

CHAPTER 51: GARBAGE COLLECTION AND DISPOSAL

Section

- 51.01 Intent; rules and regulations
- 51.02 Definitions
- 51.03 Manner of collection; rules and regulations
- 51.04 Receptacles
- 51.05 Collection from industrial and commercial premises
- 51.06 Unlawful deposits; burning
- 51.07 Responsibility of owners for collection
- 51.08 Rates and charges
- 51.09 Contracts for collection
- 51.10 Effective date
- 51.11 Garbage collection and disposal

- 51.99 Penalty

§ 51.01 INTENT; RULES AND REGULATIONS.

It is in the intent of the Township Board that this chapter be liberally construed for the purpose of providing a sanitary and satisfactory method of collecting and disposing of township wastes. The Sanitation Officer may make such rules and regulations as from time to time appear to him or her to be necessary to carry out this intent, provided that the rules and regulations do not conflict with this chapter.

(Old. 2001-01, passed 3-22-2001)

§ 51.02 DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE. The putrescible and vegetables wastes resulting from the handling, preparation, cooking, and consumption of food.

INHABITED RESIDENTIAL DWELLING. Any single housing unit, situated on a single or combined parcel of land, designated to house one (1) family consisting of one (1) or more persons only, without any provisions for leased or rented rooms. Any room or combination of rooms in which one (1) or more persons are residing in any multiple dwelling intended to serve more than one (1) family. Each unit thereof shall constitute an inhabited residential dwelling, and each unit shall be assessed as such. Apartments shall be considered separate units, except in those cases where sleeping rooms are rented. It is the intent of this section to assess all structures (used as multiple dwellings on a unit basis), except those structures which are serviced by a commercial contractor which complies with § 51.05. The Sanitation Officer may determine the number of units at any given address, and anyone considering himself or herself aggrieved may, within twenty (20) days following receipt of the first billing, protest his or her ruling to the Township Board which may make a further determination, if necessary.

RUBBISH. The miscellaneous waste material resulting from housekeeping, including ashes, cartons, tin cans, metal, small packing boxes and waste papers, but excluding discarded materials from building construction, trees, brush, and automobile bodies or component parts of any substantial weight or size.

SANITATION OFFICER. The Superintendent of the Sanitation Division or other duly appointed representative of the Township Board.
(Ord. 2001-01, passed 3-22-2001; Am. Ord. - -, passed 9-4-2007)

§ 51.03 MANNER OF COLLECTION/RULES AND REGULATIONS.

Garbage and rubbish shall be collected by township-approved contractors or township personnel at such times and pursuant to such rules and regulations as established by the Sanitation Officer. The rules and regulations shall be published in a newspaper of general circulation in the township at least once before such rules and regulations become effective and as often as the Sanitation Officer deems necessary.
(Ord. 2001-01, passed 3-22-2001)

§ 51.04 RECEPTACLES.

(A) The owner, occupant or lessor, or any agent thereof, of every premises where garbage and rubbish accumulate, shall cause to be provided for the premises sufficient and proper receptacles as herein prescribed. Receptacles that are broken, without handles, or which otherwise fail to comply with this section, may be classified as rubbish and, after due notice to the user, may be collected as rubbish.

(B) Receptacles for garbage shall be kept on the premises in the rear thereof within an approved distance of the rear entrance to the dwelling or premises. Containers shall be placed at the curb on pick-up days, in a location readily accessible to the collectors. Where approved liners are used, it will only be necessary to place the liner and contents securely bound at the top at the curb.

(C) Garbage receptacles shall be substantial approved condition, free of holes, with proper handles and a tight-fitting cove and shall have a capacity of not less than ten (10) gallons nor more than twenty (20) gallons. No single receptacle shall weigh more than fifty (50) pounds when full. Garbage receptacles shall be adequate in size and number to hold one (1) week's accumulation. All garbage receptacles shall be maintained in a sanitary condition.

(D) Rubbish receptacles shall be metal or composition, with handles, in good condition and shall weigh not more than fifty (50) pounds when full. Rubbish containers other than metal or composition, with handles, in good condition, as herein specified, may be collected as rubbish without notice, except that garbage receptacles may be used as rubbish containers.

(E) Accumulations of rubbish larger than can be contained in a receptacle shall be securely tied in compact bundles not to exceed fifty (50) pounds in weight or longer than three (3) feet in length and placed in a location designated by the Sanitation Officer.

(F) Empty containers shall not be left at the curb more than twenty-four (24) hours.

(G) Ashes will be removed only when placed in rubbish containers as herein specified and shall not contain live coals.

(H) No person shall disturb the contents of any garbage or rubbish receptacle or bundle or leave the receptacles or contents in a condition other than this section provides.

(I) Road right-of-way areas on Michigan State, Huron County, Caseville Township and private roads must be maintained in a safe manner. No receptacle-, including wire cages and similar types of structures, are allowed to be fixed to the ground, tree, post or any other permanent fixture. Everything in the right-of-way must be portable.

(J) Wire cages at curb side shall not be used for daily accumulation of garbage. Garbage, in approved bags, may be placed in the wire cages the night before the scheduled pickup or on the last day of occupancy. Cages at curbside must be constructed of a frame and wire screen. Cages must be kept clean and free of any materials.

(Ord. 2001-01, passed 3-22-2001; Am. Ord. passed - -; Am. Ord. - -, passed 1-5-2009; Am. Ord. - passed 10-5-2009; Am. Ord. - -, passed 10-4-2010)

§ 51.05 COLLECTION FROM INDUSTRIAL AND COMMERCIAL PREMISES.

The township shall designate approved contractors or may provide township personnel for the collection of industrial and commercial garbage and rubbish. Any fees or charges for such service to industrial and commercial establishments by a contractor shall be subject to the review of the Township Board.

(Ord. 2001-01, passed 3-22-2001)

§ 51.06 UNLAWFUL DEPOSITS; BURNING.

(A) No person shall bury or burn any garbage, or deposit garbage and rubbish upon any public way or upon any property owned by another or in any body of water in the township. No person shall deposit or place any garbage upon any premises owned or occupied by him or her unless the garbage is enclosed in a suitable container as herein required. No person shall deposit garbage for contractor pickup on any vacant lot. No person shall import garbage and rubbish from any other location for contractor pickup.

(B) No waste material or rubbish, except leaves on such days as shall be designated by the Sanitation Officer, shall be burned in the township contrary to the health or fire regulations, or in any manner so as to cause offensive smoke, objectionable odors or a fire hazard. In those cases where burning is carried on, not in conflict with these provisions, it shall be done within an incinerator of a design and construction approved by the Sanitation Officer. In no case will the burning of garbage be permitted in the township without the approval of the Township Board, or its designated personnel, except in duly installed double chamber incinerators located in buildings.

(Ord. 2001-01, passed 3-22-2001; Am. Ord. - -, passed 10-5-2009; Am. Ord. - -, passed 10-4-2010)

§ 51.07 RESPONSIBILITY OF OWNERS FOR COLLECTION.

Every owner, occupant or lessor, or any agent thereof, of any building where garbage and rubbish accumulates shall arrange with the Sanitation Officer for garbage and rubbish collection.

(Ord. 2001-01, passed 3-22-2001)

§ 51.08 RATES AND CHARGES.

(A) The rates for garbage and rubbish collection shall be established by resolution of the Township Board and amended at such times as deemed necessary by the Township Board to defray the cost of collection.

(B) Statements shall be billed annually on May 1 by the contractor.

(C) The charges for garbage and rubbish services are hereby made a lien upon the premises served thereby. Whenever any such charge against any premises shall be delinquent as of October 1, the Township Treasurer shall certify such delinquency to the Township Assessor. The charges may be entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as special assessments against the premises.

(D) There is hereby established a penalty of twenty dollars (\$20) for any premises that is delinquent in the payment of the annual service fee for garbage, rubbish and recycling removal that is entered upon the tax roll for collection. This fee shall be added to the delinquent portion for collection on the tax roll. (Ord. 2001-01, passed 3-22-2001; Am. Ord. - -, passed 11-3-2008)

§ 51.09 CONTRACTS FOR COLLECTION.

In the interest of providing the services contemplated in this section, the Township Board may enter into contracts with one (1) or more contractors to provide the services required by this section. No person shall undertake to dispose of garbage or rubbish for others, without authority of the Township Board and without there being in existence a contract between the township and the person for such purpose.

(Ord. 2001-01, passed 3-22-2001)

§ 51.10 EFFECTIVE DATE.

This chapter shall become effective thirty (30) days after its adoption and publication in a newspaper of general circulation in the Township of Caseville, Huron County, Michigan.

(Ord. 2001-01, passed 3-22-2001)

§ 51.11 GARBAGE COLLECTION AND DISPOSAL.

(A) No person shall be allowed to go through or pick through a homeowner's garbage, which is placed out for collection, between the hours of 11:00 p.m. and 7:00 a.m.

(B) No person shall be allowed to go through any closed containers or bags placed out for collection at any time of the day or evening.

(C) Only garbage and rubbish generated by the residence shall be placed at the curb for collection. No garbage or rubbish from any other residence or commercial enterprise shall be included in any residential collection.

(Ord. 2008-1, passed 1-7-2008; Am. Ord. passed 4-7-2008; Am. Ord. - -, passed 9-8-2009)

§ 51.999 PENALTY.

(A) *Township civil infraction.* Whoever violates or fails to comply with any of the provisions of this section is responsible for a township civil infraction and shall be subject to payment of a civil fine of not less than fifty dollars (\$50), reimbursement to the township for charges assessed for the expense of the abatement, plus actual costs and other sanctions incurred by the township including but not limited to actual attorney fees, for each infraction. Repeat offenses under this section shall be subject to increased fines as provided below.

(B) *Increased civil fines.* Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of this section. As used in this section, REPEAT OFFENSE means a second (or any subsequent) township civil infraction violation of the same requirement or provision committed by a person within any eighteen (18) month period and for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense shall be as follows:

(1) The fine for any offense which is a first repeat offense shall be no less than two hundred fifty dollars (\$250), plus reimbursement to the township for charges assessed for the expense of the abatement, plus actual costs incurred by the township, including but not limited to actual attorney fees, and other sanctions for each infraction.

(2) The fine for any offense which is a second repeat offense and any subsequent repeat offense shall be no less than five hundred dollars (\$500), plus reimbursement to the township for charges assessed for the expense of the abatement, plus actual costs incurred by the township, including but not limited to actual attorney fees, and other sanctions for each infraction.

(Ord. 2001-01, passed 3-22-2001)