

ORDINANCE NO. 30

AN ORDINANCE TO PROVIDE REGULATIONS GOVERNING THE STORAGE, COLLECTION, TRANSPORTATION AND DISPOSAL OF REFUSE, AND ANY OTHER REJECTED, UNWANTED OR DISCARDED WASTE MATERIAL, AND TO PROVIDE FOR THE LICENSES AND TO PROVIDE PENALTIES FOR VIOLATION OF THIS ORDINANCE AND TO REPEAL ANY OTHER ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

IRONWOOD TOWNSHIP ORDINANCE
REGULATING REFUSE
ORDINANCE NO. 30

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THE CHARTER TOWNSHIP OF IRONWOOD, COUNTY OF GOGEBIC, MICHIGAN
ORDAINS:

SECTION 1.01. - NECESSITY.

The Charter Township of Ironwood, a municipal corporation, hereby declares that it is necessary to provide regulations governing the storage, collection, transportation and disposal of refuse and other rejected, unwanted or discarded waste materials within the limits of the Township of Ironwood in order that the public health and safety may be protected.

SECTION 1.02. - DEFINITIONS.

In the interpretation of this Ordinance the following definitions shall apply:

- (1) Refuse - "Refuse" shall be understood to refer to all types of rejected, unwanted, discarded or abandoned materials.
- (2) Garbage - "Garbage" includes waste resulting from the handling, preparation, cooking or spoiling of food. ("Garbage" shall not include such wastes from food processing plants or large quantities of condemned food products.)
- (3) Rubbish - "Rubbish" includes all inorganic refuse such as tin cans, wire or metal of any kind, glass, china, crockery, stone, and organic refuse matter such as paper, cardboard, cartons, wood boxes, plastics, rags, cloths, and items of similar nature.
- (4) Dead Animals - "Dead animals" includes carcasses of small animals, fish and fowl. It does not include carcasses from large animals or from veterinary hospitals or clinics.
- (5) Ashes - "Ashes" includes residue from fires used for household heating, cooking, or from domestic incinerators.
- (6) Yard Wastes - "Yard wastes" includes tree or shrub branches weighing less than 50 lbs., clippings, weeds and leaves.
- (7) Construction Refuse - "Construction refuse" shall mean all unwanted, rejected, discarded or abandoned materials resulting from the alteration, repair or construction of buildings.
- (8) Industrial Refuse - "Industrial refuse" shall mean the rejected, unwanted, discarded or abandoned materials resulting from industrial operations such as those generally identified with manufacturing, assembling, processing and distributing plants, large office buildings, or similar structures and other producers of quantities of refuse in large amounts.

- (9) Hazardous Refuse - "Hazardous refuse" shall mean anything dangerous to the public health, safety or welfare and shall include drugs, volatile or radioactive materials, poisons, explosives, and diseased or contaminated materials.

SECTION 1.03. - PURPOSE AND INTENT.

It is the intent of the Township Board that this ordinance be liberally construed for the purpose of providing a sanitary and satisfactory method of collection and disposition of refuse within the Township. The Township Board shall adopt such rules and regulations as from time to time appear to the Board to be necessary to carry out the intent of this ordinance, provided that such rules and regulations are not in conflict with this or other ordinances of the Township.

SECTION 1.04. - WIND BLOWN REFUSE.

It shall be unlawful to cause or to permit to accumulate, excepting in a covered container, any dust, ashes, or refuse of a material which can be blown away by the wind anywhere in the Township.

SECTION 1.05. - DEPOSITS ON STREETS OR ROADS.

It shall be unlawful to deposit or to permit to fall from any vehicle any dirt, garbage, or other refuse on any public street or road or alley in the Township; provided, however, that this section shall not be construed to prohibit placing refuse in a container complying with the conditions of this ordinance in preparation for having such material collected and disposed of in the manner provided herein.

SECTION 1.06. - CONSENT OF OWNER.

It shall be unlawful to dump or place any refuse, including any garbage, rubbish or ashes on any premises in the Township without the consent of the owner of such premises.

SECTION 1.07. - DISTURBANCE OF REFUSE.

No person other than the owner of refuse receptacles, or his agents, or employees of a licensee of the Township shall disturb, remove or attempt to remove refuse receptacles or their covers, or disturb, remove or attempt to remove any refuse not in containers whether the same is on public or private property.

SECTION 1.08. - DUTIES OF OWNERS AND OCCUPANTS.

No person shall burn refuse within the Township limits in any manner that creates a nuisance. Further, no person shall bury refuse within the Township such that it would create a nuisance or tend to endanger the general health and welfare of the public, or to violate any other state or local regulations pertaining to the burying of refuse. It shall be the duty of every owner, tenant or occupant of any building, or amusement or picnic park or other gathering place for people for any purpose, to provide receptacles of sufficient size to hold the accumulated refuse between scheduled refuse collections.

It shall further be the duty of every owner, tenant or occupant of any building, or amusement or picnic park or other gathering place for people for any purpose, for which regular refuse collection is not provided by the Township contractual collector to arrange for collection, transfer and disposal of all refuse generated at the site.

SECTION 2.01. - RECEPTACLES.

The owner, occupant, or their agent, of every building where wastes accumulate, including multiple dwellings as defined in the State Housing Code, shall cause to be provided for such buildings the proper receptacles herein required. Receptacles that are broken, or otherwise fail to meet the requirements of this ordinance, may be deemed to be refuse, and after due notice to the owners, shall be repaired or removed and replaced.

- (a) Receptacles for garbage shall be portable and maintained to be watertight and vermin proof and shall not exceed a 30 gallon capacity. Receptacles shall be of substantial metal or plastic construction and provided with handles or bails and a tight-fitting cover. Receptacles containing more than 50 lbs. of refuse are not acceptable for pick-up.
- (b) Plastic bags or other portable weather-tight containers may be collected as rubbish but must be under 50 lbs. in weight.
- (c) Refuse which cannot be contained in receptacles must be securely tied in compact bundles, not to exceed 50 lbs. or 4 feet in length and 3 feet in diameter to be acceptable for pick-up.
- (d) All receptacles shall be maintained in a sanitary condition and no person shall disturb the contents of any portable waste receptacle or bundle or leave the receptacle or contents in a condition other than as this ordinance provides.
- (e) In all cases where the owner, occupant or user of any premises shall accumulate more than one cubic yard of refuse in any one week period, it shall be mandatory to provide a container or containers of the type designed to be handled mechanically by refuse collection trucks in place of the normal receptacles provided in this section above. Such container, or containers, shall be of substantial metal construction having a capacity large enough to contain normal waste with tight-fitting covers and shall be equipped with handles so that the container, or containers, may be unloaded into the refuse collection truck by mechanical means. Such container or containers shall be kept clean and in good condition at all times and shall be located only on a concrete or asphalt pad on the premises of the owner, occupant or user of the premises.

SECTION 2.02. - PREPARATION AND STORAGE OF REFUSE.

- (a) Garbage must be thoroughly drained of liquids before being placed in receptacles for collection. All garbage shall be placed in watertight plastic bags before being placed in the receptacle.
- (b) Garbage, rubbish and other refuse shall not be stored or allowed to accumulate on property in the Township for more than 14 days.
- (c) It shall be the duty of the owner, contractor, occupant or other person responsible for construction work to remove all surplus construction material and all refuse building material and all construction refuse from the premises within a reasonable time after the completion of construction work. Such material shall be removed to a licensed Class III landfill.

- (d) Hazardous refuse shall be the responsibility of the producer or owner thereof and shall not be disposed of within the Township or allowed to be stored or transported within the Township without the written approval of the Township and shall be under the supervision of someone who has knowledge of the safety measures necessary to protect the public health and safety while such hazardous refuse is stored, transported or disposed of.

SECTION 2.03. - PLACING AT CURB.

No refuse shall be placed at the curb or street edge for collection more than 12 hours prior to the morning of the time scheduled for collection. After the collection of the receptacle contents has been made, the empty receptacle shall be removed from the curb or street and replaced in the owner's storage area as soon as possible, but in no case later than 10 hours after collection of refuse has been made.

SECTION 2.04. - COLLECTION OF REFUSE.

No person shall contract with any individual, firm or corporation to collect, transport or dispose of refuse within the corporate limits of the Township unless such individual, firm or corporation is duly licensed by the Township to collect, transport and dispose of refuse.

SECTION 3.00. - LICENSE REQUIRED.

No person shall engage in the business of collecting, transporting or disposing of refuse in the Township without first obtaining a license from the Township. Applications for such licenses shall be obtained from the Township clerk and shall be made only on forms provided by the Township. No such license shall be issued except on certification by the Township Board, or its authorized representative, that the equipment and the ability of the licensee is such that the licensee would be able to conduct a refuse collection business in accordance with the terms of this ordinance and any rules and regulations adopted by the Township relating to this ordinance. The Township Board, or its authorized representative, shall make such rules and regulations governing the operation of refuse collection, transportation, and disposition as may be deemed necessary. The Township Board, or its authorized representative, may deny, suspend or revoke any license for violation of any provisions of this ordinance or for such other cause as is deemed reasonable under the terms of a contract between the Township and the refuse contract hauler. Prior revocation of a license shall be sufficient grounds for the refusal by the Township Board, or its authorized representative, to certify any future application by such licensee.

The licensee shall have the right to a hearing before the Township Board on any such action, provided a written request therefore is filed with the Township clerk within five days after issuance of the notice of suspension. The Township Board may confirm such denial, suspension or revocation of a license, or may authorize and reinstate such license. The action of the Township Board shall be final.

Such license shall not be transferable. License fees shall be established and revised by resolution of the Township Board.

SECTION 4.00. - COLLECTION VEHICLE.

Vehicles used for collections or transportation of refuse within, or through, the Township shall be watertight, covered, and shall conform to all laws regulating such vehicles.

SECTION 5.00. - DISPOSAL OF REFUSE.

All refuse collected for disposal within the corporate limits of the Township shall be disposed of at an approved facility, licensed landfill, or refuse disposal authority.

SECTION 6.00. - RATES, CHARGES AND PENALTIES.

The rates for residential refuse collection finded by the special assessment district shall be established by resolution of the Township Board based on contract costs and other Township expenses and relevant considerations. The schedule of rates as set forth by resolution of the Township Board shall be subject to increase or revision from time to time. The charges for residential refuse disposal service are hereby made a lien on all premises served, such lien to be collected in the same manner as other taxes or special assessments on those premises.

SECTION 7.00. - PENALTY

Any person, including employees or agents, who violate any of the provisions of this ordinance shall, upon conviction, be punished by a fine not to exceed One Hundred (\$100.00) Dollars or by imprisonment for a term not to exceed ninety (90) days, or both. Violations of this ordinance may also be restrained by a court in equity by injunction.

SECTION 8.00. - EFFECTIVE DATE.

This ordinance shall become effective upon publication, which publication may be by a synopsis hereof.

SECTION 9.00. - REPEAL OF ORDINANCES.

Ordinance No. 30 and all other ordinances, or parts of ordinances, in conflict herewith, are hereby repealed.

CERTIFICATION

I hereby certify that the foregoing is a copy of Ordinance No. 30 adopted by the Township Board at a meeting held on the 24th day of August, 19 87, a summary of which will be published in the IRONWOOD DAILY GLOBE on the 17th day of August, 19 87. This ordinance was adopted by those present and voting as follows:

YEAS: Andrew Bednar, John Estola, Reino Aho, Arlene Palojarvi, Ruth Hendrickson, Albert Synkelma, Thomas Christensen

NAYS: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto affixed by signature this 24th day of August, 19 87

Arlene Palojarvi
ARLENE PALOJARVI, Clerk
Charter Township of Ironwood

FILING OF SPECIAL ASSESSMENT ROLL

NOTICE OF PUBLIC HEARING

CHARTER TOWNSHIP OF IRONWOOD

TAKE NOTICE: That the Township Board of the Charter Township of Ironwood has resolved its intention pursuant to Public Act 188 of 1954, as amended, to institute a program for the collection of garbage and rubbish from residential units throughout the Township. The Township Board has made its final determination of the special assessment district consisting of the above-described lands in Ironwood Charter Township and that the cost of said program shall be specifically assessed against such above-described land having a residential unit, or units, located thereon throughout all of the Charter Township of Ironwood, Gogebic County, Michigan; and

NOTICE is further given that the Township supervisor of the Charter Township of Ironwood has made and certified a special assessment roll for the program for the collection of garbage and rubbish from residential units throughout the Township, which roll sets forth a relative portion of the costs of said improvements which is to be levied in the form of special assessments against each benefited lot and parcel of land in the special assessment district.

TAKE NOTICE that the Township Board of the Charter Township of Ironwood will hold a public hearing on September 14, 1987, at 5:00 p.m., at the Ironwood Township Community Building, Lake and Sunset Roads, in Ironwood Township, to review said special assessment roll and to hear and consider any objections thereto.

TAKE FURTHER NOTICE that the special assessment roll as prepared has been reported to the Township Board and is on file with the Township clerk for public examination.

TAKE FURTHER NOTICE that periodic redeterminations of cost which do not result from a change of the special assessment district and which do not exceed the original estimate of cost by 10% or more, may be made without further notice to record owners or parties in interest to the property.

TAKE FURTHER NOTICE that any person or persons objecting to said assessment roll shall file a written objection thereto with the Township clerk before the close of said hearing or within such further time that the Township Board may grant.

Dated: August 28, 1987


_____, Clerk
Charter Township of Ironwood