

**LYON TOWNSHIP**  
**ROSCOMMON COUNTY, MICHIGAN**

**ORDINANCE NUMBER 34**

**ADOPTED: FEBRUARY 19, 1993**

**PUBLISHED: MARCH 28, 1993**

**Effective date 30 days after publication**

**REFUSE AND BULK ITEM COLLECTION SERVICE**

**PURPOSE AND INTENT**

An ordinance enacted under MCL 1.181 and consistent with Acts 354 and 641 of the public acts of Michigan to establish a refuse collection service to residents; to provide for collection of bulk items; to provide for source separation and composting programs which may appropriate to enhance resource recovery and to reduce disposal costs; and to protect the public health and environment.

**TOWNSHIP OF LYON**  
**ROSCOMMON COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION 1**

**TITLE**

This ordinance shall be known and cited as Refuse and Bulk Item Collection Service

**SECTION 2**

**DEFINITIONS**

THE TOWNSHIP OF LYON, ROSCOMMON COUNTY, MICHIGAN ORDAINS:

Section 1: Definitions

- A. "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 or meat, fish, fowl, fruit or vegetable.

- B. “Refuse” means general waste materials not associated with food preparation including, but not limited to ash, cans, bottles, paper, cardboard and other miscellaneous refuse.
- C. “Yard waste” means grass clippings, leaves and weeds.
- D. “Pruning” means woody wastes, branches, discarded Christmas trees and similar items.
- E. “Debris” means any waste from demolitions or removal of trees, structures or fill materials such as, but not limited to concrete, lumber, stumps, and major branches (exceeding two inches in diameter), rocks, vehicles and their parts.
- F. “Hazardous wastes” includes, but is not limited to, hot ashes, coals,, oils, gasoline, poisons, solvents, lacquers or other explosive materials or such material defined as hazardous under Public Act 64 or 1979.
- G. “Miscellaneous Wastes” means all other materials including, but nit limited to, manufacturing or trade waste, human or animal wastes, dead animals and tires.
- H. “Source Separation” Means segregation of individual types of materials at the point of generation of discard, as opposed to their entry into mixed waste flow or refuse bin.
- I. “Composting” Means a deliberate, systemic effort to assist the natural decomposition process that all dead organic materials undergo to reduce them to a humus material useful as a soil amendment.
- J. “Materials” means garbage, refuse, yard wastes.
- K. “Bulk Items” means larger discarded items which cannot be picked up on a regular collection days by the Township collection service. Bulk items are further defined in Section 17 and 18 herein.
- L. “Recyclable Items” are defined in section 15

### **SECTION 3**

### **REGULATIONS**

Sec. 2: **TOWNSHIP-WIDE RESIDENTIAL REFUSE COLLECTION SERVICES ESTABLISHED**

There is hereby established a Township –wide weekly residential and commercial and industrial material collection service which shall be administered by the Lyon Township Board. Yard waste and bulk item collection shall be at the discretion of the Township Board.

Sec. 3: SCOPE OF SERVICE, DEFINED, EXCEPTIONS

Collection services shall be afforded only to owners and/or occupants of all residential unit sin the Township and to all commercial and industrial establishments in the Township exclusive of any of the above desirous to provide their own service.

Sec. 4: ACCEPTABLE MATERIALS FOR COLLECTION

Acceptable materials for collection when used in this Ordinance shall mean: garbage, refuse and yard wastes.

Sec. 5: UNACCEPTABLE MATERIALS FOR COLLECTION

Unacceptable materials for collection when used in this Ordinance and except as otherwise provided herein, shall include, but not be limited to, pruning, debris, hazardous wastes and miscellaneous waste.

Sec. 6: DISPOSAL OF MATERIALS

A. The owner or occupant of a residential unit or units, housing development, apartment or commercial or industrial establishment shall dispose of materials by any or all of the following options:

1. Utilizing the collection services provided by the Township, if available, and by adhering to the provisions of this Ordinance and the specific regulations of the contracted service.
2. Utilizing the services of a private rubbish hauler duly licensed for side purpose. Under no circumstances, however, will the Township be responsible for any tipping fees, removal costs or other liability incurred in same.
3. Utilizing an approved composting facility for yard wastes (or an individual backyard compost system, provided it is so operated as not to create a nuisance or hazard to the public health and general welfare).
4. Transporting and disposing of acceptable materials in an approved refuse disposal area, provided that the load of materials so transported is tightly covered and secured in order that no part of the load is lost. Under no circumstances, however, will the Township be responsible for any tipping fees, removal costs or other liability incurred in same

B. No person shall transport materials to a Township park or other Township property or the purpose of depositing same within the Township Property, or to any other container or service area not specifically designed and installed for their use.

C. No person shall transport materials to any other public property (state land, road right of-way. Etc.,) for the purpose of depositing same within said public property.

Sec. 7: ACCUMULATION OF MATERIALS

The owner or occupant of a residential unit or units, housing developments, apartment building complex or commercial or industrial establishment shall not permit the accumulation of materials upon the premises for a period of more than seven days. This does not apply to source separated materials.

Sec. 8: CONTAINERS FOR THE STORAGE OF ACCUMULATED MATERIALS

The owner or occupant of a residential unit or units, housing development, apartment, building complex or commercial or industrial establishment shall utilize a sufficient number of containers to conveniently store the accumulation of materials on the premises for a period not to exceed seven days. The containers used for the storage of accumulated materials between collections shall be of a rigid, leak-proof construction, shall have tight fitting covers which shall be kept securely closed, and shall be located prior to placement for collection, at the rear of side of the buildings at a reasonably inconspicuous manner, and away from streets and places occupied by other persons and in a manner not readily accessible to animals, children or the elements.

Sec. 9: REFUSE BAGS, RESPONSIBILITY AND USAGE

The owner or occupant of a residential unit or units, housing development, apartment, building complex or commercial or industrial establishment is required to provide sufficient leak proof trash to provide for the deposition and storage of materials between dates of collection. If the collection service is to be utilized, no more than five (5) bags per unit may be placed for any one collection.

Sec. 10: UTILIZATION OF TOWNSHIP-WIDE COLLECTION SERVICE CONDITIONS

The owner or occupant of a residential unit or commercial or industrial establishment qualifying under the provisions of this ordinance for the Township collection service and intending to use said service shall place all accumulated acceptable materials for collection in leak proof bags shall be tightly sealed. The bags intended for collection shall be placed by the owner or occupant of the residential unit or commercial or industrial establishment at an approved collection site no earlier than 7:00 p.m. of the day preceding the collection day and no later than 7:00 a.m. on the day of collection. The refuse bags intended for collection shall neither be broken nor weigh more than (30) thirty pounds when filled. The user of this service shall not place, or cause to be placed, any unacceptable materials for collection in any refuse bag intended for collection. Well-maintained, animal proof containers are allowed and encouraged for use at road edges, and only in such places as shall not obstruct traffic.

Sec. 11 SCATTERED OR UNACCEPTABLE MATERIALS,  
RESPONSIBILITY

The owner or occupant of a residential unit, or commercial or industrial establishment shall clean up and remove any scattered materials from the breakage or opening for any bag can, or other container intended for collection from that residential unit, or commercial unit or industrial establishment within 24 hours after the same has been scattered.

Sec. 12: SCHEDULE OF TOWNSHIP COLLECTION SERVICE

The schedule of routes and days for the Township collection service referenced in this Ordinance shall be determined by the Lyon Township Board. Bulk items as defined in Section 17 and leaf collection will occur every spring and fall at dates determined by the Lyon Township Board. Collection of source separated items as defined herein will be monthly on a specified date as determined by the Lyon Township Board.

Sec. 13: HOLIDAYS

Collection will not be made on normally recognized legal holidays. Whenever normal collections are interrupted by a legal holiday, the refuse collections will be delayed by one work day.

Sec. 14: SOURCE SEPARATION

All items designated for disposal on the specific recycling dates must be source separated from other materials and sorted into class of products as acceptable for the Lyon Township recycling program.

Recyclable items acceptable under this Ordinance shall include but not be limited to, newspapers, tin, numbers 1,2, and 3 plastics, brown, green or clear glass, aluminum, batteries and motor oil.

These items must be delivered by the owner or occupant of the residential unit or commercial or industrial establishment to the site determined by the Lyon Township Board, on the recycling day between the hours of 8:00 am and 4:00 pm only.

Sec. 15: COLLECTION OF YARD WASTES

The Township Board may direct that yard wastes, as defined in Section 1, be separated from other types of materials and placed in bags and that such yard wastes be collected in accordance with the provisions of this ordinance. Attendant storage provisions may be required for interim

storage of accumulated yard wastes prior to collection of such yard wastes by the Township.

Sec. 16: BULK ITEM SERVICE, SCOPE OF SERVICE

Bulk items collection service shall be offered to residential, commercial and industrial units each fall and spring at dates specified by the Township Board.

Sec. 17: ACCEPTABLE BULK ITEMS

Bulk items unacceptable for collection shall include, but not be limited to: discard furniture, appliances, toys, bicycles, and plumbing fixtures and barrels.

Sec. 18: UNACCEPTABLE BULK ITEMS

Bulk items unacceptable for collection shall include, but not be limited to: pruning, debris, hazardous wastes, logs, stumps, trees (including Christmas trees), building or demolition materials, concrete rocks, abandoned or junk vehicles including automobiles, trucks, buses, trailers, snowmobiles, ATV's or the parts thereof.

Sec. 19 UTILIZATION OF BULK ITEM SERVICES

The owner or occupant of a residential unit or commercial or industrial establishment intending to utilize bulk services shall comply with all regulation for such service whether implemented by the township or the service contractor.

All items containing Freon must have a certificate securely attached that the Freon has been discharged by a certified technician.

**SECTION 4**

**VIOLATIONS AND PENALTIES**

Any person who violates any of the provisions of this ordinance shall be deemed to be responsible for a Municipal Civil Infraction as defined by Michigan statute, punishable by a civil fine determined in accordance with the schedule:

	<u>Minimum Fine</u>
1 <sup>st</sup> offense within a 3-year period*	\$ 50.00
2 <sup>nd</sup> offense within a 3-year period*	\$125.00
3 <sup>rd</sup> offense within a 3-year period*	\$250.00
4 <sup>th</sup> or subsequent offense in a three-year period*	\$400.00

\*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Lyon Township has been put in connection with the Municipal Civic Infraction.

In addition, any violation of this ordinance is hereby declared to be a public nuisance per se which may be abated in Circuit Court in lieu of or in addition to other civil infractions.

Each day that a violation exists shall constitute a separate offense for enforcement purposes.

## **SECTION 5**

### **SEVERABILITY**

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this ordinance.

## **SECTION 6**

### **REPEAL**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

## **SECTION 7**

### **EFFECTIVE DATE**

This ordinance shall take effect 30-days after publication as required by law.