

**VILLAGE OF OTISVILLE
GENESEE COUNTY, MICHIGAN**

ORDINANCE NO. 216

AN ORDINANCE REGULATING THE DISPOSAL OF SOLID WASTE AND
ASSESSING COLLECTION FEES AND SETTING PENALTIES FOR THE
VIOLATION THEREOF

THE VILLAGE OF OTISVILLE ORDAINS THAT:

Section 1.

- A. All premises except those businesses, entities, or governmental units which have contracted for a dumpster waste removal service or equivalent shall be served by the solid waste removal service which shall be made available by the Village of Otisville, solid waste removal service to each said premises shall be set by a resolution of the Village Council. The resolution setting the service rates shall be made after presentation of the budget. The resolution shall become effective only after a public hearing on such proposed rates.
- B. No free service shall be furnished by the Village to any person, firm, corporation (whether public or private), or to any public agency or governmental unit. Charges for service shall be billed and collected monthly (or bimonthly or quarterly, as determined by the council). Such charges shall become due not later than twenty (20) days after the billing date, and if such charges are not paid on or before the due date, a penalty of ten (10%) percent of any amount unpaid shall be added to the amount due. In the event that the charges for any such services furnished to any premises shall not be paid within thirty (30) days after the due date thereof, such charge shall become a lien on the said premises and the owner thereof shall be notified of the delinquent status.
- C. Any person, firm, corporation (whether public or private), or any governmental unit or instrumentality that generates an average equivalent of eight, thirty (30) gallon (or 50 pound) bags or more of solid waste, each week, shall contract for a waste container removal service.
- D. On the first day of May each year the Village Clerk shall certify to the Village Treasurer all such delinquent charges, including penalties, against the premises to which said services have been rendered. The Treasurer shall enter the same upon the next tax roll.

- E. The loading of any garbage or trash on a compactor truck or any other truck whereby the loading, unloading or handling of boxes, crates, equipment or other objects is not to be conducted between the hours of 9:00 p.m. and 7:00 a.m. of the following day will be included in any contract or agreement between owner of property and person, firm, or corporation (whether public or private); signage is to be provided by the property owner with signage stating “No Dumping between 9 PM and 7 AM” and posted (either to the enclosure door or on separate post) on the entry side of enclosure that contains such solid waste storage unit.

Section 2. Penalties

Any individual violating the provisions of Section 1 above shall, upon conviction thereof before a court of competent jurisdiction, greater than One Hundred (\$100.00) dollars or imprisonment in the County Jail of Genesee County, for a period not to exceed ninety (90) days, or both such fine and imprisonment in the discretion of the court who shall try such offender.

Section 3. Severability

This Ordinance is deemed severable and if any part shall be declared invalid by any court, such judgment or decree shall affect only that part directly involved in the controversy.

Section 4. Repeal of Previous Ordinance

This Ordinance shall replace Ordinance No. 125 – An Ordinance relating to Regulating the Disposal of Solid Waste and Assessing Collection of Fees and Setting Penalties for the Violation Thereof and Ordinance No. 125 is hereby repealed in its entirety.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days after adoption by the Village Council and publication as set forth below.

Section 6. Posting Ordinance

This Ordinance was approved by a vote of the Village of Otisville Council; a quorum being present on the 16th day of April, 2018 and ordered published in five (5) public places within the Village of Otisville within three (3) days after its adoption.

Jeff Lutze, Village President

Lisa Adolph, Village Clerk

I, Lisa Adolph, do hereby certify that the foregoing Ordinance No. 216 was duly adopted at a regular meeting of the Otisville Village Council held on the 16th day of April, 2018 and posted in five (5) public places in the village.

Lisa Adolph, Village Clerk