

VILLAGE OF EDWARDSBURG
CASS COUNTY, MICHIGAN
SOLID WASTE DISPOSAL
ORDINANCE NO. 95-01, AS AMENDED

AN ORDINANCE TO AMEND ORDINANCE NO. 95-01, AS AMENDED, ENTITLED:

"AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, AND TO PROVIDE FOR SANITARY AND EXPEDITIOUS REMOVAL AND DISPOSAL OF SOLID WASTE MATERIALS, TO PROVIDE FOR SEPARATION AND RECYCLING OF CERTAIN IDENTIFIABLE RECYCLABLE MATERIALS IN THE VILLAGE OF EDWARDSBURG, TO PROVIDE FOR STANDARD REGULATIONS AS TO CONTAINERS, SEPARATION OF VARIOUS TYPES OF SOLID WASTES, THE LICENSING OF PRIVATE SOLID WASTE HAULERS, AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF."

THE VILLAGE OF EDWARDSBURG AMENDS:

SECTION 2. SCOPE OF ORDINANCE

Every owner, occupant or person in possession of a residential premise in the Village of Edwardsburg shall be required to have accumulations of refuse removed and disposed of by a Private Solid Waste Hauler licensed by the Village of Edwardsburg. Every owner, occupant or person in possession of non-residential premises shall be responsible for storage, collection and disposal of non-residential solid wastes by any means authorized by law.

As used in this ordinance, "residential premises" shall exclude mobile homes in a mobile home park, where the mobile home park owner provides trash removal for the park residents, and shall further exclude certain multi-unit residential rental complexes, where the complex owner or manager provides trash removal, provided, that these exclusions shall not apply if solid waste removal is provided less often than weekly.

SECTION 3. DEFINITIONS

- (9) **COMMERCIAL REFUSE-** Every owner, occupant or person in possession of a commercial establishment shall be responsible for storage, collection and disposal of solid waste by any legal means. Commercial establishments shall include establishments for group eating, such as clubs, restaurants and institutions, and establishments such as, markets, commission houses, grocery stores, fruit and vegetable stands, bakeries, canneries, butcher shops and similar establishments. Garbage and food wastes need not be wrapped but shall be placed or stored in covered or closed containers. No garbage or food wastes of any description shall be burned in any container, receptacle or unapproved incinerator.
- (15) **MULTI-UNIT RENTAL COMPLEX-** A multi-unit rental complex is any residential rental complex which contains four (4) or more units located at a single address.
- (16) **ELDERLY PERSON-** An elderly person is any person 65 years of age or older.

SECTION 4. LICENSING OF PRIVATE SOLID WASTE HAULERS

B. CONDITIONS FOR GRANTING OF LICENSE- In order to be granted a license to operate as a private solid waste hauler in the Village of Edwardsburg, or to have a license renewed, an applicant must:

1. Comply with Village of Edwardsburg Solid Waste Ordinance No. 95-01
2. Comply with applicable State and Federal laws pertaining to Solid Waste.
3. Supply the Village of Edwardsburg with information reference to amounts of recyclable and compostable materials collected.

SECTION 11. ELDERLY DISCOUNT- All elderly persons, as determined by the Village Council, shall receive a discount for residential solid waste service provided by the private solid waste hauler. Elderly persons must make application for the discount at the Village Hall.

SECTION 14. LIEN ON RESIDENTIAL PREMISES

A. ASSESSMENT/PAYMENT- The charges for residential premises solid waste collection, shall constitute a lien on all said premises.

B. SPECIAL ASSESSMENT PROCEDURE

1. The Village treasurer shall, on March 31st, certify all unpaid charges for solid waste removal services furnished to any residential premise which, as of the above date, have remained unpaid for a period of six (6) months or more, to the Village Council.
2. The Village set the date, time and location for a public hearing to address the delinquencies.
3. The Village Council shall properly publish the Public Hearing date, time and location and shall also send notice of such Public Hearing, via first class mail, to all delinquent residential premise owners.
4. The Village Council shall adopt a resolution confirming the delinquencies and shall supply the assessment roll to the Village Treasurer, who shall in turn supply the assessment roll to the Village Assessor, to be placed on the tax roll as a lien against the property in the form of a Special Assessment.
5. The lien shall be placed on the tax roll due July 1.

MOTION TO ADOPT AMENDING ORDINANCE

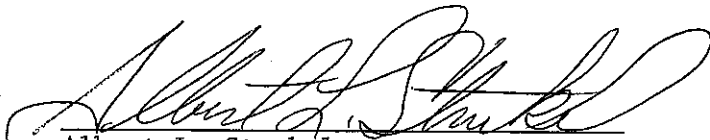
Motion made by Richard Cox and supported by Michael Seward
that the foregoing Amending Ordinance be adopted.

Vote: Yes 5
No 0
Absent 1

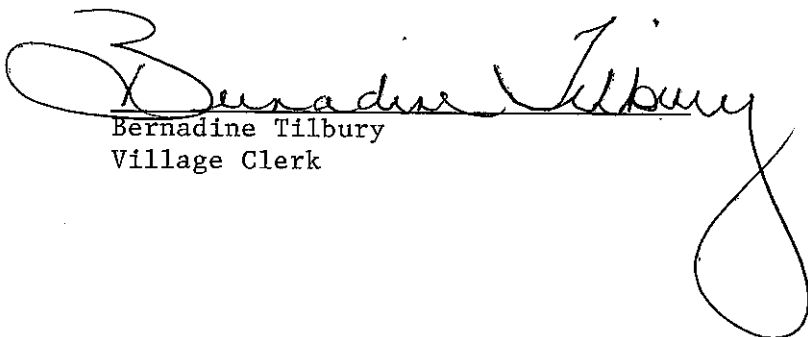
Amending Ordinance declared adopted at a regular meeting of the Edwardsburg
Village Council on March 17, 1997. To become effective on
March 31, 1997.

CERTIFICATION

I hereby certify that the foregoing is a true copy of an Amending Ordinance
duly adopted by the Village of Edwardsburg, Ontwa Township, Cass County,
Michigan on March 20, 1997 and a notice of the adoption to
be published in the Edwardsburg Argus, on March 27, 1997.



Albert L. Strukel
Village President



Bernadine Tilbury
Village Clerk