

## ORDINANCE NO. 15

AN ORDINANCE AUTHORIZING THE COLLECTION OF REFUSE BY CONTRACT OR THE COLLECTION BY THE CITY THROUGH ITS EMPLOYEES, THE REGULATION OF THE HANDLING, STORAGE, TRANSPORTATION AND DISPOSAL OF REFUSE AND THE PROVISION FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

THE CITY OF LUNA PIER ORDAINS:

### ARTICLE I TITLE, PURPOSE AND SCOPE

SECTION 1.1 TITLE - This ordinance shall be known and may be designated as the City of Luna Pier Refuse Disposal Ordinance.

SECTION 1.2 PURPOSE - The purpose of this Ordinance is to assist in providing a neat and sanitary condition within the City so that the citizens hereof will find it a pleasant and desirable place to live and conduct their business.

SECTION 1.3 SCOPE - The scope of this Ordinance shall include the complete control of the handling, storing, transportation and disposing of refuse within the City by providing rules and regulations and establishing certain unlawful acts concerning the handling, storing, transportation and disposing of refuse.

### ARTICLE II DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Ordinance.

SECTION 2.1 CITY - The term "City" shall mean the City of Luna Pier, County of Monroe, State of Michigan.

SECTION 2.2 CITY DISPOSAL - The term "City Disposal" shall mean a place set aside by the City for the disposal of refuse and so designed as such by appropriate signs.

SECTION 2.3 COLLECTION DAY - The term "Collection Day" shall mean the day which has been established by the Council as the regular collection day for garbage or rubbish in the area involved.

SECTION 2.4 COUNCIL - The word "Council" shall mean the City Council of the City of Luna Pier.

SECTION 2.5 REFUSE - The term "Refuse" shall mean all garbage and rubbish.

SECTION 2.6 PERSON - The word "Person" shall mean individual, partnership, firm, corporation, or association.

SECTION 2.7 COMMERCIAL REFUSE - The term "Commercial Refuse" shall mean all garbage, rubbish resulting from commercial, or the excavation, construction, remodeling or demolishing of a structure.

SECTION 2.8 INDUSTRIAL REFUSE - The term "Industrial Refuse" shall mean all garbage and rubbish resulting from a manufacturing process, including the generation of electricity.

SECTION 2.9 JUNK - The word "Junk" shall include wrecked, partially wrecked or dismantled motor vehicles or machinery and all other debris and waste commonly known as junk.

ARTICLE III  
SUPERVISION AND OPERATION

SECTION 3.1 SUPERVISION - The collection, handling and transportation of all refuse within the City shall be under the Supervision of the Council or such elected or appointed official as the Council may designate as Supervisor of Refuse Collection.

SECTION 3.2 CHARGES - There shall be no charge made for the collection of refuse except commercial refuse and then only in the event such collection in the opinion of the Council constitutes a financial detriment to the City, in which case a charge shall be based upon actual cost to the City, including overhead and shall be collected in the same manner as other contracted debts.

SECTION 3.3 COLLECTION - All collections of refuse other than industrial refuse within the City shall be made by a contractor authorized by the Council or by City employees, except that the Council may grant special permission for private collection at no cost to the City when, in the Council's opinion it will best serve the interest of the City.

SECTION 3.4 PERMITS - The City Council may, in its discretion, issue permits in writing for private collection of garbage or rubbish within the City and may also issue permits in writing for spreading of manure for fertilizing purposes and dumping of rubbish for land fills and grading and shall maintain strict supervision of all operations carried on under said permits.

SECTION 3.5 REVOCATION OF PERMITS - The Council may revoke any permits for private collections issued hereunder without notice for any violation of this Ordinance.

SECTION 3.6 COLLECTION DAYS - The City Council shall establish regular collection days in the various sections of the City and shall make known such days when established or changed.

SECTION 3.7 COLLECTION PLACE - The Council shall designate the location from which all collection shall be made.

SECTION 3.8 CITY DISPOSAL - The City may provide a place for the disposal of all refuse and shall maintain it in a sanitary and sightly manner with appropriate sign thereof properly designating it.

SECTION 3.9 NON-RESIDENTS - The depositing of refuse accumulated outside the City, in the City Disposal, shall not be permitted except by contract in writing approved by the City Council.

ARTICLE IV  
RULES AND REGULATIONS

SECTION 4.1 TEMPORARY RULES - The Supervisor of Refuse Collection, should the Council appoint one, shall have the right to establish temporary rules whenever in his judgement the best interest and safety of the public deems, but he shall report such temporary rule to the Council for action thereon at its next regular meeting.

SECTION 4.2 REFUSE RECEPTACLES - Receptacles for refuse shall be adequate in size and number to hold a one week accumulation, and shall have a capacity of not less than 10 nor more than 20 gallons. Each receptacle shall be of substantial metal construction, provided with handles or bails, and shall not weight more 80 pounds when filled. Any receptacle containing garbage shall have a tight fitting cover upon it. Rubbish too large for containers may be reduced to three foot lengths or less, securely tied or fastened in bundles weighing not more than 50 pounds.

ARTICLE V

SECTION 5.1 ACCUMULATION OF REFUSE - No person shall permit refuse, including garbage, rubbish, trash, waste paper, ashes, lumber, timbers, boxes, junk or partially wrecked motor vehicles, iron or machinery, or any other debris, substance or product to accumulate beyond a regular collection day or to accumulate so as to attract rats, flies, or vermin, or to create offensive odors or to endanger the safety of others by reason of the likelihood of fire.

SECTION 5.2 STORING JUNK - IN RESIDENTIAL AREAS - No person shall store junk in any area of the City utilized for residential purposes.

SECTION 5.3 BURNING PROHIBITED - It shall be unlawful for any person to burn refuse any place within the City other than in an incinerator approved by the Council or upon issuance of a burning permit issued by the Luna Pier Fire Chief.

SECTION 5.4 CARELESS OR OVERLOADING - No person shall drive a vehicle loaded with rubbish, garbage or earth over the streets or alleys in the City, in such a manner as to permit any portion of its contents to spill upon the streets or alleys.

SECTION 5.5 COVERING GARBAGE IN TRANSIT - It shall be unlawful for any person to drive a vehicle containing garbage over the streets of the City unless securely covered with a non-transparent durable material, or in a completely enclosed vehicle.

SECTION 5.6 DOGS - No person shall allow a dog owned, or under his control, to molest garbage or rubbish containers owned by others.

SECTION 5.7 DUMPING - No persons shall dump refuse any place within the City unless authorized by Council.

SECTION 5.8 GARBAGE STORAGE - No personal shall permit garbage to be stored upon his premises except in containers provided hereunder and all containers must be kept leakproof and tightly covered at all times.

SECTION 5.9 MOLESTING CONTAINERS - It shall be unlawful for any person to molest, damage or destroy either garbage or rubbish containers owned by others.

SECTION 5.10 PAVEMENT DAMAGE - No person shall burn any substance whatsoever upon any streets or alleys of the City which have been surfaced with concrete or asphalt coating.

SECTION 5.11 PROHIBITED COLLECTIONS - It shall be unlawful for any person to disturb, collect or in any manner interfere with rubbish garbage or receptacles provided therefor except as provided herein.

SECTION 5.12 SAFETY - No person shall deposit, spill or leave any matter or thing whatsoever on either public or private property or cause the same to be done, which may result in injury or damage to person, animal or property, except in receptacles provided therefor.

SECTION 5.13 SCATTERING - It shall be unlawful for any person to scatter or leave any matter or thing whatsoever on either public or private property or cause the same to be done, which will contribute toward or result in any unsightly condition within the City.

SECTION 5.14 TRANSPORTATION PROHIBITED - No person shall transport garbage rubbish or earth over the streets in the City in any vehicle which is not tightly constructed in a manner so as to prevent dripping or leaking.

ARTICLE VI  
MISCELLANEOUS PROVISIONS

SECTION 6.1 ENFORCEMENT - This Ordinance shall be enforced by the Chief of Police of the City, the Supervisor of Refuse Collection, or any other person authorized by Council to do so.

SECTION 6.2 Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and subject to a fine of not more than \$100.00 or confinement in the Monroe County Jail for not more than 90 days, or both such fines and imprisonment in the discretion of the court.

SECTION 6.3 SEVERABILITY - This Ordinance and the various parts thereof are hereby declared to be severable and if any part is adjudged unconstitutional or invalid, the same shall not effect the validity of this Ordinance as a whole or any part thereof other than the part declared unconstitutional or invalid.

This Ordinance shall become effective on the 20<sup>th</sup> day of January, 1964.

I, Irene Wohlgemuth, City Clerk of Luna Pier, do hereby certify, the foregoing Ordinance #15 was duly adopted on January 9, 1964, at a regularly held meeting, by the Council of the City of Luna Pier.

Irene Wohlgemuth  
City Clerk, Luna Pier, Michigan

I, Irene Wohlgemuth, City Clerk of Luna Pier, do hereby certify, that the foregoing Ordinance #15 was duly posted at the following places as required by Charter.

- 1-American Legion Post and Harold Drive.
- 2-Bulletin Board at Luna Pier Post Office.
- 3-Bulletin Board at Municipal Building.

Posted: January 10, 1964

Irene Wohlgemuth, City Clerk