

ARTICLE I. IN GENERAL

DIVISION 1. GENERALLY

Sec. 62-1. Title.

An Ordinance of the Code of the City of Corunna to establish the solid waste policy of the City of Corunna and to require mandatory refuse pickup.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-2. Short title.

This chapter shall be referred to as "The Refuse Management Ordinance of the City of Corunna."

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-3. Declaration of necessity and interpretation.

It is hereby declared to be necessary to govern the storage, collection, transportation and disposal of refuse and other rejected, unwanted or discarded waste materials within the limits of the city so that the public health, safety and welfare may be protected. It is the intent of the city council that this chapter be liberally construed, in accordance with Act 641 of PA of 1978, MCL 299.401, et. seq., MSA 13.29 (1), et. seq., the Solid Waste Management Act ("Act 164").

It is hereby further declared to be a municipal concern to reduce the size of the solid waste stream generated from the residents of the City of Corunna. To that end, the city has adopted this chapter.

Each owner, occupant or person in possession of any premises shall be responsible for disposal of his or her refuse in accordance with this chapter and in accordance with the rules and regulations promulgated under this chapter.

(Ord. No. 07-02, § 1, 10-1-07)

Secs. 62-4--62-13. Reserved.

Sec. 62-14. Mandatory weekly residential refuse pickup.

(a) *Single or two unit owner occupied residential.* Any owner of any single or two unit owner occupied residential property shall provide for weekly refuse collection by either city curbside refuse pickup or by private backdoor refuse pickup.

(b) *Single and two unit non-owner occupied residential.* Any owner of any single or two unit non-owner occupied residential rental property shall provide for weekly refuse collection by city curbside refuse pickup.

(c) *Multi-family residential.* Any owner of any multi-family (three units or more) residential rental property shall provide for weekly refuse collection by either city curbside refuse pickup or private contractor refuse pickup.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-15. Required proof of residential refuse pickup.

(a) *City curbside refuse pickup.* Participation in the city curbside refuse pickup with city billing & collection shall constitute proof of weekly residential refuse pickup.

(b) *Private backdoor refuse pickup.* Property owners who are eligible for the optional private backdoor refuse pickup shall be required to provide to the city a signed option declaration form stating that they are opting out of the city curbside refuse pickup service and agree to be responsible for disposal of his or her refuse in accordance with the provisions, rules and regulations of this chapter. Failure to provide such form, comply with the provisions of this chapter, or unauthorized use without payment of the city curbside refuse pickup shall result in automatic and involuntary assignment to the city curbside refuse pickup for a minimum of one year.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-16. City manager's responsibility.

The authority to inspect, investigate and report on the collection, transportation, recycling and disposal of refuse and other waste material by any licensee under this article is vested in the city manager, or his/her designee.

The city manager is hereby authorized to make such rules and regulations as from time to time appear to him or her to be necessary to carry out the intent of this chapter, provided that such rules are not in conflict with this or any other law of the city or any other government with jurisdiction, and provided, further, that such rules are approved by the city council. Administration of such rules and regulations so approved by the city council will be at the discretion of the city manager. Failure to observe any approved rule or regulation shall be a violation of this chapter. Such rules and regulations shall be published and available for distribution at the city clerk's office.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-17. Responsibility of owners and occupants.

Every owner, occupant or person in possession of real or personal property in the city is required to have accumulations of refuse removed and disposed of in accordance with this chapter and in accordance with the rules and regulations promulgated under this chapter.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-18. Compliance required.

No owner, occupant, tenant or lessee of any building, structure, property or premises in the city shall store, collect, transport or dispose of any refuse, garbage, rubbish or other rejected, unwanted or discharged waste materials, except in compliance with this chapter and applicable county, state and federal statutes, rules and regulations.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-19. Definitions.

(a) Unless the context clearly indicates otherwise, the following rules of construction shall apply: Where the text uses the negative of a defined word, the negative of the definition shall be applied. The definition of a verb or a noun shall be used in an appropriate fashion where the adverbial or adjectival form of the word is used.

(b) All words and phrases used in this article shall be given their common and normal meaning unless defined in this section. Words and phrases defined in this section shall be given the meaning indicated in the interpretation and enforcement of this chapter.

(1) "Approved incinerator" means an incinerator constructed, approved and operated in accordance with the BOCA Basic Fire Prevention Code and its amendments, which from time to time become adopted, the BOCA Basic Mechanical Code and its amendments, which from time to time become adopted, the Department of Natural Resources, Air Quality Control Division.

(2) "Municipal solid waste" means all waste generated by residential and commercial occupants of land within the city including mixed waste, recyclables and yard waste.

(3) "Mixed waste" means a mixture of garbage, rubbish and bulk items.

(4) "Bulk items" means large pieces of furniture, bed springs, mattresses, appliances (including stoves), refrigerators, washing machines, dryers, etc. and sometimes referred to as "white goods" and other discarded materials incidental to the usual major routine of housekeeping.

(5) "Garbage" means all rejected food wastes including waste accumulation of animal, fruit or vegetable matter used or intended for food or those items for the preparation, use, cooking, dealing in or storing of meat, fish fowl, fruit or vegetable.

(6) "Rubbish" means solid waste materials resulting from house maintenance and cleaning means, nonputrescible solid waste, including cold ashes consisting of both combustible and non-combustible waste, including paper, cardboard, non-recyclable metal containers, bedding crockery, floor sweepings, empty paint cans with lids removed, rags and other items, or litter of any kind including "recyclable materials" that may be a detriment to the public health and safety.

(7) "Recyclable materials" means materials such as newspapers, junk mail, paper, glass, metal cans, plastics, aluminum, household batteries, gray board and other materials designated by the city.

(8) "Yard waste" means miscellaneous waste material resulting from maintaining the landscaping of a home which includes (but not limited to) grass clippings, flowers, weeds, shrub clippings, small twigs, leaves and other garden debris.

(9) "Brush" means branches, vines, tree limbs, tree trunks, stumps and other tree and brush trimmings.

(10) "Compost" means a dark, crumbly and earthy-smelling form of decomposing organic matter, also called humus. Compost, a useful soil amendment is the result of the composting process.

(11) "Compost bin" means a receptacle for a compost pile designed and constructed to facilitate composting.

(12) "Compost pile" means an accumulation of yard waste and other compostable materials.

(13) "Gray board" means cardboard that is not corrugated.

(14) "Household hazardous waste" means an accumulation of liquid automobile products, mercury batteries, gardening pesticides, weed killers and poisons, personal and health care products especially aerosol containers, paint cans with paint, household products including oven cleaners, acid, chemicals, poisons and aerosol cans.

(15) "City curbside refuse pickup" includes all property owners receiving city-wide refuse collection.

(16) "Private backdoor refuse pickup" includes all property owners opting out of the city curbside refuse pickup.

(17) "Commercial premises" means all non-residential premises and residential premises which consist of more than two (2) living units.

(18) "Curbside" refers to the area along city streets between the sidewalk and the curb, or if there is no sidewalk, the area most adjacent to the curb or street, if there is no curb.

(19) "Licensee" means a person who has been issued a license to collect, transport and dispose of refuse from within the City.

(20) "Nuisance" means any act, omission, defect or condition that threatens danger to, or which may be detrimental to, the lives, health or safety of the public.

(21) "Person" means a natural person, firm, partnership, association or corporation.

(22) "Plastic bags" means polyethylene or similar plastic bags of not less than one and one-half mills thickness designed to store refuse, secured in a manner to be made fly-tight by securely fastening the top with wire, string or ties appropriate for this purpose.

(23) "Premises" means a parcel of land, including any buildings, improvements or appurtenances thereon, which by legal construction or by actuality, forms one enclosure with it. This article applies to all premises or estates located within the city limits.

(24) "Senior" means a person who is age 62 or older and the head of the household at the service address.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-20. Containers, single family, two-family and optioned multiple dwellings.

A proper and sufficient number of portable containers for the storage of mixed waste between collections shall be provided by the property owner of all single-family, two-unit or optioned multiple family dwelling. It shall be the duty of the occupants to maintain such containers in good repair and in a clean and satisfactory condition to store mixed waste properly therein. The city is not responsible for lost or damaged containers. No permanent dumpsters shall be allowed on single-family or two-unit residentially occupied properties within the city except as follows: Dumpsters for use during construction, remodeling, yard or home cleanup shall be considered temporary and allowed the lesser of completion of the project or 30 days. Additional days must have approval of the city manager.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-21. Containers, multiple family dwellings.

In the case of a building housing three or more residential units, the owner, lessee or agent, of the premises shall provide an on-site dumpster or sufficient collection receptacles with minimum weekly pickups, or more frequently if needed to meet the on-site collection demands of the premises. The owner, lessee, agent or caretaker of such receptacles shall maintain them in good repair and in a clean and sanitary condition. All dumpsters must comply with any or all rules and regulations at set by the city council and or planning commission. Multiple family dwellings may opt to receive city curbside refuse pickup, provided that each and every unit is to have the number of containers equivalent to the service level of a single family as provided for in section 62-20.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-22. Containers, commercial/industrial establishments, etc.

The proprietor, manager, agent or person in charge of a commercial or industrial establishment, office, church, school or other non-residential occupancy where solid waste materials accumulate, shall provide proper and sufficient containers as herein defined for the storage of mixed waste between collections. All containers shall be kept clean and in good repair.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-23. Containers used for mixed waste.

(a) Mixed waste shall be placed in water tight containers or other portable water tight receptacles, either galvanized metal or heavy duty plastic, with handles and shall have a capacity capable of servicing the needs of the property as well as be in compliance with the rules and regulations of the garbage collection provider. Cardboard boxes are not acceptable.

(b) Plastic bags for mixed waste shall be of good quality, tied shut and be able to withstand lifting by the top without breaking as well as meet the requirements of the service provider.

(c) Containers with ragged or sharp edges or other defects shall be left, tagged indicating a defect for the resident to correct. If not corrected, the container including contents will be collected on the next pickup.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-24. Improper use of container.

It shall be unlawful for any person, firm, corporation, organization or business entity to use or place waste materials into a container not designated for their use or owned by them.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-25. Collection of certain items.

(a) *Recyclable materials:* Recycling materials for collection may be placed in recycling containers as may provided for by city curbside refuse pickup or by private backdoor refuse pickup.

(b) *Bulk items:* Large household furnishings or bulk items may be provided for by city curbside refuse pickup or by private backdoor refuse pickup.

(c) *Other items:* Waste oil, contractor's debris, household hazardous waste, pesticides and other chemicals, concrete, bricks, dirt, hot ashes and other items identified by city rules and regulations will not be collected by city curbside refuse pickup.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-26. Container placement time for city curbside refuse pickup.

(a) *Placing of containers at curbside:* Curbside waste shall be placed at curbside not later than 7 a.m. on the day of collection, and no earlier than 7 p.m. the day prior to collection or as otherwise defined under the rules and regulations established in accordance with this chapter by the city manager and the city council.

(b) *Removal of containers from curbside:* After collection, empty containers shall be removed promptly by the owner, lessee or occupant of the premises, but no later than 7 p.m. on the day of collection or as otherwise defined under the rules and regulations established in accordance with this chapter by the city manager and the city council.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-27. Container requirements for city curbside refuse pickup.

Residential curbside waste shall be placed at curbside. Garbage containers shall be emptied at least once each week. Garbage containers shall be kept in a sanitary condition with the outside of the containers free from grease and decomposed material. Each container shall be placed in a location reasonably close to the street upon which the dwelling or building fronts, and accessible to the vehicle of the garbage collector and subject to any other

rules and regulations deemed necessary under the provisions of this chapter.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-28. Container requirements for private backdoor refuse pickup:

All persons owning or occupying premises in the city utilizing private backdoor refuse pickup shall place and keep all refuse containers as near to the back entrance of the building on the premises as is reasonably possible, except that where an alley runs along the rear of the premises, the refuse container may be placed and/or kept on the premises next to the alley provided it is shielded from view from any street by shrubbery and/or a building and/or other reasonable screening structure which does not detract from the average view of the neighborhood.

All refuse pickups shall be made from the place of keeping of the refuse container as described, and all refuse containers which are not taken away by the refuse collector shall be returned by the refuse collector to the place of keeping. Garbage containers shall be emptied at least once each week. Garbage containers shall be kept in a sanitary condition with the outside of the containers free from grease and decomposed material. No refuse collector shall be required to go into any building to pick up refuse there from.

The placement of containers next to a street is prohibited for private backdoor refuse pickup.

(a) It shall be unlawful for any person owning or occupying any premises in the city utilizing private backdoor refuse pickup to place any refuse and/or refuse container along any curb or next to any street for pickup by any refuse collector.

(b) It shall be unlawful for any garbage and/or refuse collector providing private backdoor refuse pickup to advise and encourage and/or request any owner or occupant of any premises in the city to place any refuse and/or refuse container at or near the curb or street for pickup.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-29. Disposal and collection of yard waste.

The City of Corunna Yard Waste & Brush Yard will be subject to the rules and regulations so established by the city council in conjunction with this chapter. Violation of said rules shall be considered a violation of this chapter punishable as described in section 62-129.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-30. Permitted composting on residential property.

A compost pile shall be permitted on residential property only in accordance with the following:

(a) Such compost pile shall be located a minimum of ten feet from any lot line and 30 feet from any dwelling located on adjacent property.

(b) Such compost pile or compost bin shall not exceed 50 square feet. A maximum of one compost pile or compost bin shall be allowed on any single property.

(c) Compost piles and compost bins may include a combination of yard waste, garden and lawn trimmings and debris including (but not limited to) grass clippings, leaves, weeds, twigs, wood chips, small branches, bark peelings, spent flowers, coffee grounds, tea leaves, vegetables and fruit peelings, cabbage and lettuce leaves.

(d) Compost piles and compost bins shall not include garbage (with the exception of coffee grounds, tea leaves, vegetables and fruit peelings, cabbage and lettuce leaves), pet manures, plastics, synthetics or other biodegradable materials or materials which create offensive odors.

(e) Compost piles and compost bins shall be maintained to prevent the attraction and harborage of rodents and pets and to prevent the escape of offensive odors to adjacent property.

(f) Compost piles and compost bins which do not conform to this section shall constitute a nuisance per se and shall be abated in addition to any other applicable penalties.

(g) Composting on residential property shall only be for permitted items generated by the occupant of the residential property.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-31. Yard waste reduction.

The City of Corunna encourages the reduction of yard waste through mulching or composting on the premises where generated.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-32. Yard waste--removal by a landscaping company.

The person, entity or business removing the yard waste shall be obligated to dispose of it by composting or delivery to an approved site.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-33--62-41. Reserved.

DIVISION 2. LICENSE

Sec. 62-42. Collection and disposal as business; license required.

No person shall engage in the business of collection, transportation, disposal, or recycling of refuse in the city without first obtaining a license therefore as provided in this article and under the requirements of chapter 18, article II (Licenses) of the Corunna City Code. All persons who regularly pick up refuse for others shall obtain a license and be subject to the provisions of this article and under the requirements of chapter 18, article II (Licenses) of the Corunna City Code as though such persons were engaged in the business of collecting, transporting, disposing, or recycling of refuse in the city.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-43. License application.

Application for a license under this division shall be made in writing to the city clerk's office upon blanks furnished by such office and each applicant in such application shall state his or her name, trade name, residence and business address. Such application shall also contain an agreement by the applicant to obey, abide by and comply with all provisions of this article and all other laws, ordinances, rules and regulations applicable to the conduct of such business now in force or which may hereafter be adopted. The applicant shall also furnish copies of all state and federal licenses required to haul waste in Michigan.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-44. Indemnification.

A licensee shall pay any judgment which may be obtained against the city, alone or jointly with such licensee, on account of any injury or damage to persons or to property by reason of any license granted under this division. The licensee shall intervene and defend any such suit or action upon written notice thereof given by the city.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-45. Fee, bonding and insurance requirements.

Before any person may engage in the business of collection, transportation, disposal, or recycling of refuse in the city, he shall pay the license fee as set by resolution of the city council and comply with all insurance requirements as set by city council.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-46. Disposal of collected rubbish, garbage.

Rubbish and garbage collected by a licensed garbage collector shall be disposed of at a sanitary landfill, or by other allowable means designated by the city which conforms to all the local, county and state health regulations. The licensed contractor must assume all costs incurred with regard thereto.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-47. Hours/days of collection.

(a) *City curbside refuse pickup.* Collection days and times of refuse service in the city shall be determined by the rules and regulations established by the council in conjunction with this chapter.

(b) *Private backdoor refuse pickup.* Collection days and times of refuse service in the city shall be determined by the rules and regulations established by the council in conjunction with this chapter.

(c) *Other refuse pickup.* Collection days and times of refuse service in the city shall be determined by the rules and regulations established by the council in conjunction with this chapter.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-48. Vehicles used in the collection of garbage, rubbish.

(a) Vehicles used in the collection and removal of garbage and rubbish shall be equipped with strongly built, watertight bodies, free from holes or openings in the bottom and sides except as in this section or otherwise provided. Garbage shall be kept covered in the course of collection and removal in such a manner as to confine odors and prevent the attraction of insects and the littering of streets.

(b) Vehicles not equipped with watertight, enclosed bodies shall be provided with strong, watertight metal containers for storage of garbage on the vehicle while garbage is collected and transported. Containers shall be equipped with tight-fitting metal covers and the containers shall be covered at all times; provided, that one container may remain uncovered only during its filling in the course of collection, and in large commercial collections where it is impractical to use metal covers, a clean canvas cover may be used.

(c) Private backdoor refuse pickup may only be made by light and medium duty single axle commercial plated pickup trucks with a gross vehicle weight of 12 tons or less.

(Ord. No. 07-02, § 1, 10-1-07; Ord. No. 07-06, § 1, 12-17-07)

Sec. 62-49. Method of collection.

(a) Collectors shall remove all garbage contained in containers and immediately replace the cover on the container in a proper manner. To the best of his ability, the collector shall prevent the denting and damaging of containers. Garbage must be loaded onto the vehicle without spilling.

(b) No garbage vehicle shall stop or park for more than ten minutes in any one location in a residential district except during the lunch period. During such periods, the garbage load shall be securely covered and the vehicle shall not be parked nearer than 50 feet to a residential establishment.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-50. Cleaning of garbage conveyances and receptacles.

All vehicles and equipment actively engaged in the collection and removal of garbage must be thoroughly washed and cleaned on a regular basis.

(Ord. No. 07-02, § 1, 10-1-07)

Secs. 62-51--62-68. Reserved.

DIVISION 3. TRANSPORTATION, COLLECTION AND DISPOSAL

Sec. 62-69. Unlawful dumping.

No person shall place, dispose, abandon, scatter, throw, deposit or in any manner dump any refuse, rubbish, waste, debris, paper, sand, gravel. Concrete, earth, excavated materials, ashes, leaves, grass, brush or other yard rakings or waste materials upon or into any street, alley, sidewalk, ditch, drain, gutter or other property, public or private, except as specifically provided in this chapter.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-70. Commercial refuse.

Every owner, occupant or person in possession of a commercial establishment shall be responsible for the storage, collection and disposal of his or her refuse. Such refuse must be removed as frequently as necessary to prevent the creation of a nuisance which in all cases shall be a minimum of once a week. Commercial establishments include establishments for group eating, such as clubs, restaurants and institutions, and establishments such as markets, grocery stores, fruit and vegetable stands, bakeries, canneries, butcher shops and similar establishments. Garbage and food waste need not be wrapped but shall be placed or stored in covered or closed containers. No garbage or food waste of any kind shall be placed or stored in an uncovered receptacle, nor shall garbage be burned in a container, receptacle or unapproved incinerator.

(Ord. No. 07-02, § 1, 10-1-07)

Sec.62-71. Accumulation and disposal of rubbish.

(a) Any rubbish accumulated or stored outside of a dwelling or building on any premises, shall be stored in receptacles meeting the requirements of this chapter. No rubbish may be stored or accumulated which is contaminated by any garbage unless stored as garbage. Rubbish shall be disposed of within 30 days of accumulation.

(b) No person transporting any rubbish shall fail to securely cover and secure the load so that no part of such load shall be lost while being transported.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-72. Littering.

No paper, lawn cuttings, rakings, leaves, weeds, ashes or any other refuse material whatsoever shall be thrown or swept into any street, gutter, intake, alley vacant lot, park, greenbelt, or other property whether public or private.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-73. Unlawful activities.

It shall be unlawful to bury any animal wastes or vegetable wastes anywhere in the city, excepting out uses customary to composting operations and gardening activities, and it shall be unlawful to deposit, throw, or leave refuse on the premises of any other person.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-74. Reserved.

Sec. 62-75. Uncollectible refuse.

(a) *Hazardous wastes.* It shall be unlawful for any person to place in any receptacle for collection any material that might either endanger the collection personnel or that would be detrimental to the normal operation of disposal such as gaseous, solid or liquid poisons, dead animals, ammunition, explosives or any material that possesses heat sufficient to ignite any other collected materials.

(b) *Construction wastes.* It shall be the duty of the property owner to remove from the premises within a reasonable time after completion of such construction work, all surplus construction material and refuse building material.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-76--62-96. Reserved.

DIVISION 4. BILLINGS AND COLLECTIONS

Sec. 62-97. Responsibility for payment of private backdoor refuse pickup and any other privately contracted for refuse pickup in the city.

Shall be the responsibility of the contracting party without involvement by the city.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-98. Responsibility for payment of city curbside refuse pickup.

Although the occupant or person in possession of serviced premises may make arrangements with the city for payment for the required refuse pickup, the owner of record as title holder as reflected in the records of the city assessor, shall have the final responsibility for all refuse collection charges for services to the owner's premises.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-99. Continuation of service for city curbside refuse pickup.

Residential premises' refuse collection and appropriate charges for service shall continue, regardless of the customer's response to the billing procedure, so long as the property is deemed occupied. The owner of the premises shall advise the city of any change in occupancy of the residential unit for purposes of service and billing.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-100. Vacation of premises for city curbside refuse pickup.

Owners and/or occupants of residential premises shall notify the city if such premises are being vacated between billings. An owner and/or occupant taking title to or possession of residential premises in the city shall notify the city immediately to avoid delay in refuse collection.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-101. Monthly charge for city curbside refuse pickup.

There is hereby established a monthly charge for each residence in the City of Corunna, for the availability of solid waste and garbage disposal services furnished by a city contractor.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-102. Schedule of charges for city curbside refuse pickup:

All fees for collection of garbage and rubbish shall be set by the city council and subject to the rules and regulations established by the council in conjunction with this chapter. Such fees may be changed from time to time as the council in its sound discretion shall deem necessary. All property owners subject to the rubbish and garbage collection system shall be charged for such service and billed by the city. All fees for collection of garbage and rubbish may be set aside by the city council.

All contract rubbish and garbage collectors shall be paid a fee by the city as mutually agreed upon by and between the parties. Licensed garbage collectors shall be responsible for collecting their own service fee from persons using their services over and above the mandatory service established by the city. Licensed garbage collectors will be responsible to pay a license fee to the city as prescribed in the city fee schedule.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-103. Payment responsibility for city curbside refuse pickup:

The fees and charges established herein under sections 62-101 and 62-102 above shall be billed to and paid by the person responsible for the water or sewer bills to the premises. Such fees and charges may be billed on a monthly basis and such billing may be combined with any other utility bill sent by the city. If the premise is not served by city water or sewer service, the owner of the premises shall be responsible for the fees and charges established herein.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-104. Payment collection of city curbside refuse pickup.

The users of solid waste and garbage disposal services or those responsible to pay for the availability of such services under this chapter shall pay their bills to the city by the due date shown on their bills. Any bill paid after the due date shall be considered a delinquent bill, and a penalty of ten percent shall be added to and collected on each delinquent bill.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-105. Property lien for delinquent charges from city curbside refuse pickup:

In addition to the criminal penalties provided herein for a violation of this chapter, the city Corunna shall have a lien upon each premises, lot, parcel, structure, house or building which receives solid waste or garbage disposal services from a contractor or with respect to which such service is available. The lien created herein may be enforced by the city in the manner prescribed by the city and under the general laws of the State of Michigan for the enforcement of tax liens, and all such delinquent fees or charges shall be added to the delinquent tax rolls with respect to the real property (or personal property if the structure is on leased land). Upon entry of such delinquent fees and charges upon the delinquent tax rolls, the collection thereof shall in all respects be governed by the provisions of the general laws of the State of Michigan for the collection of delinquent taxes.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-106. Reserved.

Sec. 62-107. Authorization to bill for city curbside refuse pickup:

Under this section, the city manager is authorized and directed to collect the applicable fee each month, billing the fee as a separate item on the utility bill.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-108. Liens recorded for city curbside refuse pickup:

Charges included in utility bills shall be a lien upon the real property. Whenever a utility bill remains unpaid for at least 90 days after it has been rendered, the city clerk/treasurer will create a "statement of lien claim" which may be filed with the county register of deeds. This statement shall contain the legal description of the premises served, the amount of the unpaid bill and a notice that the city claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. Such statement shall also be sent by first class mail to the person(s) responsible for paying the bill.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-109. Consumer/owner billed for city curbside refuse pickup.

If the customer billed is not the owner of the premises and the clerk/treasurer has notice of this, notice shall be mailed to the owner of the premises, if his address is known to the clerk/treasurer, whenever the utility bill remains unpaid for a period of at least 90 days after it has been rendered.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-110. Failure to record or give notice not required for remedies for city curbside refuse pickup.

The failure of the clerk/treasurer to record such lien claim and to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid utility bills as mentioned in subsection 14-112 of this section.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-111. Attorney fees for city curbside refuse pickup.

The owner shall be responsible for the payment of attorney's fees incurred by the city in any action brought by the city to foreclose such lien.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-112. Reserved.

Sec. 62-113--62-123. Reserved.

DIVISION 5. VIOLATIONS; ENFORCEMENT

Sec. 62-124. Nuisances.

(a) No person in possession, charge of or control of any premises shall keep, cause to be kept or allow the keeping of refuse on any premises within the city in such manner that it will probably become offensive or deleterious to health or will likely cause disease. The same is hereby declared to be a public nuisance.

(b) Any condition or act in violation of a provision of this article, or a provision of applicable state law, is hereby declared to be a public nuisance.

(c) Public nuisances may be abated, removed or enjoined, and damages assessed therefore, in any manner provided by law.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-125. Interference with containers and refuse or damage to waste receptacles.

No person, other than the owner or person lawfully in control of any premises, any authorized employee of a

person licensed by the city for the collection, transportation or removal of refuse, or an authorized official of the city of Corunna, shall interfere with receptacles, containers or plastic bags used for the accumulation or handling of refuse, remove any such container from the location where it has been placed by the owner or person lawfully in control of the premises, or disturb or remove refuse placed for collection. No person shall maliciously damage or steal waste receptacles.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-126. Scattering of refuse.

No person shall cast, spill, place, sweep or deposit anywhere within the city any refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public place, or onto any other premises within the city.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-127. Violations of residential private backdoor refuse pickup.

Property owners found to be in violation of the requirements of private backdoor refuse pickup, in addition to all other remedies herein provided, shall be automatically and involuntarily assigned to the city curbside refuse pickup.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-128. Remedies cumulative.

The remedies provided for in this article are cumulative, not exclusive, and shall be in addition to any and all other remedies available in law or in equity to prevent or remedy any violation herein.

(Ord. No. 07-02, § 1, 10-1-07)

Sec. 62-129. Penalty.

Violators of this article or any person who shall violate this article shall be guilty of a misdemeanor, and punished as provided in this Code. This section refers to corporation, co-partnership, or other such artificial entities, as well as to natural persons. Each day a violation occurs is considered a separate offense.

(Ord. No. 07-02, § 1, 10-1-07)

Secs. 62-130--62-142. Reserved.