

Chapter 7

GARBAGE AND REFUSE*

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* **Cross References:** Nuisances, Ch. 8; offenses, Ch. 9.

State Law References: Solid waste, refuse, garbage, MCL 123.241 et seq., MSA 5.2661 et seq.

Sec. 7-1. Definitions.

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

Commercial, industrial and/or business refuse, garbage, yard waste, byproducts or discharges means all of such wastes which result from the use or occupation of lands within the village other than through the use and occupation of lands within the village for a private dwelling as described in this chapter.

Dwelling means any house, building, flat, apartment or dwelling place within the village which is used as a private residence.

Garbage means rejected food waste including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attending the preparation, use or cooking thereof.

Refuse means solid waste, except body waste, and includes garbage, rubbish, ashes, incinerator ash and incinerator residue.

Village contractor means the person who agrees, for a stipulated sum, to perform the work or services and furnish materials and equipment as required by this chapter.

Yard waste means and consists of grass clippings, yard trimmings, leaves, tree and shrub trimmings, limbs, branches and trunks thereof, and other general yard and garden waste materials.

(Ord. No. 111, § I, 1-28-80)

Cross References: Definitions and rules of construction generally, § 1-2.

Sec. 7-2. Collectible refuse.

Refuse which is collected pursuant to this chapter shall include the following items:

All refuse and garbage from a village dwelling which shall include waste material resulting from the usual routine of housekeeping, tin cans, tin ware, ashes, porcelain ware, bottles, glassware, earthenware, small automobile parts, newspapers (if tied in bundles), cardboard boxes (if collapsed and tied), leather, rubber goods and wastepaper.

(Ord. No. 111, § II, 1-28-80)

Sec. 7-3. Noncollectible refuse.

Refuse not collected pursuant to this chapter shall include the following:

Yard waste; commercial, industrial and/or business refuse, garbage or other waste;

and discarded residential furniture and appliances.
(Ord. No. 111, § III, 1-28-80)

Sec. 7-4. Collection contracts.

The village shall grant a contract to one (1) or more contractors for the collection of garbage and refuse from village dwellings within the village. Such contractor shall be paid for his services out of the general fund of the village.
(Ord. No. 111A, 12-22-80)

State Law References: Power to contract with private corporation, MCL 123.246, MSA 5.2666.

Sec. 7-5. Setting garbage, refuse out for collection.

(a) Refuse and garbage collected shall be set out properly bundled and in proper containers in plain view along the street readily accessible to collectors on those days for collection as specified by the village council.

(b) No owner, tenant, leasee or occupant shall put out refuse and/or garbage or set out refuse and/or garbage containers along any street except on the day of collection or the preceding evening.

(c) Such refuse and garbage containers which have been previously set out for collection and which have been emptied shall be properly removed from street by the owner, tenant, leasee or occupant of the premises on the day of collection.
(Ord. No. 111, § V, 1-28-80)

Sec. 7-6. Containers.

No owner, tenant or leasee of any village dwelling shall permit to accumulate upon his premises any garbage or rubbish unless it is placed and maintained in containers as follows:

- (1) *Containers for garbage.* All containers used for garbage shall be of substantial construction provided with handles and/or tightfitting cover. Each container shall have a capacity of not less than ten (10) or more than sixty (60) pounds when filled.
- (2) *Containers for rubbish.* Containers for rubbish shall be of reasonably substantial construction to permit handling and large enough to prevent the scattering of materials. They shall weigh not more than sixty (60) pounds when filled.
- (3) *Broken containers.* Containers that are broken or fail to meet the requirements of this section may be classified as rubbish and after due notice to the owner collected as such.

- (4) *Location of containers.* Containers shall not be placed under the eaves of any building in such a manner as to permit water to enter them, and any container filled or partially filled with ice or water will not be emptied.
- (5) *Plastic bags.* Plastic bags may be used to store or dispose of garbage or refuse in lieu of metal containers. When such bags are placed for collection, they shall be securely tied.

(Ord. No. 111, § VI, 1-28-80)

Sec. 7-7. Disposal of noncollectible refuse and/or garbage.

No person with noncollectible garbage and/or refuse shall dispose of such garbage or refuse contrary to any of the provisions of this chapter except by depositing the garbage or refuse in a licensed landfill or arranging for a licensed contractor to pick up such garbage and/or refuse.

(Ord. No. 111, § VII, 1-28-80)

Sec. 7-8. Unlawful acts, accumulations.

(a) It shall be unlawful for any person to throw, deposit, place or bury any garbage and/or refuse upon any premises, public or private, whether collectible or noncollectible, or to burn the garbage or refuse in any manner.

(b) It shall be unlawful for any person to deposit or scatter any refuse and/or garbage in any street, alley or public property in the village. It shall be unlawful for any person who has collectible or noncollectible garbage and/or refuse to store such garbage or refuse upon his private property except in containers of sufficient size to provide for accumulation of garbage and/or refuse on such premises, and such storage shall not at any time be contrary to any other state law or local ordinance.

(Ord. No. 111, § VIII, 1-28-80)

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