

Village of Sheridan
Ordinance No. 2005-1
As Amended August 8th, 2017

AN ORDINANCE TO REGULATE THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE VILLAGE OF SHERIDAN ORDAINS:

SECTION I – GARBAGE AND TRASH; COLLECTION AND DISPOSAL

It shall be the duty of every person within the Village who owns or has possession of premises to dispose of all garbage and/ or trash in a manner which is lawful under this ordinance, Mid-Michigan District Health Department Regulations, and State Law.

SECTION II – DEFINITIONS.

For the purpose of this Ordinance, the following words and phrases shall have the meaning ascribed to them in this section.

- A. PERSON shall mean any individual, company, firm, association, society, corporation or group.
- B. PREMISES shall mean land, building, or other structures, vehicles, watercraft, or other parts thereof upon which garbage and/ or trash may be or is stored.
- C. GARBAGE shall mean any putrescible animal or vegetable waste Resulting from handling, preparation, cooking, and consuming of food.
- D. TRASH shall mean any nonputrescible solid waste consisting of both combustible and noncombustible waste; such as paper, carpet, discarded articles, tin cans, glass, dishes, crockery, and other general municipal solid waste (MSW) materials.
- E. VILLAGE shall mean the Village of Sheridan
- F. INTERPRETATION of the words and terms not defined herein, shall be interpreted in the manner of the common usage when not inconsistent with the content. Words in the present tense include the future tense and words in the singular number include the plural number and words in the plural number include the singular number. The word shall is always mandatory and is not merely directory.
- G. YARD WASTE – The State of Michigan has in place a ban on yard waste, leafs, grass clippings, tree and brush trimmings, and garden waste from being placed and collected intermixed with garbage and/ or trash. For additional details review Section 11514 of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as

amended (NREPA), was amended by 2004 PA 34 to prohibit a person from delivering to a landfill for disposal, and a landfill owner or operator, from permitting the disposal in a landfill, of certain materials.

- H. Bulk Item – A bulk item is identified as furniture or other large household item which is unable to fit into the container. Excluded from general bulk item is appliances which container refrigerant such as Freon unless so tag by a licensed contractor that the refrigerant has been properly removed.

SECTION III – CONTAINERS FOR GARBGE AND TRASH

A. Container for Garbage

1. Dwelling Units – Containers for garbage shall be provided and maintained by the contractor and shall have a capacity of not more that ninety-six (96) gallons. The Village shall have the authority to approve service for any apartment house that utilizes a commercial container (front or rear load) service. Service for apartment houses shall be determined by the Village with frequencies and container sizes.
2. Commercial Places – Same requirements for Dwelling Units. A commercial place that has an approved two, three, or four yard trash container shall use the trash container.

B. Container for Trash.

1. Dwelling Units – Containers for trash shall be of reasonable substantial construction to permit handling. All trash shall be placed in containers, except large discarded articles. Containers when full and/ or articles shall not exceed seventy-five (75) pounds in weight. The use of plastic garbage bags is recommended and approved.
2. Commercial Places – A commercial place that has less than one yard of trash per week may use containers as required for dwelling units. All other commercial places shall use two, three, or four yard containers as approved by the Village.
3. Apartment Houses or Six or More units – Containers shall be two, three, or four yard containers as approved by the Village.

- C. Container Location. A garbage and/ or trash container(s) may be placed at the front curb line, if the street is not curved, at the edge of the street. Containers shall not be placed at the street prior to twenty-four (24) hours before scheduled pickup and shall be removed within twenty-four (24) hours after pickup.

SECTION IV – CONTRACTOR REGISTRATION & GRANT OF EXCLUSIVE CONTRACT

- A. No person shall engage in the business of collecting, transporting, delivering, or disposing of garbage and/ or trash, commercial or construction debris, garbage, hazardous or industrial solid waste in the Village without a **hauler license** which is renewed annually on April 1 at a cost of \$25.00 per organization.
- B. The Village may by resolution grant an exclusive, revocable contract to a designated collector, giving it the right, power and author to collect domestic and/ or commercial garbage and/or trash, recycling and bulk refuse as described herein within the Village. The designated collector shall receive no compensation from the Village but shall be permitted to enter into private contracts for collection of garbage and/ or trash and other services as authorized herein.

SECTION V – PROHIBITED ACTIVITIES.

- A. It shall be unlawful for any person to deposit any garbage and/ or trash in any street, alley, river, or public place within the Village except for pickup in accordance with Section III of this Ordinance. It shall be unlawful for any person to deposit any garbage and/or trash upon any private property whether or not owned by such person, within the limits of the Village, unless the same shall be in an approved container as required by this Ordinance. It shall be unlawful for any person to destroy or dispose of garbage by burning, except garbage may be burned in a natural gas burner if that burner is locate within a building, as operationally sound and safe and if the burner is approved and sealed by underwriters laboratories.
- B. It shall be unlawful for any person to transport garbage and trash in much a manner as to cause littler to fall upon the streets of the Village of Sheridan or any public highway. Any vehicle used for the transportation of garbage and/ or trash shall be cleaned at sufficient frequency to prevent becoming a nuisance or a place for insect breeding, and shall be maintained in good repair.
- C. It shall be unlawful for any person to place or dump trash or garbage in a receptacle or dumpster which serves a premise in which that person has no ownership or lease interest, if done without the permission of the owner or lessee.
- D. It shall be unlawful for any person to place any material in a container or receptacle which might endanger the collection personnel. These material can be identified as hazardous materials such as gaseous, solid or liquid poison, dead animals, ammuniton, explosives, flammable liquid, un-drained garbage of a liquid or semi-liquid nature, whether in containers or not, concrete, dirt, automobile or equipment parts, or any material that possesses heat sufficient to ignite any other collected materials.

SECTION VI- PENALTIES.

A Person who violated any provision of this Ordinance shall be guilty of a municipal civil infraction and upon finding of responsibility for such violation shall be assessed a fine of not less than \$50.00 nor more than \$500.00 together with actual costs of prosecution. Each and every violation of the provisions of this Ordinance or any clause, phrase or regulation thereof, shall be a separate violation. Each day that a violation of the Ordinance is continued or permitted to exist without compliance shall constitute a separate offense punishable by municipal civil infraction.

SECTION VII – REPEALER

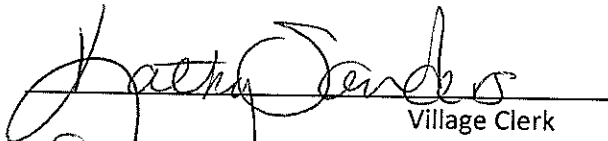
Any ordinance, or parts of ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION VIII – VALIDITY AND SEVERABILITY

Should any portion of this ordinance be found invalid for any reason, such holding shall not be construed as effecting the validity of the remaining portions of this Ordinance.

SECTION IX- EFFECTIVE DATE

This Ordinance shall take effect on the 08 day of August, 2017.


Village Clerk


Village President

VILLAGE OF SHERIDAN
AMENDMENT TO ORDINANCE NO. 2005-1

AN ORDINANCE TO REGULATE THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH AND TO
PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE VILLAGE OF SHERIDAN ORDAINS:

Ordinance No. 2005-1 shall be amended to read as follows:

A copy of the edited Ordinance is attached to this Amendment and includes changes as follows:

SECTION II. – DEFINITIONS

- Modify item D. TRASH
- Add Item G. YARD WASTE
- Add tem H. BULK ITEM

SECTION IV. – CONTRACTOR REGISTRATION & GRANT OF EXCLUSIVE CONTACT

- Add item A. Business License
- Add item B. Resolution to grant and exclusive contract

Change Section number form IV. to V. – Prohibited Activities

- Add Item D. Unlawful materials to be placed in container

Change Section number from V. to VI. – Penalties

- Remove old language
- Add Amended Language form 4/11/2006

Change Section number from VI. To VII.

Change Section number from VII. To VIII.

EFFECTITIVE DATE

This Ordinance shall take effect of the 08th day of August, 2017 and with publication.

Dated: 8/8/17

By:


Susan Wyckoff-McFarland, Village President

Dated: Aug 8, 2017

By:


Kathy Sanders, Village Clerk