

ORDINANCE NO. 37

GARBAGE, JUNK, RUBBISH AND TRASH

AN ORDINANCE TO PROVIDE FOR THE REGULATION, CONTROL JUNK, REFUSE, RUBBISH, GARBAGE AND TRASH IN ROLLIN TOWNSHIP, LENAWEE COUNTY, MICHIGAN, AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF.

THE TOWNSHIP OF ROLLIN, LENAWEE COUNTY, MICHIGAN, ORDAINS:

Section 1. Definitions

The following words or terms when used herein shall be deemed to have the meanings set forth below:

- A. Appliance shall mean any mechanism which is operated by gas, electricity or liquid fuel, including, but not limited to, refrigerators, freezers, stoves, microwave ovens, hot water tanks, furnaces, televisions, computers and peripherals and the like.
- B. Garbage shall mean all organic wastes except sewage and body wastes, but including vegetable waste, animal offal, carcasses of dead animals and fowl originating from all public and private establishments, including farms and residences.
- C. Rubbish shall mean any worthless or unwanted material in a crumpled or broken condition, debris, prunings, refuse, and trash including, but not limited to dirt, leaves, grass trimmings, metal or plastic containers, waste paper, ashes, straw, shavings, discarded building materials, junk and in general all inorganic wastes normally incidental to the lawful use of the premises on which it is accumulated.

Section 2. Storage of Garbage and Rubbish

- A. It shall be unlawful for any person to store garbage and rubbish in containers other than described in Section 3. Lids shall be securely in place when garbage or rubbish is in the container. Bags, boxes or open containers containing garbage and/or rubbish are prohibited outside of buildings except they may be placed on the curb after 6 pm of the evening before scheduled removal by a licensed commercial waste hauler.
- B. Garbage, rubbish or inoperable or unused appliances shall not be stored on a premise outside of an enclosed building for more than one week. Rubbish not containing organic material or which is not attractive to wild animals, vermin or flies, may be held on the premise for two weeks.
- C. Recyclables that have been cleaned of all foreign material shall be stored inside and may be in open or closed containers.

Section 3. Storage area and containers

- A. Storage containers for materials covered by Section 2A and 2B above shall be constructed of impervious material and supplied with tight fitting lids. Lids shall be in place at all times that garbage or rubbish is stored in the container.
- B. Containers shall be maintained in good condition. Any container or lid that displays a hole, crack slit or other opening that can allow entry by flies and/or other vermin shall be removed from service.
- C. Containers stored outside of buildings shall be placed on a pad that is easily cleaned and impervious to spills or leakage from the container.
- D. The outside storage area may be enclosed in a fence, not to exceed 48 inches in height from the pad surface and shall not be greater than six (6) feet by three (3) feet in dimension. The fence shall be not less than 50 percent open.
- E. Storage of garbage, rubbish or inoperable or unused appliances with doors removed shall be in a reasonably inconspicuous location not easily observed from a lake, street, road, path or neighboring dwelling.
- F. Household garbage must not be allowed to accumulate for more than a week in residential zoning districts. Rubbish or inoperable or unused appliances may be kept on the property for a period not to exceed two weeks in residential zoned districts.
- G. It shall be the duty of the occupant of any premise or the owner of any unoccupied premise to store dismantled, partially dismantled or inoperative appliances inside a fully enclosed building. Any appliance that has a door or cavity large enough to admit a child shall have the door or access to the cavity removed regardless of whether the appliance is stored inside or outside a fully enclosed building.

Section 4. Open Storage Prohibited

It shall be unlawful for a person to accumulate plastic bags, boxes or paper bags of garbage or rubbish, or other trash on the premises without being enclosed in a building. Every effort shall be made to prevent the stored materials from becoming attractive to vermin, wild animals or children.

Section 5. Responsibility

It shall be the duty of the occupant of a premise or the owner of an unoccupied premise who stores garbage and rubbish to maintain said premise in a clean and orderly condition. Garbage and rubbish shall be stored as required by Sections 2 and 3 above, except when placed outside for pickup by a licensed commercial waste hauler. The occupant of the premises on which the garbage or rubbish is stored shall be the presumed originator of the same.

Section 6. Penalty

- A. Upon discovering a violation of this ordinance, the Zoning Enforcement Officer shall notify the violator orally or in writing by means of first class letter. Such notice shall give up to 5 days for

the violation to be abated or a civil infraction shall be issued. No further notification is required for subsequent violations in a three year period.

- B. Any person violating any provision of this Ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed as set forth in Ordinance 34 as amended, the Rollin Township Municipal Civil Infractions Ordinance.
- C. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.
- D. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.

Section 7. Severability

Should any section, clause, or provision of this ordinance be declared by any court to be invalid, the same shall not affect the validity of the remaining portions of such section of this ordinance or any part thereof than the part so declared to be invalid.

Section 8. Effective Date

This ordinance shall take effect 30 days after the publication of this ordinance. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

We certify that the foregoing ordinance was duly enacted by the Township Board of Rollin Township, Lenawee County, Michigan on the 12th day of August, 2015.

John Jenkins, Supervisor

Denice Combs, Clerk

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Denice Combs, the duly elected Clerk of the Township of Rollin certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Township of Rollin on August 12, 2015 and published in the _____ Brooklyn Exponent _____, a newspaper circulated in the Township of Rollin on _August 18_, 2015.

Denice Combs, Clerk of Rollin Township