CHARTER TOWNSHIP OF GENESEE GENESEE COUNTY, MICHIGAN

## ORDINANCE NO. 577

AN ORDINANCE AMENDING THE GENESEE TOWNSHIP CODE OF ORDINANCES BY THE ADDITION OF AN ORDINANCE TO REGULATE YARD AND HOUSEHOLD WASTE WITHIN THE TOWNSHIP AND PROVDE FOR PENALTY OF SAME

## THE CHARTER TOWNSIDP OF GENESEE ORDAINS:

Section I. **TITLE AND PURPOSE**

This Ordinance shall be known and may be cited as Genesee Township Ordinance Number 577, the Yard and Household Waste Ordinance. The Township, as allowed by law, hereby declares by this ordinanc,ethat it is purpose and intent of this ordinance to preserve the peace, welfare, order, health, and safety, of persons and property in the Charter Township of Genesee, and to prescribe various penalties for the violation of the provisions of this ordinance and to repeal any ordinances or parts of ordinances in conflict therewith.

Section 2. **Definitions.**

As used in this section:

1. "Yard waste" means grass clippings, weeds, flower trimmings, roots, dead foliage, leaves and brush with branches or stems no larger than four inches in diameter. "Yard waste" does not include household composting that consists of biodegradable organic material which is typically associated with a personal vegetable garden and is usually referred to as " backyard composting".
2. " Household waste" means all other household wastes allowable for placement

in a qualified landfill.

## Section 3. Transportation of Household Waste and Yard Waste.

1. Household waste.
	1. Household waste shall be placed in rigid or non-rigid containers. Household waste placed in rigid containers shall be set out for collection after noon (12:00 p.m.) if the day preceding the designated collection day, and all such containers must be taken in prior to noon (12:00 p.m.) the following day of scheduled collection. However, household waste may be placed in a non-

rigid container if it is set out for collection after 6:00 a.m. of the day scheduled for collection.

* 1. The occupants of a residential unit, including occupants within a multiple­ family dwelling unit including garden apartments and townhouse structures, shall place or cause to be placed such containers, pending collection, at the curb line or, if there is no curb line, at the edge of the nearest public street fronting the dwelling unit, or if provided on-site, in an enclosed waste disposal container provided by a private collector. At no time shall household waste be placed in the street.
	2. Household waste stored on-site for eventual placement to the curb line, or nearest public street frontage, shall be placed in a rigid container(s) with secured lid.
	3. At times, household waste set out for collection may be affected and displaced from its container by animals, wind, weather events, and other disturbances. In these instances, household waste shall be cleaned up by the occupant/owner upon discovery, or by noon (12:00 p.m.) the following day of scheduled collection, whichever is sooner. If not cleaned up, the waste shall be considered debris and/or blight and may be considered a violation of a Township ordinance prohibiting same.
1. Yard waste. All yard waste shall be placed at the curbside of the premises involve for pick-up in accordance with the recycling standards of the Township or transported by the owner or occupant of the premises involved to the Township's composting site or any other approved site permitted by law.

Section 4. **Mixing.**

No person shall collect, mix or otherwise include yard waste into the bags or containers placed at the curbside for general pick-up and hauling household waste to the qualified landfill.

Section 5. **Prohibited Disposal of Yard Waste.**

No person shall place any yard waste onto any curbside, street, right of way, alley or sidewalk, nor shall any person place yard waste into any dumpster or container belonging to another, except as otherwise provided in this section.

Section 6. **Violations.**

1. Upon a finding that a section of this chapter has been violated, the violator shall be subject to 1 or more of the penalties provided in this section.
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# in violation of section 3, they may be removed and disposed of by the township. Waste or other material left at the curb or improperly stored elsewhere outdoors may be removed by the township.

1. At least 24 hours prior to removing material s pursuant to this section, the township shall serve a notice of violation. Notice of violation may be made by mailing it to the property owner , as shown on assessment records, delivery to the owner or posting the notice at a conspicuous place on the property.
2. No notice shall be required if a public health hazard necessitates immediate removal of materials.
3. All costs (including labor, equipment, materi als disposal and overhead) of work performed by the township under this section shall be charged to the owner of the involved property.
4. If the charges are not paid, they may be assessed against the property.
5. Each violation of this chapter shall be a civil infraction punishable by a civil fine of up to $1,000.00, plus costs and all other remedies available by law.
	1. Violation of this chapter shall be punishable by a civil fine of $200.00 for the first offense, $400.00 for the second offense, and $1,000.00 for each additional or subsequent offense within a 5-year time period, plus costs and all other remedies available by statute.
	2. Each day of violation shall be a separate violation except in a case when the maximum fine is levied. If the penalty is not paid within 45 days, it may be assessed against the parcel.

Section 7. **SEVERABILITY**

# The various sections, parts, and clauses of this ordinance are hereby declared to be severable. If any part, clause, sentence, paragraph or section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 8. **CONFLICTING LAWS**

# If any term of this ordinance conflicts with any previous ordinance, this ordinance shall prevail. Unless otherwise provided for herein, any section of any previous ordinance shall remain in full force and effect.

Section 9. **EFFECTIVE DATE**

# Thi s ordinance shall become effective on the 30th day following publication.

We hereby certify that the foregoing Ordinance was adopted on the Second Reading by the Township Board of the Charter Township of Genesee at its meeting on ., 2018.

First Reading: \_ November 13 ,2018

Second Reading: December 11, \_; 12018

Steven , Supervisor

# Published on: -

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