

Chapter 1060
Garbage and Rubbish Collection and Disposal

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CROSS REFERENCES
Health and sanitation generally - see Mich. Const. Art. 4, Sec. 51; M.C.L.A. Secs. 325.1 et seq., 327.1 et seq., 750.466 et seq.; GEN. OFF. Ch. 674
Garbage and refuse generally - see M.C.L.A. Secs. 46.171 et seq., 123.241 et seq., 123.361 et seq.
Municipal authority - see M.C.L.A. Secs. 123.301 et seq.
Nuisances generally - see GEN. OFF. Ch. 654
Depositing of garbage and rubbish in Manistee River or Manistee Lake - see GEN. OFF. 670.02
Burning of garbage and rubbish - see GEN. OFF. 674.02

1060.01 DEFINITIONS

As used in this chapter, unless the context specifically indicates otherwise:

- A. "Building materials" means all refuse material resulting from the raising, repair, excavation or construction of buildings or structures, including, but not limited to, lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in the construction of a structure.
- B. "Contractor" means the contractor hired by the City to collect refuse as defined herein.
- C. "Hazardous waste" includes dangerous materials or substances, such as poisons, acids, caustics, infected materials, explosives and other materials not suitable for a Class II landfill.

- D. "Junk" includes parts of machinery or motor vehicles, boat hulls, unused stoves or other appliances, furniture or other cast-off material of any kind, except building material, refuse and yard waste.
- E. "Living unit" includes any single-family dwelling and each living unit in a multiple dwelling.
- F. "Refuse" includes all of the following: kitchen wastes, including cans, bottles, household food, accumulations of animal food and vegetable matter attendant to the preparation, use, cooking and serving of food; general household trash, including ashes, empty cartons, crates, boxes, wrapping materials, newspapers, magazines, cloth materials, empty cans, discarded toys and similar materials; and all miscellaneous debris, except building materials, junk, hazardous waste and yard waste.
- G. "Solid waste" includes building materials, hazardous waste, junk, refuse and yard waste, generically referring to subsections A, C, D, F and H hereof.
- H. "Yard waste" includes grass clippings, weeds, bushes, brush clippings and branch clippings when such are capable of being disposed of in bags provided by the City. (Ord. Unno. Passed 3-20-90.)

1060.02 PURPOSE AND INTENT; PROMULGATION OF RULES AND REGULATIONS BY CITY MANAGER

It is the intent of the City Council that this chapter be liberally construed for the purpose of providing a sanitary and satisfactory method for the collection and disposal of all solid wastes. The City Manager is hereby authorized to make such rules and regulations as from time to time are necessary to carry out this intent, provided, however, that such rules and regulations may not be in conflict with this chapter or any other ordinance of the City and are subject to approval by the City Council. (Ord. Unno. Passed 3-20-90.)

1060.03 UNLAWFUL DEPOSITS OF SOLID WASTE

- A. No person shall deposit or place any solid waste in any alley, street or other place within the City, except for collection and disposal as provided for in this chapter.
- B. The occupant of any premises within the City shall be responsible for the sanitary condition of the premises occupied by such occupant, and no person shall place, deposit or allow to be placed or deposited on his or her premises any solid waste, except as designated by the terms of this chapter.
- C. No persons shall deposit, throw or leave any solid waste on the premises of another person, and no person shall bury solid waste anywhere in the City.
- D. Any person responsible for generating or disposing of solid waste not covered by this chapter shall make arrangements for the collection and disposal of such solid waste and shall comply in all respects with the terms of this chapter. (Ord. Unno. Passed 3-20-90.)

1060.04 DISPOSAL OF BUILDING MATERIALS

The person responsible for generating building materials is responsible for the proper, lawful disposal of that building material. A resident of the City may dispose of building materials at the Municipal dumpsters (if any) only if that building material was generated at his or her primary residence and his or her primary residence is within the corporate limits of the City. No contractors, commercial or industrial agents or concerns, nonresidents or residents not working on their primary dwelling within the City, may dispose of building materials at the Municipal dumpsters (if any). Building materials not authorized for deposit at the Municipal dumpsters shall be properly disposed of at a licensed landfill.

Building material may not be deposited for City collection and disposal during the annual spring trash haul (if any). (Ord. Unno. Passed 3-20-90.)

1060.05 DISPOSAL OF JUNK

Junk may be disposed of under rules and regulations established for the same, as provided for in Section 1060.02, during the annual spring trash haul (if any), or at the Municipal dumpsters (if any). Junk may be disposed of as refuse within the volume and weight limits established in such rules and regulations. (Ord. Unno. Passed 3-20-90.)

1060.06 MANDATORY YARD WASTE RECYCLING/COMPOSTING PROGRAM

A mandatory yard waste recycling/composting program is hereby established in the City. Yard waste shall be disposed of in biodegradable bags under the rules and regulations of that program as established by the City, as provided for in Section 1060.02. Yard waste is not eligible for collection as refuse or for collection during the annual spring trash haul (if any) or at Municipal dumpsters (if any). (Ord. Unno. Passed 3-20-90.)

1060.07 PLACEMENT OF REFUSE CONTAINERS FOR COLLECTION

It shall be the duty of the owner, occupant or person in charge of any premises to cause to be placed in refuse receptacles or containers any and all refuse created or accumulated on his or her premises or under his or her control. It shall be the further duty of the owner, occupant or person in charge of any living unit to place or cause to be placed, on the day scheduled by the City for the collection of refuse from such premises, the receptacles or containers at such place or places as may be designated by the City. (Ord. Unno. Passed 3-20-90.)

1060.08 CONDITION AND SIZE OF REFUSE CONTAINERS OR OTHER RECEPTACLES

- A. All refuse containers shall be leak proof and shall be kept in a clean and sanitary condition by the owner. They shall be equipped with handles suitable for carrying. No refuse container shall be loaded so that it cannot be conveniently handled without spilling its contents. Plastic bags may be used if securely fastened.
- B. Receptacles or containers that are broken or rotted or otherwise fail to meet the requirements of this chapter may be claimed as refuse. After notice to the person responsible for such a receptacle, collection from that receptacle may be refused by the contractor.

- C. Containers may not exceed forty-five gallons by volume or fifty pounds by weight, except for City-provided, wheeled, ninety-six gallon totes. (Ord. Unno. Passed 3-20-90.)

1060.09 HAZARDOUS MATERIALS

Hazardous materials shall not be collected by the City or a duly authorized contractor. The owner, occupant or person in charge of any premises which generates or has custody of any hazardous material shall be solely responsible for its lawful disposal in accordance with the rules, regulations and statutes of the State. (Ord. Unno. Passed 3-20-90.)

1060.10 FEES; BILLING BY WATER DEPARTMENT; SPECIAL COLLECTION CHARGES FOR CLEAN-UP BY CITY

- A. Refuse will be picked up and collected under the provisions of this chapter, subject to payment based on a fee schedule provided, from time to time, by resolution of the City Council, and such charges so established shall continue until changed by the City Council. All living units as defined in this chapter are required to comply with the requirements of this section and are subject to the charge as determined by the City Council.
- B. All refuse collection charges shall be billed by the City Water Department through its usual billing procedure, except as herein provided for low volume users electing to use the metered bag option as provided in the rules and regulations promulgated pursuant to Section 1060.02.
- C. Special collection charges shall be levied on a time and equipment basis in accordance with Chapter 654 of the General Offenses Code whenever the City is required to clean up premises. (Ord. Unno. Passed 3-20-90.)

1060.11 COLLECTION OF CHARGES

All bills must be paid within fifteen days from the date on the bill. Ten percent will be added to the amount of the bill if it is not paid within fifteen days from the date of the bill.

Charges for refuse collection are hereby made a lien on the premises served and are hereby recognized to constitute such a lien. Whenever any such charge against any piece of property is delinquent for more than sixty days, the charge shall be certified to the taxing officer of the City on March 1 and September 1 of each year, whereupon such charge shall 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 general City taxes against such premises are collected and the lien thereof enforced. (Ord. Unno. Passed 3-20-90.)

1060.12 OTHER RATES AND CHARGES

Other rates and charges may be established by the City Council from time to time by resolution. (Ord. Unno. Passed 3-20-90.)

1060.99 PENALTY

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)