

Village of Muir
ORDINANCE NO. 57
Trash Collection Ordinance

The Village of Muir ORDAINS:

Section 1. Definitions

For the purposes of the Ordinance, the following terms, phrases, words, and their derivatives shall have the meaning given herein.

- (1) **Refuse** shall include the following:
 - a. All kitchen waste, including cans, bottles, household food, and accumulations of animal food and vegetable matter attendant to the preparation, use, cooking and serving of food.
 - b. General household trash and refuse, including ashes empty cartons, crates, boxes, wrapping materials, newspapers and magazines when neatly bound in conveniently sized bundles, cloth material and similar materials.
- (2) **Rubbish** shall include waste from construction or remodeling, concrete, rocks, sod, earth automobile or truck parts, tires, manufacturing or trade waste accumulated by residential, commercial, individual or institutional uses and includes all other waste products not otherwise defined under Section 1.
- (3) **Person** A person is any person, firm, partnership, association, corporation, company or organization of any kind.
- (4) **Director of Public Works or Director** is the director of public works of the Village of Muir.
- (5) **Dwelling unit** One room, or rooms, connected together constituting a separate independent housekeeping establishment for one family occupancy, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, bathing, and living facilities.

Section 2. Collection by Village

All refuse from building with dwelling units not exceeding four (4) in number, accumulated in the Village of Muir, shall be collected, conveyed and disposed of only by a licensed contractor designated by the Village of Muir. No other person shall collect, convey over any of the streets or alleys of the Village, or dispose of any refuse except in the manner as herein set forth.

- (1) **Refuse collection** The collection of refuse shall be confined to residential dwelling not exceeding four (4) dwelling units. The Village shall contract with one licensed hauler, who shall exclusively collect refuse from the dwellings as herein defined.
- (2) **Rubbish collection** This Ordinance shall not prohibit other licensed collectors from collecting rubbish within the Village, nor prohibit the actual producers of rubbish, or the owner of the premises upon which rubbish as accumulated, from personally collecting,

conveying and disposing of such rubbish, provided such persons dispose of such rubbish in an authorized and approved sanitary landfill.

- (3) **Other refuse collection** This Ordinance shall not prohibit a licensed hauler from collecting refuse and rubbish from living units in excess of four (4) units, or from trailer parks commercial, industrial or institutional businesses, provided that such disposal of refuse and rubbish in an approved sanitary landfill and does not violate the provisions of the Ordinance and regulations issued hereunder.

Section 3. **Collection supervised by Director of Public Works**

All refuse accumulated in the Village from a dwelling unit shall be carted, conveyed, and disposed of by a licensed contractor under the contract with the Village of Muir, and under the supervision of the Director of Public Works. The Director, with the vote of Council, shall have the authority to adopt rules and regulations concerning the days of collection conveyance and disposal as deemed necessary, and to change and modify the same, after public notice in a newspaper having circulation in the Village, provided that such a rule of regulations are not contrary to the provisions of this Ordinance. Any person aggrieved by any rule or regulation of the director shall have the right to appeal to the Village council, which shall have the authoring to confirm, modify, or revoke any such rule or regulation.

Section 4. **Preparation of Refuse**

- (1) All refuse shall be placed in tied polyethylene bags or containers. All garbage, before being placed in such containers, shall have drained from it all free liquids and may be wrapped in paper.
- (2) Refuse containers. Refuse containers may be provided by the owner, tenant, lessee, or occupant of the premises. Refuse containers shall be maintained in good condition and any container that does not conform to the provisions of the ordinance, or that has ragged or chipped edges or any other defects liable to hamper or injure the person collecting the contents thereof, shall be promptly replaced. The licensed hauler selected by the Village shall have the authority to refuse collection service for failure to comply herewith, after giving notice to the Director of Public Works.
- (3) **Storing of refuse**
 - a. Public Places. No person shall place any refuse of rubbish in any street, alley or other public place or upon any private property, whether owned by such person or not, with the Village, except it be in proper containers for collection, or with express approval given by the Director, nor shall any person throw or deposit any refuse or rubbish in any stream or other body of water.
 - b. Unauthorized Accumulation. Any unauthorized accumulation of refuse or rubbish on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse or rubbish, after the effective date of this Ordinance shall be deemed a violation of the Ordinance.
 - c. Scattering of Refuse. No person shall cast, place, sweep or deposit anywhere within the Village of Muir, refuse or rubbish in such a manner that it may be carried or

deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or other public place, or in any occupied premises within the Village.

- (4) **Points of Collection** In all areas of the Village not served by public alleys, refuse container shall be placed for collection at ground level between front curb and the sidewalk of dwelling units, and where there is no curb or sidewalk, then at the front property line of the dwelling unit.
- a. Refuse container shall not be placed for collection before 7:00 P.M. on the evening before the day of collection and shall be removed by 9:00 P.M. on the day of collection, said collection day or days to be determined by the Director.

Section 5. **Collection Practices**

(1) **Frequency of Collection**

- a. Residential. Refuse accumulated by dwelling units as herein defined shall be collected once each week.
- b. Commercial. Hotels, restaurants, institutions and such other places as deem it necessary, may enter into an agreement for more frequent collection. Where necessary to protect the public health, the director shall have the authority to require that more frequent collections be made.

- (2) **Limits on Quantity** Refuse collection for dwelling units as herein defined, shall be limited to one 96 gallon cart and 2 bags.

(3) **Special Refuse and Rubbish Problems**

- a. Contagious Disease. The removal of wearing apparel, bedding, or other refuse or rubbish from homes or other places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the County Health Officer. Such refuse and rubbish shall not be placed in containers for regular collections.
- b. Inflammables or Explosives. Highly inflammable or explosive materials shall not be placed in containers for regular collection, but shall be disposed of as directed by the Director at the expense of the owner or possessor thereof.

- (4) **Requirements of Collectors** The actual producer of refuse or the owner of the premises upon which refuse is accumulated, who desire personally to collect and dispose of such refuse, and the collectors of refuse from outside the Village and who are licensed by the Village, shall use a watertight vehicle, provided with a tight cover as approved by the Director, and so operated as to prevent offensive odors escaping there from and refuse from being blown, dropped or spilled. The Director shall have the authority to make such other reasonable regulations concerning individual collection and disposal relating to the hauling of rubbish by licensed hauler, as necessary.

- (5) **Refuse property of the Village** Ownership of refuse material set out for collection and collected by a duly licensed hauler approved by the Village shall be vested in the village.

Section 6. **Fees**

- (1) **Residential** The fees for collection and dispersal of refuse from the dwelling units, as herein before defined, shall be set by the Village Council, based on its contract with a licensed

hauler, and subject to such increases or decreases as established by the Village Council from time to time.

- (2) **Nonresidential** For the collection and disposal of refuse and rubbish not otherwise provided for herein, the property owner may make such agreement with a licensed hauler as deemed to his best advantage.
- (3) **Payment** For all dwelling units, as defined herein, the Village shall levy a monthly service collection fee, which shall be the obligation of the property owner, as shown by the tax rolls of the Village; shall be included in the property tax statement, and if unpaid, shall become a lien against the property. If the entire bill is not paid when due, services to the property shall be terminated and no further collections shall be made.
- (4) **Legal remedy** The stoppage of service for nonpayment of collection charges shall be in addition to the right of the Village pursue collection of such unpaid charges in any manner provided by law for the collection of a claim by the Village.

Section 7. **Penalty**

Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor. Penalties may be imposed up to ninety days incarceration in the County Jail of Ionia County and/or fine up to Five Hundred Dollars (\$500.00) plus the costs of prosecution.

Section 8. **Savings Clause**

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced. This ordinance shall not be construed to affect any prosecution pending or initiated before, or initiated after the effective date of this Ordinance for any offense committed before the effective date of this Ordinance.

This Ordinance shall become effective thirty days from its passage.

PASSED, ORDAINED, AND ORDERED PUBLISHED BY THE Village Council of the Village of Muir at a meeting held the July 5, 2015.

Adoption of the above Ordinance # 57 was moved by Sherman and supported by Parker.

YEAS: Anthony, Herbstreith, Kramer, Parker, Sherman, Stewart, and Hyland

Nays: None

Absent: None

We hereby certify that the above Ordinance # 57, was duly adopted by the Village Council of the Village of Muir, County of Ionia, at a regular meeting of said Council held on the July 5, 2016.

Doug Hyland _____
Doug Hyland
Village President

Jacklyn Laske _____
Jacklyn Laske
Village Clerk

I, Jacklyn Laske, Clerk of the Village of Muir, hereby certify that a synopsis of the foregoing Ordinance #57 was duly published on July 9, 2016 in the Sentinel Standard, a newspaper with circulation in the Village of Muir.

Jacklyn Laske
Village Clerk

PLEASE RECYCLE  THIS NEWSPAPER

**Public Notice
Synopsis of Ordinance
Trash Collection Ordinance**

Take notice that the Village of Muir, at a meeting of the Village Council, held on the 5th day of July 2016, adopted an ordinance to provide for trash collection for the inhabitants of the Village of Muir, and to provide for penalties for violations thereof. The effective date of the Ordinance is the 8th day of July, 2016.

A copy of the Ordinance may be inspected on the following weekdays, Monday through Friday by appointment, between the hours of 9:00 a.m. and 2:30 p.m. at the Village Clerk's Office located at 122 Superior St, Muir, Michigan 48860.

The following is a synopsis of the regulatory effect of the Ordinance:

1. Section 1 provides Definitions for the purposes of the Ordinance.
2. Section 2 states that all refuse from buildings with dwelling units not exceeding four (4) in number, accumulated in the Village of Muir, shall be collected, conveyed and disposed of by a licensed contractor designated by the Village of Muir. No other person shall collect, convey over any of the streets or alleys of the Village, or dispose of any refuse except in the manner as set forth in the ordinance.
3. Section 3 states that all refuse accumulated in the Village from a dwelling unit shall be carted, conveyed, and disposed of by a licensed contractor under the contract with the Village of Muir, and under the supervision of the Director of Public Works.
4. Section 4 provides for the preparation and storing of refuse, as well as points of collection.
5. Section 5 provides for the collection practices of the refuse: including frequency of collection, limits on quantity, special refuse and rubbish problems, requirements of collectors and refuse property of the Village.
6. Section 6 addresses fees, payment and legal remedy.
7. Section 7 addresses penalties for violation.
8. Section 8 is the Savings Clause.

Date: July 5, 2016
Jacklyn Laske
Village of Muir, Clerk

IA-00212880



th boys and girls grades K-3rd in which there were 46 participants.

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ATTENTION: MUIR VILLAGE RESIDENTS NOTICE OF PUBLIC HEARING

A Public Hearing has been scheduled for July 5, 2016 at a Special Council Meeting at 6:30 p.m. at 122 Superior St, Muir MI, for the purpose of discussing adopting Ordinance #57, Trash Collection Ordinance. A copy of the ordinance is available for public inspection in the Muir Village Office, 122 Superior St, Muir, MI.

Public comments, either oral or written, are welcome at the Public Hearing. Handicapped persons needing assistance or aid should contact the Muir Village Office during regular working hours forty eight hours prior to the meeting.

Jacklyn Laske, Clerk
Village of Muir

IA-00209070

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