

CHAPTER 35: GARBAGE AND REFUSE

Article

**I. CLIO GARBAGE AND TRASH COLLECTION AND
REMOVAL REGULATIONS**

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**ARTICLE I: CLIO GARBAGE AND TRASH COLLECTION
AND REMOVAL REGULATIONS**

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§ 35.101 TITLE.

Sections 35.102 through 35.106 of this Code, inclusive, will be known and cited as the “City of Clio Garbage and Trash Collection and Removal Regulations.”
(Ord. 132, passed 11-5-73, amended by Codification Ordinance; amended by Ord. 332, passed 9-17-01)

§ 35.102 DEFINITIONS.

(A) *General rule.* Words and phrases take their plain, or ordinary and usual sense. However, technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(B) *Definitions.* For the purpose of these regulations, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

ASHES. These are residue from fires used for cooking and heating.

BULK ITEMS. These are waste items of large size not customarily suitable for landfill disposal, such as discarded furniture and appliances, automobile parts, water heaters and similar items.

COMMERCIAL REFUSE. Mixed refuse generated by business establishments, churches, schools, office buildings and other establishments engaged in commerce.

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COMMERCIAL UNIT. Any unit engaged in general or professional office, retail sales, religious, educational, fraternal, or service activities on either a profit or non-profit basis, and multiple family residential buildings meeting the definition of such in the City of Clio Zoning Ordinance.

CONSTRUCTION WASTE. These are waste materials resulting from alteration, repair or construction of buildings or structures.

HOUSEHOLD WASTES. All organic matter subject to rapid decomposition, including animal and vegetable waste resulting from handling, preparation, cooking and consumption of foods, and cardboard, paper, cartons, boxes, tin cans, plastics, bottles, glass, crockery, clothing, toys, and similar materials.

RESIDENTIAL REFUSE. Ashes, bulk items, household waste and yard waste, but does not include:

- (a) Chunks of asphalt, concrete, dirt, sod, stumps or rock;
- (b) Automobile parts greater than 4-feet in length and weighing more than 40 pounds;
- (c) Construction waste; or
- (d) Waste of any kind from commercial units.

RESIDENTIAL REFUSE COLLECTION CONTRACT. The contract entered into by the city pursuant to the provisions of this Code, and any other additional contracts entered into pursuant to this authority.

RESIDENTIAL UNIT. Any single-family detached or single-family attached dwelling unit in a structure of three units or less.

RUBBISH. This is nonputrescible solid waste, excluding ashes, consisting of both combustible and noncombustible waste, including paper, cardboard, metal containers, wood, glass, crockery, or litter of any kind that may be a detriment to public health and safety.

WASTE HAULER. The person or firm with whom the city has signed the residential refuse collection contract.

YARD WASTES. This is waste residue from growing organic matter, including branches less than four inches in diameter, twigs, shrub clippings, weeds, leaves and grass, that accumulated in the yard of a residential unit naturally or as a result of residential unit maintenance.

(Ord 132, passed 11-5-73, amended by Codification Ordinance; amended by Ord. 332, passed 9-17-01)

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§ 35.103 GARBAGE AND TRASH COLLECTION AND REMOVAL, GENERAL.

(A) The waste hauler will pick-up residential refuse at each residential unit in the city. All other units in the city will make separate arrangements for pick-up of their refuse.

(B) All residential refuse to be picked up by the waste hauler shall be placed at the curb on the address where the refuse was generated or accumulated. The refuse will be placed in water-tight metal or plastic containers equipped with tight fitting covers or in plastic bags which are securely tied. Containers and plastic bags shall not exceed a weight that a single worker cannot lift into the waste hauler's vehicle.

(C) Bulk items for pick up will be placed at the same location as residential refuse. Bulk items placed for pick up shall not exceed a weight that two workers cannot lift into the waste hauler's vehicle.

(D) Yard waste for pick up will be placed at the same location as residential refuse. Yard waste not placed in approved containers or bags will not be picked up. Those items that cannot fit into containers or bags will be tied in bundles which do not exceed four feet in length or weigh more than a single worker can lift into the waste hauler's vehicle.

(E) No person shall place any receptacles for residential refuse at the pick-up area more than 24 hours prior to the next regularly scheduled pick-up day or the next special pick-up day as announced by the city. All receptacles for the storage of residential refuse shall be removed from the pick-up area within 24 hours after the collection by the waste hauler.

(F) If the owner of a residential unit is not the occupant of the unit, such owner is jointly responsible with all occupants of such unit for compliance with the provisions of these regulations.

(G) The city may also enter into agreements with any commercial unit for the collection and removal of rubbish from such commercial unit on such terms and conditions as may be established by the City Administrator. The rates and charges for the services provided to such commercial unit shall be set by the City Commission.

(Ord. 132, passed 11-5-73; amended by Codification Ordinance; amended by Ord. 391, passed 9-5-06)

§ 35.104 IMPOSITION OF CHARGES AND FEES; COLLECTION PROCEDURES.

(A) The City Commission will determine by resolution the charges and fees for the collection and disposal of residential refuse. The charges and fees established by the City Commission will cover the cost of the residential refuse collection contract first, and then such other legitimate costs for providing the service.

(B) The charges and fees will apply to each residential unit receiving residential refuse pick-up. The fee will be collected semi-annually through an assessment applied to the real property tax statements of each residential unit within the city.

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(C) In the event that public dumpsters are provided for commercial use as defined in § 35.106, the city reserves the right to collect all fees associated semi-annually through an assessment applied to real property tax statements for every parcel within the established district.
(Ord. 230, passed 6-4-90; amended by Codification Ordinance; amended by Ord. 332, passed 9-17-01)

§ 35.105 USE OF FEES COLLECTED.

(A) All revenues collected from the residential units will be deposited into a special revenue fund established for that purpose. The revenues shall be used only in compliance with the provisions of the State of Michigan Chart of Accounts and the Uniform Budgeting and Accounting Act, as amended (being M.C.L.A. §§ 141.421 *et seq.*).

(B) The moneys in the special revenue fund shall first be used to pay the expenses associated with the residential refuse collection contract including repaying the city's general fund, if any advances were made. All other appropriated costs of providing service follow the payment of the contract.

(C) The moneys of the special revenue fund may be commingled with other city funds to maximize the fund's investment opportunities. The accounting records of the fund shall be kept according to state treasury regulations and generally accept accounting principles.
(Ord. 230, passed 6-4-90; amended by Codification Ordinance)

§ 35.106 DEPOSITING GARBAGE IN PUBLIC PLACES.

(A) No person shall deposit garbage or other waste in any alley, street or other public place in the city, except as herein provided.

(B) (1) Where public dumpsters are provided for commercial unit refuse and business use only, only those persons authorized may use said receptacles for the deposit of garbage or waste. The city may post such signs or regulations as may be necessary for the proper use or operation of said receptacles.

(2) Said public receptacles shall be used only for businesses located in the city and specifically licensed by the City Administrator for general refuse only. No licensed person may deposit construction waste in the public receptacles. Refuse, recyclables, hazardous materials or other waste materials shall not be placed outside said receptacles.

(Ord. 332, passed 9-17-01) Penalty, see § 35.199

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§ 35.199 VIOLATIONS; PENALTIES.

Any person, partnership, firm, or corporation, who violates any provision of the City of Clio Garbage and Trash Collection and Removal Regulations shall be responsible for a municipal civil infraction and subject to the penalties and sanctions provided by this Code.
(Ord. 132, passed 11-5-72; amended by Codification Ordinance)

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