

Chapter 1060
Garbage and Rubbish Collection and Disposal

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CROSS REFERENCES
Health and sanitation generally - see Mich. Const. Art. 4, Sec. 51; M.C.L.A. Secs. 325.1 et seq., 327.1 et seq., 750.466 et seq.; GEN. OFF. Ch. 674
Garbage and refuse generally - see M.C.L.A. Secs. 46.171 et seq., 123.241 et seq., 123.361 et seq.
Municipal authority - see M.C.L.A. Secs. 123.301 et seq.
Nuisances generally - see GEN. OFF. Ch. 654
Depositing of garbage and rubbish in Manistee River or Manistee Lake - see GEN. OFF. 670.02
Burning of garbage and rubbish - see GEN. OFF. 674.02

1060.01 DEFINITIONS

As used in this chapter, unless the context specifically indicates otherwise:

- A. "Building materials" means all refuse material resulting from the raising, repair, excavation or construction of buildings or structures, including, but not limited to, lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in the construction of a structure.
- B. "Contractor" means the contractor hired by the City to collect refuse as defined herein.
- C. "Hazardous waste" includes dangerous materials or substances, such as poisons, acids, caustics, infected materials, explosives and other materials not suitable for a Class II landfill.

- D. "Junk" includes parts of machinery or motor vehicles, boat hulls, unused stoves or other appliances, furniture or other cast-off material of any kind, except building material, refuse and yard waste.
- E. "Living unit" includes any single-family dwelling and each living unit in a multiple dwelling.
- F. "Refuse" includes all of the following: kitchen wastes, including cans, bottles, household food, accumulations of animal food and vegetable matter attendant to the preparation, use, cooking and serving of food; general household trash, including ashes, empty cartons, crates, boxes, wrapping materials, newspapers, magazines, cloth materials, empty cans, discarded toys and similar materials; and all miscellaneous debris, except building materials, junk, hazardous waste and yard waste.
- G. "Solid waste" includes building materials, hazardous waste, junk, refuse and yard waste, generically referring to subsections A, C, D, F and H hereof.
- H. "Yard waste" includes grass clippings, weeds, bushes, brush clippings and branch clippings when such are capable of being disposed of in bags provided by the City. (Ord. Unno. Passed 3-20-90.)

1060.02 PURPOSE AND INTENT; PROMULGATION OF RULES AND REGULATIONS BY CITY MANAGER

It is the intent of the City Council that this chapter be liberally construed for the purpose of providing a sanitary and satisfactory method for the collection and disposal of all solid wastes. The City Manager is hereby authorized to make such rules and regulations as from time to time are necessary to carry out this intent, provided, however, that such rules and regulations may not be in conflict with this chapter or any other ordinance of the City and are subject to approval by the City Council. (Ord. Unno. Passed 3-20-90.)

1060.03 UNLAWFUL DEPOSITS OF SOLID WASTE

- A. No person shall deposit or place any solid waste in any alley, street or other place within the City, except for collection and disposal as provided for in this chapter.
- B. The occupant of any premises within the City shall be responsible for the sanitary condition of the premises occupied by such occupant, and no person shall place, deposit or allow to be placed or deposited on his or her premises any solid waste, except as designated by the terms of this chapter.
- C. No persons shall deposit, throw or leave any solid waste on the premises of another person, and no person shall bury solid waste anywhere in the City.
- D. Any person responsible for generating or disposing of solid waste not covered by this chapter shall make arrangements for the collection and disposal of such solid waste and shall comply in all respects with the terms of this chapter. (Ord. Unno. Passed 3-20-90.)

1060.04 DISPOSAL OF BUILDING MATERIALS

The person responsible for generating building materials is responsible for the proper, lawful disposal of that building material. No building materials shall be placed in a dumpster or for curbside pickup. (Ord. Unno. Passed 3-20-90.) (Ord. 20-10 Passed 12-15-2020.)

1060.06 MANDATORY YARD WASTE RECYCLING/COMPOSTING PROGRAM

A mandatory yard waste recycling/composting program is hereby established in the City. Yard waste shall be disposed of in biodegradable bags under the rules and regulations of that program as established by the City, as provided for in Section 1060.02. (Ord. Unno. Passed 3-20-90.) (Ord. 20-10 Passed 12-15-2020.)

1060.07 PLACEMENT OF REFUSE CONTAINERS FOR COLLECTION

It shall be the duty of the owner, occupant or person in charge of any premises to cause to be placed in refuse receptacles or containers any and all refuse created or accumulated on his or her premises or under his or her control. It shall be the further duty of the owner, occupant or person in charge of any living unit to place or cause to be placed, on the day scheduled by the City for the collection of refuse from such premises, the receptacles or containers at such place or places as may be designated by the City. (Ord. Unno. Passed 3-20-90.)

1060.08 REFUSE CONTAINERS OR OTHER RECEPTACLES USED FOR COLLECTION

It shall be the duty of the owner, occupant, or person in charge of any premises to only use City approved refuse containers as determined by Council Policy, Council Resolution or Ordinance. (Ord. 20-06 Passed 7-21-2020.)

1060.09 HAZARDOUS MATERIALS

Hazardous materials shall not be collected by the City or a duly authorized contractor. The owner, occupant or person in charge of any premises which generates or has custody of any hazardous material shall be solely responsible for its lawful disposal in accordance with the rules, regulations and statutes of the State. (Ord. Unno. Passed 3-20-90.)

1060.10 FEES; BILLING BY WATER DEPARTMENT; SPECIAL COLLECTION CHARGES FOR CLEAN-UP BY CITY

- A. Refuse will be picked up and collected under the provisions of this chapter, subject to payment based on a fee schedule provided, from time to time, by resolution of the City Council, and such charges so established shall continue until changed by the City Council. All living units as defined in this chapter are required to comply with the requirements of this section and are subject to the charge as determined by the City Council.
- B. All refuse collection charges shall be billed by the City Water Department with the water bill for the related premises, through its usual billing procedure. All bills must be paid within fifteen days from the date on the bill. A ten percent service charge shall be added to the amount of the bill if it is not received by the City within fifteen days from the date of the bill. (Ord. 20-10 Passed 12-15-2020.)

- C. Special collection charges shall be levied on a time and equipment basis in accordance with Chapter 654 of the General Offenses Code whenever the City is required to clean up premises. (Ord. Unno. Passed 3-20-90.)

1060.11 COLLECTION OF CHARGES

Charges for refuse collection are hereby made a lien on the premises served and are hereby recognized to constitute such a lien. Whenever any such charge against any piece of property is delinquent for more than six (6) months, the charge shall be certified to the taxing officer of the City on March 1 and September 1 of each year, whereupon such charge shall be entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general City taxes against such premises are collected and the lien thereof enforced. (Ord. Unno. Passed 3-20-90.) (Ord. 20-10 Passed 12-15-2020.)

1060.12 OTHER RATES AND CHARGES

Other rates and charges may be established by the City Council from time to time by resolution. (Ord. Unno. Passed 3-20-90.)

1060.13 RIVER STREET REFUSE COLLECTION

- A. Collection Area. The properties that are subject to this Section 1060.13 are those properties in the City of Manistee along River Street from U.S. 31 to Maple Street and those properties on the North side of River Street from Maple Street to Pine Street.
- B. It shall be the duty of the owner, occupant, and person in charge of the properties described in Section 1060.13 A. to not permit the deposit of refuse on River Street and arrange for either private disposal of all their refuse or participate in the City-provided dumpster program as described in Section 1060.13 C., below.
- C. Those properties participating in the City-provided dumpster program shall deposit refuse in a City-provided corral dumpster and pay a fee to the City in an amount set by City Council and posted in the City Schedule of Fees. (Ord. 20-10 Passed 12-15-2020.)

1060.99 PENALTY

Unless otherwise indicated, violation of this Chapter 1060 shall constitute a municipal civil infraction and shall be punished as provided in Chapter 203. (Ord.20-06 Passed 7-21-2020)