

An Ordinance to amend Ordinance No. 517, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 14, Sections 14-10, 14-11, and 14-16 of the Code of Ordinances, City of Madison Heights, Michigan, to establish a requirement for trash and recycling carts for city-wide rubbish pick-up.

Section 1. Amendment.

That Chapter 14, Section 14-10, 14-11 and 14-16 of the Code of Ordinances, City of Madison Heights, Michigan, are hereby amended to read as follows:

Sec. 14-10. Authorized recyclable materials.

- (a) Residents or occupants of any house, home, dwelling, apartment building or structure of any kind or description whatsoever, intended as a place where people live in the city (collectively "premises"), shall separate authorized recyclable materials and place them in an authorized container at the curb on their normal garbage pickup day and in the manner set out in this chapter, or for multiple dwellings or apartment buildings, at approved locations on the site in authorized containers.
- (b) Due to the rapidly changing technology in the area of [refuse and](#) recycling, authorized recyclable materials and authorized containers may change from time to time based upon available markets, transportation vehicle sizes, and pickup methods. To keep the public informed of the current authorized recyclable materials and authorized containers, the city shall on a regular basis distribute in newsletter form, or to be included with other information in an appropriate newsletter, details and listings of the then current authorized recyclable materials and authorized containers. In addition, the city shall provide a leaflet containing a list and details of the current authorized recyclable materials and authorized containers, which leaflets shall be available for pickup by the public at the city clerk's office, the information desk at City Hall and the department of public services.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-11. Deposit in required receptacles; kind; placement, use.

- (a) All yards, alleys, streets, vacant lots or other places in the city shall be kept free from garbage, bulky waste and rubbish. Garbage, bulky waste and rubbish shall be deposited in an appropriate container or placed for collection as set out in this chapter.
- (b) The residents or occupants of any premises shall [have and use approved containers compatible with the city-authorized mechanical handling equipment](#), ~~provide a covered, watertight container with handles, not exceeding a 30-gallon capacity,~~ for receipt of garbage and rubbish, but not compostable material. [All garbage and rubbish \(with the exception of bulky waste\) shall be placed in the container for collection,](#) ~~or shall have approved containers compatible with the city-authorized mechanical handling equipment.~~
- (c) For composting purposes, compostable materials will not be collected by the city from any premises unless it is placed in a container approved by the director of the department of public services or his or her designee.
- (d) All containers shall be placed in a convenient location for collection at the proper time. The city shall not collect bulky waste or containers holding garbage, bulky waste, rubbish or compostable which weigh over [50](#) ~~200~~ pounds.

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- (e) No containers, rubbish, bulky waste or other materials to be disposed of shall be placed in any public street, alley or other public place, or in front or side yard, prior to 12 hours before the regular collection time, and said containers shall be removed from said places not later than 12 hours after collections are made.
 - (f) Containers and bulky waste on collection day shall be placed between the curb and the sidewalk unless otherwise authorized. ~~Except for compostable materials, the use of plastic containers will be permitted, provided, that tops of the same are secured to prevent garbage, paper or debris from spilling or otherwise escaping the confines of such containers. At no time will the use of paper bags be permitted, except to hold newspapers as set out in subparagraph (f) of this section.~~
 - ~~(g) Stacks of newspapers or boxes may be placed at the curb without being in a container if said newspapers or boxes are placed in paper bags.~~
 - (h) Small tree limbs, two inches and less in diameter, shall be collected only if they have been cut into lengths not to exceed three feet in length and tied securely into bundles not to exceed three feet in length and tied securely into bundles not to exceed three feet in girth. In lieu of this paragraph, brush-chipping services are available as specified under subparagraph (i) of this section.
 - (i) The city will provide brush-chipping services upon request of the landowner or occupant of the premises. The fee for brush chipping services has previously been established by resolution of the city council. The individual making the request for services will be billed after the services are rendered.
 - (j) If payment is not received within 30 days after the services are billed, the director of the department of public services shall make a sworn statement of said account and deliver the same to the city clerk. The city clerk shall certify them forthwith to the city treasurer. The city treasurer shall then enforce payment for those services as prescribed in this chapter for the collection of special assessment.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-12. Garbage to be drained of liquids.

No resident or occupant shall place in any garbage container any materials that have not been well drained of all liquids.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-13. Scavenging of authorized recyclable materials prohibited.

Recyclable materials placed appropriately at the curb in accordance with this chapter shall become the exclusive property of the city or the city's authorized recycler. There shall be a presumption that the residents or occupants intended to recycle materials under this chapter if the authorized recyclable material is placed at curbside as provided in this chapter.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-14. Unauthorized collection prohibited.

No resident or occupant shall dispose of any bulky waste, rubbish or garbage except to an authorized collector of the city.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-15. Vehicles.

Any vehicles used for the purpose of conveying bulky waste, rubbish or garbage shall be constructed, covered and equipped so as to prevent any of the contents thereof from leaking, spilling, falling or blowing off, and any such vehicle, when not in immediate use, shall not be stored or parked in any street, alley or public place so as to become offensive or a hazard to any person.

(Ord. No. 2139, § 1, 5-28-19)

Cross reference(s)—Traffic and motor vehicle code, Ch. 26.

Sec. 14-16. Burning restrictions.

- (a) Burning of rubbish, garbage, paper, wood, leaves, branches, or any other waste material shall be prohibited within the city.
- (b) A person shall not kindle or maintain any bonfire nor shall it be maintained on any premises without having obtained a permit or other proper authorization from the fire chief or his or her ~~designated~~designee. Provided, however, that such permit shall only permit burning in accordance with the International Fire Code as heretofore adopted by the City of Madison Heights.

(Ord. No. 2139, § 1, 5-28-19)

Cross reference(s)—Air pollution prevention, Ch. 3; fire department and fire prevention and protection, Ch. 12.

SECTION 2. Repealer. All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability. Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date. This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection. A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between the hours of 12:30 p.m. and 4:30 p.m. on regular business days.