

DOUGLASS TOWNSHIP, MONTCALM COUNTY, MICHIGAN
THE DOUGLASS TOWNSHIP REFUSE ORDINANCE

Ordinance Number 92-2

SECTION I - PURPOSE

An ordinance to secure the public health, safety and general welfare by providing standards and regulations for the storage, placement and accumulation of refuse on premises not properly designated as a disposal area or solid waste transfer facility under the provisions of P.A. 641 of 1978; to prevent, reduce or eliminate blight, blighting factors, or causes of blight serving to adversely influence the scenic beauty and attractiveness of neighborhoods; to prevent or eliminate sources capable of containing or conveying infection or contagion or of creating sickness; to prevent or eliminate accumulations of refuse capable of providing habitat or harborage for pests and vermin; and to provide penalties for violations of this ordinance.

SECTION II - TITLE

This ordinance shall be known and may be cited as the "Douglass Township Refuse Ordinance."

SECTION III - LEGAL BASIS AND SCOPE.

This ordinance has been adopted under authority of P.A. 246 of 1945 and shall apply to all land in Douglass Township except a premiese properly designated as a disposal area or solid waste transfer facility established under the provisions of P.A. 641 of 1978. This ordinance shall not be construed to prohibit the establishment and maintenance of customary and incidental residential compost heaps for gardening purposes. This ordinance shall not apply to a facility or facilities established by a state, county or local governmental entity, or by a non-profit institutional, public service or philanthropic organization for the express purpose of serving as a point of collection for recyclable household glass containers, paper, cardboard, metal, metal containers, yard wastes or other similar recyclable household waste materials.

SECTION IV - DEFINITIONS

4.1 REFUSE

Refuse means all items of garbage and rubbish as defined herein.

4.2 GARBAGE Garbage means any putrescible food wastes, including, but not limited to accumulations of animal, fruit or vegetable matter used, intended to be used, or resulting from the preparation, handling and consumption of foods, excluding farm animal manure.

4.3 RUBBISH Rubbish means any nonputrescible solid waste, consisting of both combustible and noncombustible waste, including, but not limited to paper, cardboard, metal and plastic containers, metal, plastic, wood, glass, ceramic materials, crockery, bedding, furniture, fabric, demolished building materials, waste resulting from the construction, alteration or repair of buildings and structures, vehicle and motor vehicle tires and component parts, and litter of any kind.

4.4 PERSON A human being, association, firm, corporation or organization having legal rights and duties.

SECTION V - ACCUMULATION, PLACEMENT AND STORAGE OF REFUSE

It shall be unlawful for any person to accumulate, place, store or permit the accumulation, placement or storage of refuse on any premises in Douglass Township for a period of time exceeding forty-five (45) consecutive calendar days except on a premises properly designated as a disposal area or solid waste transfer facility established under the provisions of P.A. 641 of 1978.

SECTION VI - VIOLATION AND PENALTY

~~Any person who violates, disobeys, neglects or refuses to comply with any of the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$500.00, or imprisonment in the County Jail for 90 days, or both such fine or imprisonment, together with court costs, in the discretion of the court.~~

amended A-E

SECTION VII - NUISANCE

The accumulation, placement and storage of refuse in violation of this ordinance shall constitute a nuisance per se.

SECTION VIII - SEVERABILITY

The various parts, sections, subsections, sentences and paragraphs of this ordinance are severable. If any part, section, subsection, sentence and paragraph of this ordinance is judged unconstitutional or invalid, then the remainder of the ordinance

shall not be affected by such judgement.

SECTION IX - REPEAL

This ordinance shall repeal and supersede all other Douglass Township Ordinances and parts of ordinances that duplicate or conflict with the provisions of this ordinance.

SECTION X - EFFECTIVE DATE

I, Sharlene Hopp, Douglass Township Clerk, certify that this document is a true and complete copy of ordinance Number 92-2 adopted by the Douglass Township Board of Trustees on a motion by Hey and seconded by Anderson, at a special Board of Trustees meeting held on November 21, 1992.

Number of votes aye: -4-

Number of votes nay: -0-

Members voting aye: Anderson, Hey, Hopp & Jeppesen

Members voting nay: None Members absent: Rasmussen

ORDINANCE DECLARED ADOPTED

I certify that a true copy of this ordinance was published in the Greenville Daily News on Jan 6, 1993, and shall be effective 30 days after publication. I certify that a true copy of this ordinance was ~~published in the Greenville Daily News on~~ ^{filed with the County Clerk} in attestation, 1993, and shall be effective 30 days after publication.

Sharlene Hopp
Douglass Township Clerk

I further certify that an attested copy of this Ordinance was filed with the Montcalm County Clerk on _____ 1993