

ORDINANCE NO. 082790

AN ORDINANCE TO PROVIDE FOR THE
COLLECTION AND DISPOSAL OF SOLID
WASTE WITHIN THE TOWNSHIP OF
REPUBLIC

Pursuant to the terms and provisions of the Waste Management Resource Recovery Finance Act 1978 (M.S.A. Sub Sec. 5.2725(11) et. sq.),

THE TOWNSHIP OF REPUBLIC ORDAINS:

Section 1. Definitions

As used in the ordinance, the following words and phrases are hereby defined:

- a) "ashes" means the residue from the burning of wood, coal, coke, refuse, wastewater sludge, or other combustible materials.
- b) "garbage" means rejected food wastes, including waste accumulation of animal, fruit, or vegetable matter used or intended for food, or that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit, or vegetable matter.
- c) "person" means an individual, sole proprietorship, partnership, association, or corporation, public or private, organized or existing under the laws of this state or any other state, including a federal corporation.
- d) "residential solid waste" means solid waste generated or originating from any building, home, structure, or premise which is used or intended for use as a dwelling or place of residence of one or more natural persons.
- e) "rubbish" means nonputrescible solid waste, consisting of both combustible and noncombustible waste, including paper, cardboard, metal containers, yard clippings, wood, glass, bedding, crockery, and litter of any kind, that may be a detriment to the public health and safety, but excluding ashes, excluding demolished building materials, and excluding building materials.
- f) "solid waste" means garbage, and all non-hazardous and non-toxic type II and type III materials regulated by Act 641 of 1978.
- g) "user" means a person receiving solid waste pickup services.
- h) Terms or words used in this Ordinance and not defined herein shall have the meaning as defined in Act 641, P.A. 1978, and the rules and regulations issued thereunder, or as commonly understood and used if not so defined.

Section 2. Creation of System for Disposal of Solid Waste

- a) There is hereby established a system for the collection and disposal of solid waste generated within the Township of Republic (the "System" herein), which shall conform to the Marquette County Solid Waste Authority User Agreement.
- b) The Township of Republic shall, by Contract, engage the services of one or more persons to provide for the regular collection, curbside or roadside pickup and disposal of solid waste generated within the Township of Republic, and each and every residential premises within the Township of Republic shall be served by said pickup and disposal service and shall be assessed a reasonable charge therefore, in accordance with the User Fee Charge Schedule attached hereto and incorporated herein by reference.
- c) No residential premises within the Township of Republic shall be exempt from the user fee charge, nor shall any residential premises be allowed to dispose of its solid waste to any person other than a person with whom the Township of Republic has contracted with for the collection of solid waste.

- d) Businesses, commercial establishments, restaurants, and institutions within the Township of Republic which generate solid waste shall be required to dispose of the generated solid waste according to law, but may reject the services provided by the system provided such rejection is in writing and explains to the satisfaction of the Township Supervisor how the solid waste generated is being collected and disposed of according to the law.

Section 3. Procedure for Pickup of Solid Waste

- a) Each single family residential unit within the Township of Republic shall receive at least one (1) pickup of solid waste during each week, at a time and according to a schedule to be established by the Township Board.
- b) Each multiple family residential unit, including duplexes and apartment houses, within the Township of Republic, shall receive at least one (1) pickup of solid waste during each week at a time and according to a schedule to be established by the Township Board.
- c) Each business, commercial establishment, restaurant, institution, and every other premises in the Township of Republic which generates solid waste other than residential solid waste shall establish a pickup with a commercial hauler as often as is reasonable and necessary in order to protect the public health.
- d)
 - (i) Solid waste pickup service will be provided at curbside or roadside to single family residential units, duplexes, and multiple family residential units. Multiple family residential units may receive service off street, provided that adequate room is provided for the collection vehicles to safely and conveniently make the collection.
 - (ii) Solid waste pickup service provided to nonresidential premises will be provided at curbside or roadside, or at any other place near the premises and within the public right of way where the collection vehicle can safely and conveniently make the collection.
 - (iii) All garbage must be placed in plastic bags, properly sealed so as to prevent leakage or spillage. No plastic bag containing garbage shall exceed a weight of thirty (30) pounds. Garbage, after having been placed in a plastic bag, may be placed in either a metal garbage can or a plastic garbage receptacle, which container shall have two (2) handles and a tight fitting cover, at the time the garbage is placed at roadside or curbside for pickup. No such container as loaded shall exceed a weight of sixty (60) pounds.
 - (iv) Each business, commercial establishment, restaurant, institution and every other premises which generates solid waste other than normal domestic solid waste may elect to place such waste in a dumpster or other large container; provided, however, that:
 - A) all garbage shall be placed in plastic bags properly sealed, and
 - B) each container shall be compatible with the mechanized handling equipment of the solid waste hauler.
- e) No person shall place at curbside, roadside, or anywhere else any white goods (refrigerators, stoves, water heaters), or other household appliances, vehicles, motor vehicles, motor vehicle frames, chassis, parts or engines, building materials, human body waste, toxic materials or hazardous waste (as defined in Act No 64, P.A. 1979) or any other type of material required to be disposed of at a Type III landfill, for pickup or collection by the solid waste hauler, and these types of

materials shall not be accepted for pickup by the solid waste hauler. Any person or user wishing to dispose of these types of materials shall be required to make private arrangements therefore, with a properly licensed solid waste hauler, solid waste processing plant, solid waste transfer facility, or disposal area, as these terms are defined in Act 641, P.A. 1978 (M.S.A. Sub Sec. 13.29(1) et. seq.; M.C.L.A. Sub Sec. 299.401 et. seq.), for the proper and legal disposal thereof.

- f) Solid waste shall not be placed out for pickup more than twelve (12) hours prior to the scheduled pickup time.
- g) No person shall place, deposit, throw or dispose of any solid waste in or on any street, alley, sidewalk, road public building or public place within the Township of Republic, except the placement thereof for pickup by a licensed solid waste hauler in accordance with the provisions of this Ordinance.
- h) Any user wishing to dispose of ashes, demolished building materials, building materials, and any other nontoxic or non-hazardous waste, the collection of which is not provided during scheduled pickups, may contact the solid waste hauler and make arrangements for a special pickup of such materials.
- i) Any user having a complaint against the solid waste hauler engaged by the Township of Republic shall communicate such complaint to the Township Supervisor. It shall be the duty of the Township Supervisor, or his agent or representative, to investigate each complaint, to assist in resolution of the problem if possible, and to provide a brief written summary as to the results of the investigation. A copy of the written summary shall be delivered to the complainant and to the solid waste hauler.

Section 4. Collection of User Fee Charges and Administration of Ordinance

- a) There is hereby created a Solid Waste Disposal Fund, which is established as a separate fund to be maintained by the Township of Republic.
- b) All user fee charges assessed against users pursuant to the terms of this Ordinance shall be collected by the Township of Republic, and shall be deposited into the Solid Waste Disposal Fund.
- c) User fee charges as established in the User Fee Charge Schedule attached hereto shall be billed to each user account on the first (1st) day of each month. The garbage collection billing for all residences within the water and/or sewer service area shall be billed monthly. All residences outside of the water and/or sewer service area shall be billed semiannually.
- d) The rates and charges to users of the System shall be a lien on the premises for which the services have been provided, and amounts delinquent for three (3) months or more shall be certified annually to the Township tax assessor, to be entered upon the next tax roll against the premises to which the services have been rendered. The charges shall be collected and the lien enforced in the same manner as provided for the collection of taxes assessed upon the tax roll and the enforcement of a lien for unpaid taxes. This tax roll lien may be utilized notwithstanding the fact that there are or may be no delinquent real property taxes outstanding against the premises.
- e) The Republic Township Board shall adopt a User Fee Charge Schedule which will provide sufficient revenues so that the Solid Waste Disposal Fund shall be adequate to finance all contract payments and other expenses incurred by the Township in operating the System. If the rates and charges collected from users of the System are inadequate to meet all such expenses, then funds may be transferred, on a loan basis, from the Republic Township General Fund, or from any other fund which may be validly used for such purposes to the Solid Waste Disposal Fund to cover any deficiency; provided, however that if it appears that the System is not self-supporting, then the Republic Township Board shall adjust the rates and rate structure which will cover all costs and expenses incurred by the Township in operating the System.

Section 5, Unlawful Collection or Disposal of Solid Waste

(a) It shall be unlawful for any person within the Township of Republic:

- 1) to pickup or to collect any residential solid waste, or
- 2) to transport any residential solid waste

unless that person has been authorized to do so pursuant to a written contract entered into between that person and the Township of Republic.

(b) It shall be unlawful for any person within the Township of Republic to dispose of any solid waste by depositing same upon or by delivering it to the property of any person, unless the receiver of the solid waste is the owner or operator of a disposal area duly licensed by the Director of the Michigan Department of Natural Resources.

(c) It shall be unlawful for any person within the Township of Republic to transport solid waste, or to deliver any solid waste to any other person for transportation, unless the receiver of the solid waste is a solid waste hauler who is using a solid waste transporting units, which complies with the requirements of the Solid Waste Management Act and the rules promulgated pursuant to said Act.

(d) Any Township resident may transport rubbish, white goods, demolished building materials, building materials, tires, grass clippings, tree trimmings, and other type III materials to the West Marquette County Transfer Station with permit tickets available at the Republic Township Hall.

Section 6. Penalties

Every person violating the provisions of this Ordinance shall be guilty of a misdemeanor, punishable by imprisonment in the Marquette County jail for a period not to exceed ninety (90) days or by a fine not to exceed One Hundred (\$100.00) Dollars, or by both such fine and imprisonment in the discretion of the Court. The imposition of punishment for a criminal violation of this Ordinance shall not relieve any person from civil responsibility to the Township of Republic for payment of the rates and charges for services furnished to such person under the provisions of this Ordinance, and the Township of Republic may simultaneously pursue its civil remedies, criminal remedies and enforcement of any lien it may have against any premises in connection with any violation of the terms and provisions of this Ordinance.

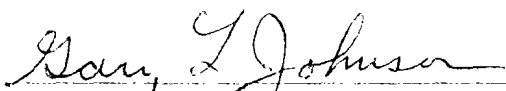
Section 7. Effective Date

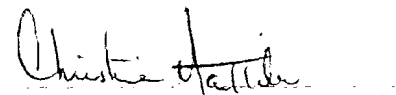
This Ordinance shall become effective thirty (30) days after the first publication hereof.

ADOPTED: August 27, 1990

PUBLISHED:

EFFECTIVE DATE:


Gary L. Johnson, Supervisor


Christine Mattila, Clerk

RESOLUTION OF GARBAGE COLLECTION USER FEE SCHEDULE
August 27, 1990

The Garbage Collection rate schedule is as follows:

- a) **BUSINESSES** (ie; stores, taverns, school, gas stations, etc.) shall pay \$24. per month.
- b). **RESIDENCES** shall pay \$5. per month.
- c) **SENIOR CITIZEN WIDOWS OR WIDOWERS** (living alone) shall pay \$2.50 per month.
- d) **SUMMER RESIDENTS** are billed \$5. per month on an as used basis.

*B. + D. have been
raised to \$10 per
month
EJ*

CHRISTINE MATTILA, Clerk

GARY L. JOHNSON, Supervisor

FAYE ANN MATTILA, Treasurer

GLENN ADAMS, Trustee

RICHARD OJA, Trustee

REPUBLIC TOWNSHIP

906-376-8827

P.O. BOX 338

REPUBLIC, MICHIGAN 49879

SEPTEMBER 27. 1990

The Republic township Solid Waste rate schedule is amended as follows:

(1) RESIDENTIAL: \$5.00 PER MONTH.

(2) SENIOR CITIZENS WIDOW OR WIDOWERS, LIVING ALONE: \$2.50 PER MONTH

(3) BUSINESSES, TO INCLUDE, BUT NOT LIMITED TO, MAKI'S, IGA, AND
THE SCHOOL: \$24.00 PER MONTH.

(4) BARS: \$10.00 PER MONTH

ACCEPTED ON A MOTION BY Richard Oja, SECOND BY
Glenn Adams, MOTION CARRIED.

GARBAGE COLLECTION USER FEE SCHEDULE

~~September 20, 1997~~ 1997
April 1st

School (4 yd dump) 131⁶
Grocery store (4 yd) 131
New Mart (2 yd) 73:
Baes (4 yd) - 4416

The Garbage Collection rate schedule is as follows:

- a) LARGE BUSINESSES (ie; stores, school, etc.) shall pay 36. per month if they participate in the recycling program.
LARGE BUSINESSES shall pay \$48. per month if they do not participate in the recycling program.
- b) SMALL BUSINESSES (ie; taverns, gas stations, etc.) shall pay ~~420.~~ per month
- c) RESIDENCES, ~~LAUNDRY~~ & ~~COFFEE SHOP~~ shall pay ¹¹⁰⁰ \$~~10.~~ per month.
- d) SENIOR CITIZEN WIDOWS OR WIDOWERS (living alone) shall pay ⁵⁵⁰ \$~~7.~~ per month.
- e) SEASONAL RESIDENTS, shall be billed ⁴⁵⁰⁰ \$~~30.~~ per year. Any seasonal dwellings, occupied for more than six months of any calendar year shall pay a flat fee of ~~\$10.~~ per month.
¹¹⁰⁰

CHRISTINE MATTILA, Clerk

GARY L. JOHNSON, Supervisor

FAYE ANN MATTILA, Treasurer

GLENN ADAMS, Trustee

RICHARD OJA, Trustee

REPUBLIC TOWNSHIP

906-376-8827

P.O. BOX 338

REPUBLIC, MICHIGAN 49879

TOWNSHIP OF REPUBLIC AMENDMENT TO ORDINANCE #082700 WHICH PROVIDES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE WITHIN THE TOWNSHIP OF REPUBLIC

Pursuant to the terms and provisions of the Waste Management and Resource Recovery Program Act (RPA) (M.C.L.A. Sub Sec. 2720(1)) et. seq.

Motion by G. Johnson, supported by R. Oja, to publish the ordinance numbered 08 00110881

SECTION 1. DEFINITIONS:

- (1) Seasonal residences shall be defined as any seasonal homes, hunting camps, cottages, or other structures occupied for less than six months of each calendar year.

SECTION 1. COLLECTION OF USER FEE CHARGES AND ADMINISTRATION OF ORDINANCE:

- (1) If periodic redeterminations of costs are necessary, such redeterminations may be made without further notice to the record owners or parties in interest in the party.

This amendment shall become effective thirty (30) days after the publication thereof.

A true and complete copy of Ordinance NO. 082700 is available for review at the Republic Township Offices.

AYES: G. Johnson, C. Mattila, F. Mattila, G. Adams, R. Oja

NAYS: None

ADOPTED: September 26, 1993

Christine Mattila, Clerk