

Chapter 20

SOLID WASTE MANAGEMENT*

* **Cross References:** Buildings and building regulations, ch. 6; environment, ch. 12; utilities, ch. 28.
State Law References: Solid waste management act, MCL 324.11501 et seq., MSA 13A.11501 et seq.

Sec. 20-1. Blockage of surface waterway.

Sec. 20-2. Trash pickup.

Sec. 20-3. Collection and disposal of yard clippings.

Sec. 20-4. Brush pickup and removal.

Sec. 20-5. Littering.

Sec. 20-1. Blockage of surface waterway.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Leaves, brush or material means all residue derived from any tree, bush or plant located on either village or private property.

(b) *Prohibited acts.* It shall be unlawful for any person to block a surface waterway by leaving leaves or material in such waterway or right-of-way for a period of time that causes either the blockage of surface water or the deterioration of the right-of-way.

(c) *Penalty.* Any person violating any provision of this section shall be guilty of a civil infraction and punished in accordance with section 1-12.
(Comp. Ords. 1987, §§ 35.151--35.153)

Sec. 20-2. Trash pickup.

(a) *Determination of council.* The Village Council determines that it is in the best interest of the Village residents to have a Village trash pickup for single family residential properties and multi family residential properties with two or less units located in the Village.

(b) *Mandatory pickup.* Each single family residential property and multi family property with two or less units located in the Village will require mandatory trash pickup, pursuant to this Ordinance, so long as the property is not otherwise exempt under this Ordinance.

(c) *Charge; penalties; payment.* The Village will add a quarterly charge for trash pickup on the quarterly water bills for each single family residential property and multi family residential property with two or less units located in the Village. All penalties pertaining to the nonpayment of water and sewer charges will also pertain to the past due and nonpayment of trash

pickup charges. Dates and time of payment will coincide with the water and sewer dates of payment.

(d) Assessment of dwellings. All single family residential property and multi family residential property with two or less units located in the Village will be assessed for trash pickup, whether such properties use it or not.

(e) Unpaid charges. If trash pickup charges are not timely paid for any period, then the Village shall attach such charges and penalties to the next year's tax assessment on the property, as a special assessment, and charges shall compound until the trash agreement is terminated.

(f) Unoccupied or vacant dwelling; billing period defined. If an owner of single family residential property or multi family residential property with two or less units located in the Village wishes to terminate trash pickup services due to an unoccupied or vacant dwelling, no bill will be assessed to the owner or reimbursement due the contractor provided the service, providing the owner notifies the Village clerk's office in writing at least one week in advance of the impending vacancy. A billing period shall be construed as the same dates as the water and sewer billing date.

(g) Date of pickup. Trash pickups at single family residential property and multi family residential property with two or less units shall be made once a week on a day to be specified and so set up with the successful holder of contract with the Village. Property owners will be notified of this date by communications in the local paper and television. All trash for pickup must be placed in appropriate containers and in the designated collection area no earlier than 4 p.m. on the day prior to the scheduled pickup date.

(h) Garbage. Garbage defined as refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise will be placed in a watertight container not to exceed 40 gallons in volume and 50 pounds in weight. Refuse will be packed in either a plastic bag or wrapped in paper before being placed in a container.

(i) Other refuse matter. All other refuse matter such as cans, bottles, paper, ashes, etc., other than industrial byproducts, hazardous materials, human or animal excreta and dead animals shall be contained either in a container not to exceed 40 gallons in volume or 50 pounds in weight, or in a sealed plastic bag or enclosed box type container not to exceed 50 pounds in weight.

(j) Large articles. All other large type articles such as furniture and appliances will be picked up by the contractor only if they will fit in the compactor and only if they can be handled by two men.

(k) Other properties. Owners of any property located in the Village that is not single family residential property or multi family residential property with two or less units shall be responsible to arrange and pay for trash pick up service for each parcel of property, which results in trash being picked up from each property on at least a weekly basis consistent with all requirements of this Code of Ordinances.

Sec. 20-3. Collection and disposal of yard clippings.

(a) *Purpose.* The purpose of this section is to prohibit the collection and disposal of yard clippings that are generated on land that is within the corporate jurisdiction of the village and to provide a penalty for those owners of land or solid waste haulers who collect yard clippings generated on land located within the village.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Yard clippings, as defined in MCL 324.11506, MSA 13A.11506, means leaves, grass clippings, vegetable or other garden debris, shrubbery, or brush or tree trimmings less than four feet in length and two inches in diameter, that can be converted to compost humus. This term does not include stumps, agricultural wastes, animal waste, roots, sewage sludge or garbage.

(c) *Prohibited acts.* The following acts are prohibited:

(1) To dispose or allow to be collected yard clippings that are not generated on land located within the village.

(2) To collect for disposal any yard clippings that are generated on land located within the village. (Ord. No. 91-2, §§ 1--3, 6-17-1991)

Sec. 20-4. Brush pickup and removal.

(a) *Date of village brush pickup and size of brush piles.* Village brush pickup will be held in the Spring and Fall of each year on the second Tuesday of May and October. Brush must be in piles not to exceed six feet in length, six feet in width and six feet in height.

(b) *Property owner's responsibility.* If a property owner cuts down or trims a tree on private property, the owner/resident is responsible for the complete removal and disposal of the tree at his own expense. The intent of the monthly brush pickup is to allow property owners/residents to trim trees, bushes, etc., on private property and to provide prompt removal of trees, bushes, etc., by the village at scheduled times in order to contribute to a well kept community. If a property owner/resident piles brush on the village right-of-way other than at the time of the village brush pickup, the property owner/resident has five days to remove brush pile.

(c) *Removal of brush pile and cost incurred by property owner.* If a property owner does not remove a brush pile that has been placed on the village street right-of-way for five days referred to in subsection (b) of

this section, the village will have the authority to remove the brush pile from the village street right-of-way and charge the cost incurred to the property owner/resident. In such case if the property owner/resident does not reimburse the village for cost incurred in removing the brush pile from the village street right-of-way, the cost incurred will be a special assessment against the property owner/resident.

(Comp. Ords. 1987, §§ 20.401--20.403)

Sec. 20-5. Littering.

(a) *Prohibited.* It shall be unlawful for any person, without the consent of the public authority having supervision of public property or the owner of private property, to dump, deposit, place, throw, or leave or cause or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property other than property designated and set aside for such purposes. A person who removes a vehicle that is wrecked or damaged in an accident on a highway, road or street shall remove all glass and other injurious substances dropped on the highway, road or street as a result of the accident.

(b) *Definition.* The term "litter," as used in this section, means all rubbish, refuse, waste material, garbage, paper, glass, cans, bottles, trash, debris or other foreign substances of every kind and nature.

(c) *Penalty.* Any person violating any provision of this section shall be guilty of an infraction and shall be punished in accordance with section 1-12.

(Comp. Ords. 1987, §§ 35.021--35.023)

State Law References: Littering, MCL 324.8901 et seq., MSA 13A.8901 et seq.