

ORDINANCE NUMBER 26 REVISION I

A REVISED ORDINANCE REGULATING DISPOSAL OF GARBAGE, SOLID WASTE AND THE MANAGEMENT THEREOF WITHIN THE CITY LIMITS OF THE CITY OF CARSON CITY.

THE CITY OF CARSON CITY ORDAINS:

CHAPTER 26.1 ESTABLISHMENT OF REVISED ORDINANCE

26.101 **TITLE.** This Revised Ordinance shall be known as the Garbage and Trash Collection Ordinance [Originally enacted on June 6, 1966].

26.102 **AUTHORITY.** Authority for this Ordinance is set forth in MCL 123.361 et seq; MCL 324.304 et seq; MCL 324.11501 et seq; MCL 24.14501 et seq; MCL 324.1901 et seq; and Chapter 2, Section 2.3(f)(n), (q) and (u); Chapter 7; Chapter 12; and Chapter 14, of *Charter of the City of Carson City*.

26.103 This Ordinance is revised to preserve and protect public health, safety, and general welfare of the residents of the City of Carson City, by regulating the collection of garbage and trash within the City limits.

CHAPTER 26.2 PURPOSE AND INTENT

It is the intent of the City Council that this chapter be liberally construed for the purpose of providing a sanitary and satisfactory method of preparation, collection and disposal of solid waste and materials, as well as the maintenance of public and private property in a clean, orderly and sanitary condition, for the health, safety and welfare of the City, and to provide for a reasonable system of user fees. All City residents are encouraged to voluntarily recycle and to make use of any facilities therefore provided by the City and/or contracted services. Upon approval of the City Council, the City Administrator and his agents are authorized to make such rules and regulations as appear to be necessary from time to time to carry out the intent of this chapter; provided, however, that such rules are not in direct conflict with this Code or the laws of the state.

CHAPTER 26.3 DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this chapter, except where the context clearly indicates a different meaning:

26.301 **ALUMINUM** means all products made of aluminum, including aluminum cans, foil, wrappers, containers for prepared dinners or other foods, screen frames and lawn chairs, excluding redeemable aluminum cans.

26.302 **BRUSH** means small trees and shrubs.

26.303 **BUILDING** means a structure used, in whole or in part, for human habitation, manufacturing, sales or another purpose.

26.304 **BULK RUBBISH** means rubbish, such as cardboard containers, wooden crates and similar rubbish, which cannot readily be placed in an approved container or bag.

26.305 **CITY DESIGNATED WASTE OR RECYCLABLE COLLECTION AND TRANSFER FACILITY** means a facility which the City has identified from time to time as an approved location for the collection and transfer of all or some of the following: solid waste, yard waste, household hazardous waste and recycling.

26.306 **CITY SOLID WASTE BAG** means a bag sold by the designated collector or its designee for the purpose of solid waste collection. Solid waste bags shall be of a distinctive color or material, and printed with a company seal or other appropriate words which indicate the acceptable containers contain solid waste.

26.307 **CITY YARD WASTE BAG** means a bag which has been specifically identified by the City as a suitable container for the purpose of yard waste collection.

26.308 **COMMERCIAL ESTABLISHMENT** means property classified by the City's Zoning Ordinance Number 33 or the State of Michigan as a nonindustrial business. Residential income property which has more than three units is considered a commercial establishment for the purpose of this chapter.

26.309 **COMMERCIAL SOLID WASTE** means the miscellaneous waste material resulting from the operation of mercantile enterprises, including garbage and rubbish and excluding all hazardous waste.

26.310 **COMMERCIAL SOLID WASTE COLLECTION** means solid waste pickup from all commercial, business, institutional, condominium development and multiunit residential establishments which consist of three or more dwelling units.

26.311 **CONSTRUCTION MATERIAL** means waste from buildings, driveways, or other construction, alteration or repair, including dirt from excavations.

26.312 **DEMOLITION DEBRIS** means refuse which is incidental to the demolition of buildings, other structures or appurtenances on a premise.

26.313 **DESIGNATED COLLECTOR** means a permitted collector who has been issued a franchise from the City to collect and dispose of solid waste, and/or recycling and household hazardous waste.

26.314 **DOMESTIC SOLID WASTE** means the waste materials resulting from the usual routine of housekeeping, including garbage and rubbish and excluding all hazardous waste.

26.315 **DWELLING UNIT** means the same as *Residential Unit*.

26.316 **GARBAGE** means all animal, fish, fowl, fruit or vegetable waste incidental to the use, preparation and storage of food for human consumption. This term does not include food processing wastes from canneries, slaughterhouses and packinghouses, or hazardous waste.

26.317 **HAZARDOUS WASTE** means any material that has been identified by state or federal regulation to be unsuitable for disposal in a type II sanitary landfill or its state certified equivalent. (See Household hazardous waste for a clear definition of those items included in this category.)

26.318 **HOUSEHOLD HAZARDOUS WASTE** means those items and/or materials that have been designated by state and federal authorities as typical household usage byproducts, and which can be disposed of through household hazardous waste collection system.

26.319 **INDUSTRIAL SOLID WASTE** means all waste materials resulting from industrial or manufacturing operations or processes of every nature, including organic wastes from canneries, slaughterhouses, packinghouses and other industrial food processing operations. This term includes refuse material resulting from cleaning up in connection with such industrial or manufacturing operations, and refuse material resulting from offices, stores, lunchrooms warehouses or other operations established in conjunction with such industrial or manufacturing operations, as well as garbage and rubbish, and excludes hazardous waste.

26.320 **LEAF COLLECTION SEASON** means a period during the fall of each year as scheduled by the City Administrator during which a leaf collection service is provided in specified areas of the City.

26.321 **LEAVES** means the foliage from plants, shrubs and trees.

26.322 **MATERIAL COLLECTION PERMIT** means a permit issued by the City to a collection agent, which allows the collection agent the privilege to provide a specific type of solid waste which could include household hazardous waste and/or recyclable material collection service.

26.323 **MEDICAL WASTE** means any material that has been identified by state or federal regulation to be medical, biohazardous, or pathological waste and is subject to special handling and disposal regulations.

26.324 **MULTIPLE RESIDENTIAL** means residential establishments consisting of three or more dwelling units.

26.325 **MUNICIPAL SOLID WASTE** means rubbish and garbage consisting of certain discarded products incidental to housekeeping and mercantile enterprises that are not recyclable. Such waste shall be classified as either domestic, commercial or industrial solid waste as further defined in this section, and excludes hazardous waste.

26.326 **PERMITTED COLLECTOR** means a collection agent who has received a material collection permit from the City.

26.327 **PERSON IN CHARGE** means the owner, proprietor, occupant or agent in charge of any premise, whether an individual, partnership or corporation.

26.328 **PREMISES** means a parcel of land, including any buildings, structures or appurtenances within the City, which includes the adjoining street, right-of-way or legal easement, separated from adjacent parcels of land by legal description.

26.329 **RECYCLABLE MATERIAL** means materials specifically designated in accordance with the provisions of this chapter to be separated from solid waste for the express purpose of preparation for and delivery to a secondary market or other use.

26.330 **REFUSE** means the same as solid waste.

26.331 **RESIDENTIAL SOLID WASTE** means the same as domestic solid waste.

26.332 **RESIDENTIAL SOLID WASTE COLLECTION** means weekly solid waste pickup from residential buildings with no more than two dwelling units.

26.333 **RESIDENTIAL UNIT** means a building, or portion thereof, designed for occupancy exclusively by one family for residential purposes and having cooking facilities and separate sanitary facilities.

26.334 **RUBBISH** means the miscellaneous waste materials resulting from housekeeping and ordinary mercantile enterprises, including material such as packing boxes, cartons, excelsior, paper ashes, cinders, glass, metal, plastic and rubber, and excluding hazardous waste.

26.335 **SOLID WASTE** means garbage and rubbish. This term does not include human body waste, liquid waste, materials that have been separated either at the source or a processing site for the purpose of reuse, recycling or composting, or any material that has been identified by state or federal regulation to be unsuitable for disposal in a type II sanitary landfill or its state designated equivalent.

26.336 **SPECIAL REFUSE** means furniture, washing machines, clothes dryers, refrigerators and other household appliances, other bulky refuse items, excluding construction and demolition debris, that are unsuitable for regular solid waste collection services.

26.337 **SPECIAL REFUSE BAG** means a bag sold by the company and/or its designee for the purpose of collection, except not on large item days. Special refuse bags shall be of a distinctive color or material and printed with the company seal or other appropriate words which indicate the use of the bag.

26.338 **TYPE II SANITARY LANDFILL** means as defined in part 115 of Public Act No. 451 of 1994 (MCL 324.11501 et seq.), or a state equivalent designation.

26.339 **YARD WASTE** means grass clippings, leaves, weeds, hedge clippings, garden waste and twigs.

26.340 **YARD WASTE COLLECTION** means collection service provided by a contracted permitted collector or the City as determined by the City Council and/or City Administrator.

CHAPTER 26.4 **DISPOSAL OF SOLID WASTE GENERALLY**

A person shall dispose of his solid waste and segregate items as provided in this chapter, or as specified by subsequent resolution of the City Council, from all other solid waste produced and shall separately bundle or contain such items for proper disposal, collection and/or recycling, in accordance with the provisions set forth in this article.

CHAPTER 26.5 **ACCUMULATION OF SOLID WASTE**

26.501 **ACCUMULATION OF REFUSE.** No owner and/or manager of a residential dwelling unit, commercial establishment or industrial facility shall permit the accumulation of refuse, rubbish or garbage upon his premises for a period that would pose a health hazard, subject adjacent property occupants to unreasonably offensive odors or become a public nuisance. The accumulation of refuse, rubbish or garbage for a period in excess of seven days shall be prima facie evidence of posing a health hazard and creating a public nuisance.

26.502 **COMPOSTING STORAGE.** Leaves, yard waste and vegetable waste may be stored for composting purposes in a manner which will not harbor rodents, subject adjacent property owners to an unreasonably offensive odor or become a public nuisance, and stored in required rear yards, enclosed and not closer than ten feet from property line.

26.503 **ALLEY OR LAWN EXTENSION.** In the case of an alley or lawn extension, which consists of the area between the sidewalk and the street, where refuse, rubbish, garbage or yard waste are or have been deposited, it shall be the duty of each owner or occupant of such lot or premises to remove from the half of such alley adjoining the lot or premises, or the entire lawn extension adjoining such lot, all such substances.

CHAPTER 26.6 **UNAUTHORIZED DUMPING AND LITTERING**

26.601 **UNAUTHORIZED THROWING OR DEPOSITING OF REFUSE.** It shall be unlawful for any person to throw or deposit any refuse upon or into any street, right-of-way, alley, portable or nonportable container or upon any other property or premises,

public or private, without the permission of the owner, proprietor, occupant or agent in charge of such premises.

26.602 **ALTERNATE MEANS OF DISPOSAL.** Residential units not using the franchised City collection system may be required to prove alternate means of disposal of solid waste. Only the awarded franchise company can pick up residential solid waste in the City.

CHAPTER 26.7
PRECOLLECTION REQUIREMENTS; SEPARATION; CONTAINERS

26.701 **PRECOLLECTION; SEPARATION AND CONTAINER REGULATION.** All persons within the City who place the following items for disposal, removal or collection shall do so in strict conformity with the following regulations:

- a. **SOLID WASTE.** Solid waste shall be separated and contained in an approved bag or in another acceptable solid waste container which is clearly marked with a City solid waste tag.
- b. **YARD WASTE.** Yard waste shall be separated as required by the City and contained in an approved clear plastic or compostable bag and placed at the road side. During the Fall leaf collection season, leaves may be placed loosely at the curb for the City leaf collection services. Off season leaves will be placed in clear plastic or compostable bags.
- c. **SPECIAL REFUSE.** All special refuse shall be separated and must be removed using an approved method. Approved methods of removal shall be limited to:
 - (1) Arrangements with a permitted collector;
 - (2) Transport to a City designated collector and transfer site; or
 - (3) by tagging the debris with a City special refuse tag for collection by the City.
- d. **BULK RUBBISH.** All bulk rubbish, such as cardboard containers, wooden crates and similar rubbish, shall be separated, flattened and tied in bundles or packed in suitable containers or a size that may be readily handled by one collector, and in no case shall such bundle or container be larger than that which is approved by the permitted contractor.
- e. **BRUSH.** All brush shall be separated and placed at the curb. Tree limbs must be piled with cut ends all facing toward the road. Tangled piles may be refused until straightened out.
- f. **INDUSTRIAL SOLID WASTE.** All industrial solid waste shall be collected by permitted collectors privately contracted for by the industrial user, and shall otherwise comply with the provisions of this chapter.
- g. **CONSTRUCTION AND DEMOLITION DEBRIS.** All construction and demolition debris shall be separated and collected by permitted

contractors privately contracted for by the person who produced the waste, and shall otherwise comply with the provisions of this chapter.

- h. **HAZARDOUS WASTE.** All hazardous waste, except household hazardous waste, shall be separated and collected by permitted collectors privately contracted for by the person who produced the waste, and shall otherwise comply with the provisions of this chapter.
- i. **HOUSEHOLD HAZARDOUS WASTE.** All waste classified as household hazardous waste by local, state and federal regulations shall be separated and disposed of through the collection system of the City, county or private contractors, when available.
- j. **MEDICAL WASTE.** All medical waste shall be separated and disposed of in accordance with all applicable state and federal regulations and shall be collected by permitted contractors privately contracted for by the person who produced the waste, and shall otherwise comply with the provisions of this chapter.

26.702 **USE OF UNAPPROVED BAGS OR CONTAINERS.** Items not placed in an approved bag/container along with proper payment to the company will not be picked up, unless otherwise provided in this chapter. The collection of municipal solid waste is conditioned upon the observance of all provisions of this chapter. Collection is subject to weather and other conditions beyond the City's control.

CHAPTER 26.8 **CITY BAGS AND TAGS**

26.801 **SPECIFICATION.** The specifications for City bags and/or tags and their use shall be promulgated by the City Administrator.

26.802 **PRICES.** The prices for City residential waste collection shall be determined from time to time by resolution of the City Council.

26.803 **SALE AND PURCHASE OF WASTE BAGS.** The City or its authorized representatives may sell City solid waste bags to individuals and/or participating sales establishments. Participating sales establishments shall sell such bags for not more than the price specified by the City Council.

26.804 **ALLOWABLE WEIGHT.** The gross weight of the City solid waste bags when filed with waste, shall not exceed 50 pounds, with the exception being set forth in Section 26.805 of this Ordinance.

26.805 **USE OF CART OR RECEPTACLE.** The collector may provide a cart or receptacle which would allow more weight.

CHAPTER 26.9
RECEPTACLES

26.901 **PROVISION.** The owner, manager or occupant of a building, house or structure where refuse accumulates shall provide and maintain proper refuse receptacles as defined in sections 26.904 and 26.905 of this chapter, and shall place, or cause to be placed, in such receptacles all refuse accumulating on the premises, provided that bulk rubbish may be stored in a condition properly prepared for collection as specified in this chapter.

26.902 **RESIDENTIAL AND SMALL COMMERCIAL.** The person in charge of every single-family or two-family building or small commercial establishment where refuse accumulates shall provide and keep clean and in place proper receptacles to house their bagged waste.

26.903 **COMMERCIAL, INDUSTRIAL AND MULTIPLE RESIDENTIAL.** The person in charge of a building consisting of three or more dwelling units, and every building used for a commercial or industrial business, shall provide and keep clean and in place proper receptacles of a portable type as defined in section 26.904 of this chapter provided that where the City Administrator determines that portable receptacles are not practical for multiple dwellings, commercial or industrial businesses, he may authorize the use of nonportable receptacles of a type that can be mechanically hoisted by a refuse collection vehicle, and with specifications established and approved by the City and as defined in section 26.905 of this chapter. All such receptacles for commercial or industrial businesses shall be placed upon the facility owned by the commercial or industrial business and not upon the City owned property.

26.904 **PORTABLE RECEPTACLES.** Portable receptacles for residential refuse shall be of metal, fiberglass, plastic or other substantial construction approved by the City Administrator. Such receptacles shall have handles or balls and tightfitting covers and shall not exceed 96 gallons each in capacity. The City Administrator may approve the use of plastic bags of a capacity and quality specified by him for the storage and disposal of solid and/or yard waste. In no event shall the gross weight of receptacles, and the waste they contain, exceed 50 pounds.

26.905 **NONPORTABLE RECEPTACLES.** Nonportables receptacles for solid waste shall be of substantial construction, and built of similar material used on the residence, with a capacity of not more than eight cubic yards, and shall meet all specifications established by the City Administrator on the basis of the requirements of the solid waste collection equipment being used by the City or a permitted collector, and the necessities of health and safety. All garbage shall be properly wrapped or placed within a closed plastic bag before its is placed in a nonportable receptacle.

26.906 **NONCONFORMING RECEPTACLES.** Receptacles that are badly broken or otherwise fail to meet the requirements of this chapter may be classified as rubbish and, after due notice to the owner, may be collected as rubbish by the collection contractor.

26.907 **LOCATION.** All nonportable receptacles shall be placed and collected in the location designated by the City. Such receptacles shall be located so that the permitted collectors will not have to trespass on private property in order to pick up such

receptacles. In no event shall nonportable receptacles be placed in or upon public property, easements, or public right-of-ways. All portable receptacles shall be stored within the side or rear yards of the premises, and shall not be set out for collection prior to 12:00 noon preceding the day of collection, and after the receptacles are emptied they shall be returned to their place of storage on the same day collections are made. Points of collection shall be determined by the City. No empty portable receptacles shall be stored on City property on required side or front yard.

CHAPTER 26.10
MATERIALS PROPERTY OF CITY

After their placement at the curb for collection, any leaves, yard waste or recyclable material required to be separated from the residents' solid waste in accordance with this chapter, shall be the property of the City or its authorized agent. No person shall take, collect or transport any leaves, yard waste or recyclable material from any street, right-of-way, alley or dumpster of the City without authorization by the City.

CHAPTER 26.11
MATERIAL COLLECTIONS FRANCHISE

26.1101 **GRANT OF NONEXCLUSIVE FRANCHISE.** This Ordinance grants a nonexclusive, revocable franchise to **Waste Management of Michigan, Inc.- Lansing District**, its successors and assigns, the right, power, and authority for garbage and trash collection from residences and rental units within the City of Carson City, Montcalm County, Michigan for a period of two (2) years.

26.1102 **RENEWAL OF FRANCHISE.** This Ordinance and franchise, or renewal of any franchise or extension thereof or amendment thereto, is subject to revocation at the will by the City Council.

26.1103 **MATERIAL COLLECTION PERMIT.** It shall be unlawful for any person to engage in the business or practice of collection or disposing of residential solid waste, leaves, yard waste or recyclable materials without first obtaining a material collection permit in the manner outlined in this chapter.

26.1104 **MATERIAL COLLECTION PERMIT APPLICATION REQUIREMENTS.**

No material collection permit shall be issued, except upon application to the City Comptroller. At a minimum, the application must include the following information when appropriate:

- a. A description of the methods and equipment which the applicant proposes to use for collecting solid waste, leaves, yard waste, household hazardous waste and/or recyclable material in the City.
- b. A description of the type of collection to be provided, and the part of the City which such collection will affect.
- c. A plan for meeting the precollection requirements set forth in this chapter.
- d. Proof of liability insurance as required by City policy.
- e. A plan for meeting all collection and disposal requirements set forth in other relevant city, county, state and federal regulations, as appropriate.

- f. The name and address of the sites to be used to dispose of each material collected.
- g. Proof of access to and use of an adequate and approvable materials recovery facility, composting facility or permitted disposal area.
- h. Such other facts as the Administrator may from time to time require for the purposes of determining whether the applicant complies with all laws, rules or regulations established by the city, county, state or federal government in regards to waste handling and/or disposal.

26.1105 **SUBMISSION AND APPROVAL OF APPLICATIONS.** The City Comptroller shall submit all permit applications to the City Administrator who may approve such applications as deemed to be in the best interests of the City and its inhabitants.

26.1106 **ESTABLISHMENT OF PERMIT FEES.** The City Council may establish by resolution a permit fee to be paid by the applicant upon receipt of the material collection permit.

26.1107 **ISSUANCE OF PERMIT.** Whenever an application made under this chapter has been approved by the City Administrator, the City Comptroller, upon payment of any established fee by the applicant, issue a material collection permit.

26.1108 **EXPIRATION OF PERMITS.** Unless revoked under circumstances provided in this chapter, every material collection permit shall expire on the next succeeding January 1 following its issuance or successful completion of a bid.

26.1109 **RESTRICTION OF NUMBER OF PERMITS.** The City may restrict the number of material collection permits issued and the scope of service of such permits based on the:

- a. Geographic area to be served;
- b. Population sector to be served, such as single-family residential, multiple residential or commercial;
- c. Type of material to be collected;
- d. Points of collection, such as the curb, alley or other location; and/or
- e. Schedule of such collections.

26.1110 **SCOPE OF PERMIT.** A material collection permit may be used only for the scope of services expressly stated in the permit.

26.1111 **REVOCAION OF PERMITS.** A material collection permit issued under this chapter may be revoked if:

- a. Any part of this chapter, or other relevant city, county, state or federal regulation is violated; or
- b. The terms of the permit are violated.

26.1112 **SPECIFIED TERMS OF PERMIT.** No permitted collector shall dispose of solid waste, leaves, yard waste, household hazardous waste and/or recyclable materials at sites other than those specified in the terms of the collector's material collection permit.

26.1113 **BOND.** Permitted collectors shall provide a bond in the amount as adopted by resolution of the City Council from time to time for damage to public or private property while collecting, transporting or disposing of the solid waste or recyclable material.

26.1114 **INSPECTIONS.** Each unit of transportation and each permitted collector provided receptacle may be inspected in accordance with a procedure established by the City Administrator to determine that the permitted contractor has in operation only units and receptacles which are proper, hygienic and not contributory to litter.

CHAPTER 26.12 TRANSPORTATION OF WASTE MATERIALS

26.1201 **MODE OF TRANSPORTATION.** The transportation of all garbage, offal, rubbish or other waste materials through the streets, alleys or thoroughfares of the City shall be conducted in a manner which does not create a nuisance. It shall be unlawful for any person to transport, cart, carry or convey through or over any of the streets, alleys or public places of the City any garbage, unwashed refuse or unwashed food containers without the written consent of the City Administrator. Whenever such permission is granted, the vehicle used for such purposes shall be watertight and provided with suitable covering. It shall be unlawful for any person to transport or otherwise convey through or over any of the streets or public places of the City any rubbish or other waste material, except under written regulations or with the written consent of the City Administrator, except rubbish or waste material accumulating on property owned or controlled by him, and then only by approved methods of conveyance.

26.1202 **CONVEYANCE VEHICLES.** Vehicles conveying waste must be of such construction and operated in such a manner that the contents shall not spill upon the public streets or alleys, into the air, or otherwise create a nuisance.

CHAPTER 26.13 AUTHORITY, COSTS, NOTICE TO REMOVE

26.1301 **NOTICE TO REMOVE.** The City Administrator is authorized and empowered to notify in writing the owner, proprietor, occupant, agent and/or tenant of any premises to remove solid waste, yard waste, special waste, household hazardous waste and/or recyclable material accumulated on such premises and not disposed of in compliance with this chapter, unless such items are on the abutting public property or public right-of-way, in which case no notice is required. Such notice shall be made by hand delivery or certified mail, addressed to the owner and/or tenant at the last known address.

26.1302 **FAILURE TO REMOVE.** If solid waste is not removed from the premises within six days after the date of the mailing of such notice, or if the waste material is on abutting public property or a public right-of-way, the owner, proprietor, occupant, agent and/or tenant of the premises shall be subject to penalties as set forth in this Chapter and Chapter 26.17 of this Ordinance. The City Administrator is authorized and

empowered to contract and pay for the removal of the waste or recyclable material, or to order such removal by the City.

26.1303 **COST.** When the City has effected the removal of such waste material, or has paid for its removal, the actual costs of such removal, plus a ten percent penalty of a minimum of \$10.00, plus accrued interest at the rate of one percent per month from the date of removal, shall be charged to the owner of the premises and forwarded by the City to the owner, and the charge shall be due and payable upon receipt.

26.1304 **FAILURE TO PAY COSTS.** Where the cost of removal is not paid by the property owner within 60 days after the removal of such waste as set forth in section 26.1402 and 26.1403 of this chapter, the City Administrator shall cause to be recorded in the treasurer's office a statement of the date and premises on which such removal was done. The recording of such statement shall constitute a lien on the property and shall remain in full force and effect for the amount due in principal and interest until final payment has been made and shall be collected in the manner provided by law for collection of taxes; further, the total amount shall be subject to a delinquent penalty of one percent per month if such amount is not paid in full on or before the delinquent date of the tax bill upon which the charge appears. The sworn statements recorded in accordance with the provisions of this chapter shall be notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the premises described in the statement that such charge is due.

CHAPTER 26.14 **PROHIBITED WASTE**

26.1401 **PROHIBITED WASTE.** It shall be unlawful for any person to place any material in a container or receptacle which might endanger the collection personnel, or to deposit or deliver to a disposal site any hazardous material, waste material which would be detrimental to the normal operation of collection, incineration, recycling or disposal, such as gaseous, solid or liquid poison, dead animals, ammunition, explosives, inflammable liquid, undrained garbage of a liquid or semiliquid nature, whether in containers or not, concrete, dirt, automobile or equipment parts, or any material that possess heat sufficient to ignite any other collected materials. No motor vehicle shall be dumped or abandoned at any disposal site.

26.1402 **PROHIBITED PLACEMENT** It shall be unlawful for any person to place leaves, yard waste, household hazardous waste specifically required to be separated from solid waste by this chapter or City Council resolution, in a refuse container for the purpose of refuse collection, removal or disposal, nor otherwise dispose of such item, except in conformance with the provisions of this chapter.

26.1403 **USE BY NONRESIDENTS.** The City solid waste disposal and resource recovery program is designed to accommodate the needs of residents of the City. Nonresidents are strictly prohibited from disposing of solid waste through the program. All violators will be prosecuted to the fullest extent allowed by law and/or provisions of this chapter.

CHAPTER 26.15
**PRIVATE COLLECTION AND TRANSFER SITE;
UNAUTHORIZED DUMPING**

26.1501 **ALLOWABLE PRIVATE COLLECTION.** The City Administrator, with the approval of the City Council, is authorized to permit the use of private property within the City as a private collection and transfer site subject to such reasonable terms and regulations as deemed necessary for the protection of the public, which rules and regulations shall at all times be subject to revision, cancellation, alteration or amendment by the City Council; provided, however, that any such permit shall be revocable at any time without cause and without previous notice by the City Administrator or the City Council.

26.1502 **UNLAWFUL DUMPING.** It shall be unlawful for any person to dump or deposit any waste or recyclable material in the City, except in a collection and transfer site duly designated as such by the City Administrator and/or City Council.

CHAPTER 26.16
ENFORCEMENT

Enforcement of this Ordinance shall be the responsibility of the City Administrator and/or designee. The City Administrator is authorized and directed to establish and promulgate reasonable regulations as to the manner, days and times for the collection of waste or recyclable material with a permitted collector. The City Council may, by majority vote, change, modify, repeal or amend any portion of this Ordinance. City officials charged with the enforcement of this Ordinance may be authorized to issue tickets for violations relative to any part of this Ordinance.

CHAPTER 26.17
RULES AND REGULATIONS

The City Administrator shall promulgate rules and regulations to carry out the provisions of this Ordinance.

CHAPTER 26.18
CONFLICTING ORDINANCES REPEALED

On the effective date of the adoption of this Ordinance, all other conflicting ordinances, resolutions or rules regarding compensation for the Mayor and City Council are hereby repealed, rescinded and superseded by the provisions of this Revised Ordinance.

CHAPTER 26.19
SEVERABILITY

If any chapter, section, subsection, paragraph, sentence, clause, phrase or portion of this Revised Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereof.

CHAPTER 26.20
EFFECTIVE DATE

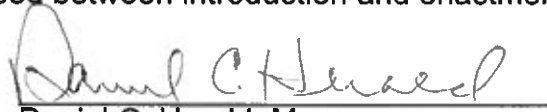
This Ordinance shall become effective 30 days after its publication, or 30 days after publication of a summary of its provisions in the Carson City Gazette

CHAPTER 26.21
PUBLICATION

A summary of the Revised Ordinance was published in the Carson City Gazette on August 4, 2003 pursuant to Section 7.4(b) of the Charter of the City of Carson City, with copies being available at City Hall.

CERTIFICATION

We the undersigned, as Mayor and City Comptroller of the City of Carson City, Michigan, do hereby certify that this Revision I Ordinance Number 26, of the City of Carson City, was introduced at a regular meeting of the City Council held on June 17, 2003, and was thereafter adopted and passed at a regular meeting held on July 15, 2003 by a vote of five (5) for; zero (0) against; zero (0) abstaining, and one (1) being absent, with that appropriate time having elapsed between introduction and enactment.


Daniel C. Herald, Mayor

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Janet Kelly, City Comptroller