714.39](#).

Q. What kind of litter is eligible for litter Amnesty?

A. Litter that was dropped or dumped on a property by a “third party.” A third party” under the program is a person who is not invited to be on the property by the owner or tenants. To be eligible the property must also be “susceptible to third party littering.”

Q. What is an example of an “eligible property” susceptible to third party littering?

A. An eligible property may be located in a high vehicular traffic area or a high pedestrian traffic area that subjects it to excessive littering or being dumped upon through no direct fault of the property owner; the property being situated such that parts of it are not routinely visible to the owner or person in control making it susceptible to illegal and prohibited waste disposal as defined by [Chapter 729](#); and other extenuating or mitigating factors.

Q. If my situation meets the Amnesty criteria, how do I apply for Amnesty help?

A. If a fine for littering is issued to you, you may request a waiver or suspension of fees. You must file a complete application for Litter Amnesty and submit a proposed abatement plan to directly address the conditions giving rise to the violation within **seven days** of the issuance of the notice of violation. The application must be on the form provided by the city. The form is available at <https://www.cincinnati-oh.gov/buildings/property-litter-abatement-program-plap/> or by calling 513-352-3275.

Q. What is a Litter Amnesty Plan and how do I make one?

A. The Litter Amnesty application form will guide you through the steps of creating the plan. A fully completed application along with any attachment will constitute the plan. The owner or person in control's proposed abatement plan

- Sets forth how potential future violations of [Chapter 729](#) will be avoided or addressed; and
- Directly addresses the factors that contributed to the underlying violation, but that are not fully within the control of the owner or person in control due to either the ongoing nature of the litter violations at the property caused by third parties
- Provides detailed cleaning schedule and specified day(s) of the week cleaning will occur

Q. Should I also request a hearing about the fine (the fine says I can request a hearing) even if I apply for Amnesty?

A. No. If you apply for Amnesty, and your application is denied, you may then request a hearing with the Office of Administrative Hearings (OAH) on the denial and the fine. You have a right to a hearing in either case. An OAH hearing is a separate process available to a person aggrieved by a fine. You must file for a hearing on the denial/fine within 7 days of the notice of the fine, or the denial of your Amnesty application.

Q. If Amnesty is granted, do I have to apply every time I get a fine for third party littering?

A. If the plan is followed, fines will not be issued. However, Amnesty will be revoked if an owner does not follow the Amnesty plan and litter accumulates. Thereafter, an owner will have to pay the fine or request a hearing with the OAH within 7 days of the citation and fine.

Q. What if I am a housing provider/building owner, and my tenants and their guests are causing littering violations?

A. Litter from tenants and guests is not covered by Amnesty. The housing provider or owner is responsible for enforcing littering on the property and is subject to fines for non-enforcement. Housing providers should have house rules that have consequences such as a lease violation for littering and tenants allowing their guests to litter. These rules and consequences must be well known by occupants and enforced. Be sure to have adequate size dumpsters and an enclosed waste storage area for tenants. If you are having trouble with occupant litter, please contact the PLAP team at 513-564-1752. PLAP may be able to offer insight on prevention and maintenance.

Q. Is Amnesty available for a Weed or Tall Grass fine?

A. No. However, you may request a hearing if aggrieved by a weed citation.

Q. Where can I find out more about littering ordinances?

A. The Litter Ordinance is available on the City Website for review and is found in [Chapter 714](#), of the Cincinnati Municipal Code.

https://library.municode.com/oh/cincinnati/codes/code_of_ordinances