

VILLAGE OF LAKE LINDEN

ORDINANCE SERIES 2000 - UTILITIES AND SERVICES

THE VILLAGE OF LAKE LINDEN ORDAINS:

Chapter 2001 Amended: Garbage, Rubbish, Trash and Refuse Collection and Disposal

1. **Definitions.** In the construction and application of this Ordinance, the words “garbage, rubbish, trash and refuse” shall be given their common and ordinary meaning, and include putrescible wastes, such as food waste and animal entrails, bottles, cans, papers, and any other useless or rejected matter, such as dirt, ashes and any other material, and which by its decomposition or composition could become offensive to human beings or detrimental to health, or create or tend to create a nuisance. However, sewage and human waste are not within the definition of garbage and shall not be deposited therein.
2. **Disposal.** No garbage, rubbish, trash or refuse shall be placed by any person upon the land of another, vacant or otherwise, public or private, within the Village, whether such lot be enclosed or otherwise, without the written authorization of the Village President. It shall be further unlawful for any person to deposit or place in any manner whatsoever in or upon any public sidewalk, street, alley, or other public place in the Village, any garbage, rubbish, trash and refuse, of any kind.
3. **Collection.** All garbage, rubbish, trash and refuse shall be collected weekly and deposited for collection at a place, time and in such manner on a day as may be designated by the Village President.
4. **Containers.** For the proper and economical collection of garbage, rubbish, trash and refuse, every owner of or tenant occupying premises in the Village shall place all matter for collection in color-coded bags and store the same in containers, which are properly sealed and in good condition at the owner’s sole expense.
5. **Storage.** All receptacles utilized for garbage, rubbish, trash and refuse storage or pickup shall be subject to the approval of the Village President and so far as possible shall be placed as close to the public road abutting the property for pickup only at the designated collection times on the day thereof and shall be easily accessible to the collector. The keeping or storage of garbage, rubbish, trash and refuse on any street, alley, park, or public place in the Village is absolutely forbidden.
6. **Winter Pickup.** In the case of the owner or tenant occupying premises not abutting upon a street, or if the streets are impassible during the winter months, the Village President shall designate the time and place for the collection of garbage, rubbish, trash and refuse.

7. Collection and Disposal.

a. Each occupied household and occupied commercial place in the Village shall pay an annual fee for the collection of garbage, rubbish, trash and refuse. This charge shall be billed by the Village annually commencing on April 1st, and due and payable within 30 (thirty) days thereafter. Every occupied household or commercial place in the Village who shall fail to pay the annual fee within thirty (30) days from the date of billing, shall pay an additional administrative fee. If any billing for collection service shall remain unpaid, the amount thereof shall constitute a lien on the real property for which this service is provided. If any delinquency extends beyond sixty (60) days from the date of the statement, the Village Clerk shall serve a final notice by first class mail to the user that if the delinquency is not paid in full upon receipt of such notice, collection service shall be terminated until payment in full, notwithstanding the residence or commercial place complies with the other provisions of this Ordinance. Any collection service charges delinquent for six (6) months or more shall be certified annually, on March 1 of each year, by the Village Clerk to the Treasurer who shall place the same on the next tax roll of the Village. Such charges so assessed shall be collected in the same manner as general Village taxes. In addition, the Village may, at its discretion, require prepayment on the account as a protection against possible future delinquencies.

- (1) "Household" shall mean a residential unit of persons. An apartment house shall be a residential unit.
- (2) "Commercial place" shall be broadly construed to mean every enterprise, organization or institution in the Village regardless of whether it is operated for profit.
- (3) "Occupied" shall mean a person, firm or corporation' who lives or resides in a residential unit, in whole or part, or conducts business or activities from a household or commercial place as herein defined.

Any household or commercial place established in the Village after February 1, 1999, and annually thereafter, shall pay the Village the collection fee pro rata for the months remaining in a given year after the first of February of each year and including the month of January of the year following.

- b. Every household or commercial place in the Village shall use color-coded garbage bags. Color-coded bags shall be available at the Village Hall. The provisions hereof shall not be applicable to any residence or commercial place which uses an approved dumpster, excepting any overflow therefrom.
- c. Any household or commercial place using a 2-cubic yard dumpster shall pay bi-monthly fee for one weekly pickup. Any overflow of a dumpster shall be placed in a color-coded bag(s) as further identified herein.

- d. All color-coded bags must be properly sealed and not left open, excepting those containing 100% cardboard or paper for disposal.
- e. Any person who has a dumpster or the use thereof shall keep it in a clean and sanitized condition.
- f. In addition to any other provisions provided by law or contained herein, the Village may refuse to provide collection service to any person, firm or entity who fails to comply with this Ordinance. The Village may also sue for damages for any unpaid charges hereunder in any court having jurisdiction.

8. Tampering Prohibited. It shall be unlawful for any person to enter, tamper with, or deposit garbage, rubbish, trash and refuse into any dumpster or color-coded collection bag which they do not own or did not purchase. Any violation of this provision shall be a trespass.

9. Burning Prohibited, It shall be unlawful for any person, firm or corporation to burn garbage, rubbish, trash, refuse or any other matter within the boundaries of the Village without having first secured a written permit from the Village President and such other governmental authority as may be required by law.

10. Rates and Fees. Rates and fees identified in this ordinance shall be set by Council Resolution.

11. Violation. Any person violating this Ordinance shall, upon conviction, be guilty of a misdemeanor punishable by a fine of not more than \$500.00, or by imprisonment of not more than 90 days in the County jail, or by both. Any person so convicted shall be liable for the costs of prosecution.

12. Effective Date. This Ordinance Series 2000 - Utilities and Services, Chapter 2001 for Garbage, Rubbish, Trash and Refuse Collection and Disposal with respect to rates and charges is effective immediately. Any provision herein with a criminal sanction shall be in force upon the expiration of thirty (30) days after publication as required by law.

This Ordinance is adopted and approved by the Village Council of Lake Linden on the 11th day of February, 1999.

Ordinance Series 2000, Chapter 2001, Garbage, Rubbish, Trash and Refuse Collection and Disposal, Sections 7a, 7b, 7c, 10, 11, and 12, amended on the 15th day of May, 2008.

The Village Clerk shall certify to the adoption of this ordinance and cause it to be published as required by law.

Dated this _____ day of _____, 2008

VILLAGE OF LAKE LINDEN:

Robert A. Poirier, Clerk

ATTEST:

James M. Aittama, President

CERTIFICATION

STATE OF MICHIGAN)

) ss.

COUNTY OF HOUGHTON)

I, Robert Poirier, Clerk of the Village of Lake Linden, do hereby certify that the attached Series 2000 – Garbage, Rubbish, Trash and Refuse Collection and Disposal, Further Amended Chapter 2001-- Village of Lake Linden Garbage, Rubbish, Trash and Refuse Collection and Disposal Ordinance was adopted by the Village of Lake Linden Council at a meeting held on May 15th, 2008; and that said meeting was open to the public and complies in all respects with the Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand on May 16th, 2008.

Robert Poirier, Village Clerk

[SEAL]