

SAGOLA TOWNSHIP, DICKINSON COUNTY
REFUSE, RECYCLING AND BULK ITEM COLLECTION ORDINANCE
#111-1998

An ordinance to establish a refuse disposal system which assesses user fees proportionate to volume of refuse disposed of; to establish a refuse collection service to residents; to provide for collection of bulk items; to provide for source separation and recycling programs to enhance resource recovery and to reduce disposal costs; and to protect the public health and environment.

SECTION 1: DEFINITIONS

- A. Garbage** means rejected food wastes including waste accumulation of animal, fruit, or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit, or vegetable.
- B. Refuse** means general waste materials not associated with food preparation including, but not limited to ash, wrappings, packaging and boxes, cans, bottles, paper, and other miscellaneous refuse.
- C. Yard Wastes** means grass clippings, sod, leaves, weeds, and garden and hedge trimmings.
- D. Prunings** means woody wastes and branches up to two inches in diameter and less than four feet long which can be tied into bundles.
- E. Debris** means any waste from construction or demolition or removal of trees, structures or fill material such as, but not limited to, concrete, lumber, stumps, and major branches (exceeding two inches in diameter), rocks, vehicles, and their parts (excluding trees).
- F. Hazardous wastes** include, but is not limited to; hot ashes, coals, batteries, refrigerators or air conditioner containing freon, tires, oils, gasoline, poisons, solvents, lacquers or other explosive materials or any such material defined as hazardous under Public Act 64 of 1979.
- G. Miscellaneous wastes** mean all other materials including, but not limited to, manufacturing or trade wastes, human or animal wastes, animals dead or alive and tires.
- H. Township** means SAGOLA TOWNSHIP.
- I. Source separation** means segregation of individual types of materials at the point of generation or discard, as opposed to their entry into the mixed waste flow or refuse bin.
- J. Recycling** means a deliberate, systematic effort to convey reusable and/or re-processable materials such as plastic, aluminum, tin, glass, paper and cardboard to centers of reuse and to reduce their volume in landfills or other disposal areas.
- K. General refuse** means garbage, refuse, pruning's, and debris as defined herein.
- L. Bulk items** are defined in Section 18.

SECTION 2: TOWNSHIP WIDE REFUSE & RECYCLING COLLECTION SERVICE ESTABLISHED

There is hereby established a township-wide weekly refuse, recycling and bulk item collection service administered by the Township Board.

SECTION 3: SCOPE OF SERVICE, DEFINED, EXCEPTIONS

Refuse collection service shall be afforded to all residents and businesses, owners and/or occupants of all residential units in the township, provided, however, that no refuse service shall be provided

to any residential unit located in a complex which, by ordinance, is required to provide its own service nor to any other establishment required, by ordinance, to provide its own service or to commercial or industrial establishments using bulk quantities of hazardous materials, or materials prohibited from disposal in the Dickinson County Landfill.

SECTION 4: REFUSE AND ACCEPTABLE MATERIALS FOR COLLECTION

Refuse and acceptable materials for collection when used in this chapter shall mean: general refuse, garbage, refuse, yard wastes, pruning's, and recyclables, provided the same are sorted and bagged in accordance with this Ordinance.

SECTION 5: UNACCEPTABLE MATERIALS FOR COLLECTION

Materials unacceptable for collection when used in this chapter, and except as otherwise provided herein, shall include, but not e limited to, debris, hazardous wastes and miscellaneous wastes.

SECTION 6: DISPOSAL OF REFUSE

A. (1) The owner or occupant of a residential unit or units, housing development, apartment, seasonal dwelling, or building complex or owner/operator of business within the township shall dispose of refuse and recyclables by any or all of the following options:

1. Utilizing the refuse collection service provided by the township, of available, and by adhering to the provision of this chapter.
2. Utilizing the services of a private rubbish hauler and/or recyclable hauler duly licensed by the township for said purpose.
3. Utilizing an approved garbage grinder or approved incinerator.
4. Utilizing the approved recycling collection service provided by the township;
5. Transporting refuse and recyclable to an approved refuse disposal area, such as the Dickinson County Landfill, provided that the load of refuse so transported is tightly covered and secured in order that no part of the load is lost.

A. (2) The owner or operator of a business or commercial establishment within the township shall dispose of refuse and recyclables by any or all of the following options:

1. Utilizing the refuse collection service provided by the township, if available, and by adhering to the provisions of this chapter.
2. Utilizing the services of a private rubbish hauler and/or recyclable hauler duly acceptable by the township for said purpose.
3. Utilizing an approved garbage grinder or approved incinerator.
4. Utilizing the approved recycling collection service provided by the township;
5. Transporting refuse and recyclables to an approved refuse disposal area, such as the Dickinson County Landfill, provided that the load of refuse so transported is tightly covered and secured in order that no par to f the load is lost.

B. No person shall transport refuse to a township or county park, woods, nature area or other township property for the purpose of depositing their refuse within the parks or

other public property, or to any other container or service area not specifically designed and installed for their use.

SECTION 7: ACCUMULATION OF GENERAL REFUSE

The owner or occupant of a residential unit, housing development, apartment, seasonal dwelling, building complex, business or commercial establishment shall not permit the accumulation of general refuse upon the premises for a period of more than seven (7) days. This does not apply to source separated materials nor to yard wastes to be composted in private backyard compost bins.

SECTION 8: CONTAINERS FOR THE STORAGE OF ACCUMULATED GENERAL REFUSE

The owner or occupant of a residential unit, housing development, apartment, seasonal dwelling, building complex, business or commercial establishment within the township shall utilize a sufficient number of containers to conveniently store accumulated general refuse on the premises for a period not to exceed seven (7) days. The containers used for the storage of accumulated general refuse between collections shall be of a rigid, leak-proof construction, shall have tight-fitting covers which shall be kept securely closed, and shall be located, prior to placement for collection, at the rear or side of buildings in a reasonably inconspicuous manner, and away from streets and places occupied by other persons and in a manner not readily accessible to animals, children of the elements.

SECTION 9: TOWNSHIP REFUSE BAGS, DEFINED, COST

- A. (1) Township refuse bags shall be of a distinctive color and/or shall be printed with the township logo, seal or appropriate words which will readily indicate to the collectors that the refuse bags are intended for the weekly township-wide refuse collection. Bulk items for collection need not be bagged.
- A. (2) Township recycling bags shall be transparent so that the type and adequacy of separation of recyclables can be readily determined. Recycling bags may be printed with the township logo, seal or appropriate words which will readily indicate to hauler that the recycling bags are intended for the weekly township-wide recycling collection.
- B. Township refuse bags and township recycling bags shall be sold at a price determined by the township board and subject to periodic update by that body. Township refuse bags and township recycling bags shall be sold at such outlets as are designated and approved by the township supervisor. The township board and/or supervisor may approve sales outlets for township refuse bags and township recycling bags in local retail establishments. Designated and approved sales outlets shall sell township refuse bags and township recycling bags only at the price established by the township board, provided, however, that the appropriate sales tax may be charged by the retail establishment if required by the laws of the State of Michigan.

SECTION 10: UTILIZATION OF WEEKLY TOWNSHIP-WIDE REFUSE COLLECTION SERVICE, CONDITIONS

- A. (1) The owner or occupant of a residential unit, housing development, apartment, seasonal dwelling, building complex, business or commercial establishment qualifying under the provisions of this chapter for weekly refuse and recycling collection service and intending to

use said service shall place all accumulated general refuse and acceptable materials for collection in a township refuse bag which shall be tightly sealed. The township refuse bags or bags intended for collection, or the accumulated refuse containers containing tightly-sealed township refuse bags, shall be placed by the roadside, driveway terminus, alley, mailbox or other area accessible by public road in front of the residential or commercial unit no earlier than 5 p.m. of the day preceding the collection day and not later than 7 a.m. on the day of collection. The township refuse bags intended for collection shall neither be broken nor weigh more than thirty (30) pounds when filled. The user of this service shall not place, or cause to be placed any unacceptable materials for collection in any township refuse bag intended for collection.

A. (2) The owner or occupant of a residential unit, housing development, apartment, seasonal dwelling, building complex, business or commercial establishment qualifying under the provisions of this chapter for weekly refuse and recycling collection service and intending to use said service shall place all properly separated recycling materials for collection in a township recycling bag which shall be tightly sealed. The township recycling bag or bags intended for collection, or the containers holding tightly-sealed township recycling bags, shall be placed by the roadside, driveway terminus, alley, mailbox or other areas accessible by public road in front of the residential or commercial unit no earlier than 5 p.m. of the day preceding the collection day and no later than 7 a.m. on the day collection. The township recycling bags intended for collection shall neither be broken nor weigh more than thirty(30) pounds when filled. The user of this service shall not place, or cause to be placed, any unacceptable materials for collection in any township recycling bag intended for collection, nor place more than one type of recyclable material in each bag for collection.

SECTION 11: SCATTERED OR UNACCEPTABLE REFUSE, RESPONSIBILITY

The owner or occupant of a residential (or commercial establishment) unit shall clean up and remove any scattered refuse resulting from the breakage or opening of any township refuse bag, can, or other container intended for collection from that residential (or commercial) unit within 24 hours after the same has been scattered.

SECTION 12: REMOVAL OF BROKEN REFUSE BAGS AND UNACCEPTABLE MATERIALS FOR COLLECTION

Within 24 hours after written notification by the Ordinance Enforcement Officer the owner or occupant of a residential unit shall, in accordance with the provisions of this chapter, properly dispose of any scattered refuse, as defined in Section 11, any township refuse or recycling bag and the contents thereof intended for collection which is either broken or otherwise open, any township refuse or recycling bag which weighs in excess of 30 pounds, any township refuse or recycling bag which was placed for collection prior to 5 p.m., of the day preceding the collection day or later than 7 a.m. on the day of collection, an/or any bulk items not acceptable for collection.

SECTION 13: SCHEDULE OF COLLECTIONS

The schedule of routes and days for the weekly refuse and recycling collection and bulk collection service created by this chapter shall be determined by the township supervisor. Bulk items will be collected on a weekly basis with the regular refuse and recycling on the regularly designated

collection day. Large bulk items may be collected on the day following regularly scheduled collections.

SECTION 14: HOLIDAYS

Refuse, recycling and bulk collections shall not be made on the following holidays: the first of January (New Year's Day); the last Monday in May (Memorial Day or Decoration Day); the fourth of July (Independence Day); the first Monday in September (Labor Day); the eleventh day of November (Veteran's Day); the fourth Thursday of November (Thanksgiving Day); and the twenty-fifth day of December (Christmas).

SECTION 15: SEPARATION OF RECYCLABLES

Newspapers, magazines, cardboard, aluminum cans, tin cans, plastic, clear glass, green glass and brown glass and any other recyclable material shall be separated from other materials and bagged only with materials of like type in township recycling bags for collection, one type of material per bag. Such recyclable materials shall be securely bagged in accordance with published directives from the supervisor. No bundle or package of recyclable materials shall weigh more than 30 pounds. Such clean, sorted, recyclable materials properly bagged shall be placed with the refuse bags for collection.

SECTION 16: BULK ITEM SERVICE, SCOPE OF SERVICE

Bulk item collection service shall be offered to those residential units utilizing the weekly refuse collection service created by this chapter as the primary means of solid waste disposal.

SECTION 17: ACCEPTABLE BULK ITEMS

Bulk items acceptable for collection under this chapter shall include, but not be limited to: empty cartons, crates, boxes (when flattened and tied into convenient size bundles), wrapping materials when securely bound in convenient size bundles, brush or branch clippings under two inches in diameter and not exceeding four feet in length and securely bound in bundles, Christmas trees, discarded furniture, appliances, large crates, toys, bicycles, plumbing fixtures and barrels.

SECTION 18: UNACCEPTABLE BULK ITEMS

Unless placed in a township refuse bag which weighs less than 30 pounds when full, bulk items unacceptable for collection shall include, but not be limited to: logs, stumps, trees (except Christmas trees), building or demolition materials, concrete, rocks, abandoned or junk vehicles including automobiles, trucks, buses, or the parts thereof, refrigerators or air conditioners containing freon or other hazardous materials.

SECTION 19: UTILIZATION OF BULK ITEM SERVICE

The owner or occupant of a residential unit qualifying for bulk item collection service pursuant to this chapter and intending to utilize such service shall place such bulk items as are intended for collection at the same place designated for refuse and recycling collection no earlier than 5 p.m. of the day preceding collection day and no later than 7 a.m. on collection day. All bulk items placed in the aforesaid manner will be collected, regardless of number, if at least one township refuse or recycling bag is set out for collection at the same time. Bulk items set out for collection may be hauled away in a later collection after refuse and recycling have been collected.

SECTION 20: REMOVAL OF UNACCEPTABLE BULK ITEMS

Within 24 hours after written notification by the township supervisor or Ordinance Enforcement Officer the owner or occupant shall remove from the designated collection point any unacceptable bulk items, any bulk items placed prior to 5 p.m. of the day preceding collection day or later than 7 a.m. of the day of collection, or any bulk items not collected by the designated haulers by 5 p.m. of the day following the regularly scheduled collection.

SECTION 21: PENALTY

Any person who violates any of the applicable provisions of this chapter after having been warned at least once shall, upon conviction, be guilty of a civil infraction punishable by a fine of not less than one hundred (\$100) dollars or more than five hundred (\$500) dollars.

SECTION 22: SEVERABILITY

The phrases, clauses, sentences, paragraphs, and sections of this chapter are several, and if any phrase, clause, sentence, paragraph or section of this chapter shall be declared invalid by the judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this chapter.

SECTION 23: ADMINISTRATION

Establishment of position of Waste Management Administrator, who is to be the Treasurer, for a four (4) year term with duties described as listed, with an evaluation at the end of the term.

SECTION 24: EFFECTIVE DATE

This Ordinance shall take effect immediately upon publication as required by law following adoption by the Township Board.

Clerk

Date

Township