

## TITLE SIX - Other Public Services

- Chap. 1060. Garbage and Rubbish Collection and Disposal.  
 Chap. 1061. Recyclable Materials Management. (Repealed)  
 Chap. 1062. Village Harbor.  
 Chap. 1064. Cemeteries.  
 Chap. 1066. Village Park.

## CHAPTER 1060

## Garbage and Rubbish Collection and Disposal

1060.01	Definitions.	1060.06	Unlawful deposits; burning.
1060.02	Intent; rules and regulations.	1060.07	Responsibility of owners for collection.
1060.03	Manner of collection.	1060.08	Rates and charges.
1060.04	Receptacles.	1060.09	Contracts for collection.
1060.05	Collection from industrial and commercial premises.	1060.10	Handling of leaf waste.
		1060.11	Brush pick-up policy.
		1060.99	Penalty.

## CROSS REFERENCES

- 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.  
 Unlawful deposits - see GEN. OFF. 666.01(37)  
 Sanitation generally - see GEN. OFF. Ch. 678  
 Recyclable materials management - see S.U. & P.S. Ch. 1061  
 Garbage and rubbish at Village Harbor - see S.U. & P.S. 1062.04  
 Storage and disposal - see P. & Z. 1286.33  
 Zoning requirements - see P. & Z. 1286.41

**1060.01 DEFINITIONS.**

As used in this chapter:

- (a) "Garbage" means the putrescible and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

- (b) "Inhabited residential dwelling" means any room or combination of rooms in which one or more persons are residing in any multiple dwelling intended to serve more than one 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 chapter 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 Section 1060.05. The Sanitation Officer may determine the number of units at any given address, and anyone considering himself or herself aggrieved may, within twenty days following receipt of the first billing, protest his or her ruling to Council which may make a further determination, if necessary.
- (c) "Rubbish" means 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.
- (d) "Sanitation Officer" means the Superintendent of the Sanitation Division or other duly appointed representative of Council.

#### **1060.02 INTENT; RULES AND REGULATIONS.**

It is the intent of Council that this chapter be liberally construed for the purpose of providing a sanitary and satisfactory method of collecting and disposing of Municipal 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 such rules and regulations do not conflict with this chapter.

#### **1060.03 MANNER OF COLLECTION.**

Garbage and rubbish shall be collected by Village-approved contractors or Village personnel at such times and pursuant to such rules and regulations as established by the Sanitation Officer. Such rules and regulations shall be published in a newspaper of general circulation in the Village at least once before such rules and regulations become effective and as often as the Sanitation Officer deems necessary.

#### **1060.04 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 such 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 classed 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 of substantial approved construction, free of holes, with proper handles and a tight-fitting cover, and shall have a capacity of not less than ten gallons nor more than twenty gallons. No single receptacle shall weigh more than 100 pounds when full. Garbage receptacles shall be adequate in size and number to hold one week's accumulation. All garbage receptacles shall be maintained in a sanitary condition.

(d) Rubbish receptacles shall be metal or wooden bushel baskets with handles, in good condition, and shall weigh not more than 100 pounds when full. Rubbish containers other than metal or wooden baskets 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 100 pounds in weight and placed in a location designated by the Sanitation Officer.

(f) Empty containers shall not be left at the curb more than twenty-four 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 chapter provides.

#### **1060.05 COLLECTION FROM INDUSTRIAL AND COMMERCIAL PREMISES.**

The City shall designate approved contractors or may provide City 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 Council.

**1060.06 UNLAWFUL DEPOSITS; BURNING.**

(a) No person shall bury or burn any garbage, or deposit garbage or rubbish upon any public way or upon any property owned by another or in any body of water in the City. 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.

(b) No waste material or rubbish, except leaves on such days as shall be designated by the Sanitation Officer, shall be burned in the City 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 City without the approval of Council, except in duly installed double chamber incinerators located in buildings.

**1060.07 RESPONSIBILITY OF OWNERS FOR COLLECTION.**

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

**1060.08 RATES AND CHARGES.**

(a) The rates for garbage, rubbish and leaf and brush collection shall be established by Council resolution and amended at such times as deemed necessary by Council to defray the cost of collection.

(Ord. 2003-13. Passed 10-13-03.)

(b) Statements shall be rendered quarterly on April 1, July 1, October 1 and January 1. (Ord. 90-3. Passed 9-10-90.)

(c) All charges for garbage, rubbish and leaf and brush services shall be payable twenty-five days following the date of billing. Charges not paid within twenty-five days after the date of billing shall be subject to a collection charge established by Council resolution and amended at such times as deemed necessary by Council to defray the cost of collection.

(Ord. 91-6. Passed 9-9-91; Ord. 2003-13. Passed 10-13-03.)

(d) (1) The charges for garbage, rubbish and leaf and brush services are hereby made a lien upon the premises served thereby. Whenever any such charge against any premises is delinquent for six months, the City officials in charge of the collection thereof shall certify to the City the fact

of such delinquency, whereupon such charges 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.

- (2) The penalty for unpaid accounts will be waived if at least one-half of the quarterly bill balance is paid by the 25th of the month of bill issuance. The remaining balance must be paid by the 25th of the month following the month of issuance.

(Ord. 90-3. Passed 9-10-90; Ord. 2003-13. Passed 10-13-03; Ord. 2009-08. Passed 5-11-09; Ord. 2010-04. Passed 8-9-10.)

(e) There is hereby established a penalty charge of one and one-half percent per month on all outstanding charges. The penalty charge shall be calculated on the twenty-sixth day of each month. The penalty charge shall be effective on all charges beginning November 1, 2003.

(Res. 91-129. Passed 9-9-91; Ord. 2003-13. Passed 10-13-03.)

#### **1060.09 CONTRACTS FOR COLLECTION.**

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

#### **1060.10 HANDLING OF LEAF WASTE.**

The methodology for separating, collecting and disposing of leaf waste shall be established by resolution of the City Council. Leaf waste shall not be left at the curbside sooner than seventy-two hours prior to collection and shall not be left in a form that obstructs the flow of traffic or affects the performance of drainage facilities or catch basins.

(Ord. 2003-13. Passed 10-13-03.)

#### **1060.11 BRUSH PICK-UP POLICY.**

Property owners who cut or authorize the removal of a tree from their property will be responsible for disposing of the brush. The City will only pick up brush from general yard clean-ups or from fallen limbs. Brush will be picked up by the City during the first week of each month for a period of six months, from May through October of each year.

(Ord. 2003-13. Passed 10-13-03.)

**1060.99 PENALTY.**

(a) Municipal Civil Infraction. Whoever violates or fails to comply with any of the provisions of this chapter is responsible for a Municipal civil infraction and shall be subject to payment of a civil fine of not less than fifty dollars (\$50.00), reimbursement to the City for charges assessed for the expense of the abatement, plus costs and other sanctions for each infraction. Repeat offenses under this chapter 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 chapter. As used in this chapter, "repeat offense" means a second (or any subsequent) Municipal civil infraction violation of the same requirement or provision committed by a person within any eighteen-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 (\$250.00), plus reimbursement to the City for charges assessed for the expense of the abatement, plus costs and other sanctions for each infraction.
- (2) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be no less than five hundred dollars (\$500.00), plus reimbursement to the City for charges assessed for the expense of the abatement, plus costs and other sanctions for each infraction.

(Res. 96-117. Passed 12-9-96.)