

**FRENCHTOWN CHARTER TOWNSHIP
REFUSE COLLECTION ORDINANCE
Ord. No. 117; Date of Adoption: March 1979**

An Ordinance to regulate and promote the health, safety, and welfare of the residents of the Charter Township of Frenchtown, by regulating the collection of garbage, trash, rubbish and refuse within the Charter Township of Frenchtown, as well as requiring the licensing of haulers of garbage, trash, rubbish and refuse within the Charter Township.

THE CHARTER TOWNSHIP OF FRENCHTOWN HEREBY ORDAINS:

Section 1. Short Title.

This Ordinance shall hereafter be known and may be cited as the "Frenchtown Charter Township Refuse Collection Ordinance".

Section 2. Definition.

- A. Garbage, within the meaning of this Ordinance, shall be construed to be offal, organic refuse or rejected food waste resulting from the preparation of foods or the decaying or spoiling thereof and includes trash, rubbish, papers, and any other items when the same are mixed with garbage.
- B. Trash or rubbish shall be construed to mean bottles, cartons, cans, papers, and other wastes from routine housekeeping and from ordinary mercantile and business enterprises.
- C. The term refuse, as used herein, shall be construed to mean and include garbage, trash, rubbish, and/or all of said terms, as defined herein.

Section 3. License Required.

No person, firm, association, partnership or corporation shall engage in the business of collecting, hauling, and/or disposing of refuse for hire in the Charter Township of Frenchtown without a license from the Frenchtown Charter Township Board as herein provided. Said license shall be valid for one (1) year or less, depending upon the date of issuance, and shall be effective from January 1, to December 31, of the year in which it is issued.

Section 4. Application For License.

Application for a license required under this Ordinance shall be made in writing upon a form to be prescribed by the Charter Township Board and furnished by the Charter Township Clerk. The application shall contain the following information:

The applicant's name, age, post office address, business address, residence address, a list of the areas to be serviced, the number of pieces of equipment to be used by the applicant, the type and description of the pieces of equipment to be used by the applicant, and the Charter Township Board shall have the right to require such additional information as it deems necessary as proof of the applicant's compliance with all provisions of this Ordinance.

Section 5. Duties of Clerk.

Upon receipt of an application for a license required under this Ordinance, the Charter Township Clerk shall refer said application to the Charter Township Board for its approval. Upon the approval of the Charter Township Board, the Clerk is hereby authorized to issue a license to the applicant to engage in the business of collecting, hauling, and/or disposing of refuse for hire in the Charter Township of Frenchtown, upon such licensee paying to the Charter Township Treasurer a license fee as set by the Frenchtown Charter Township Board. Said license fee may be set, increased, or lowered by resolution of the Charter Township Board in a sum it deems reasonable and appropriate.

Section 6. Renewal of License.

A renewal of a license required under this Ordinance shall be obtained in the same manner and after presenting the same form of application as that required for obtaining the original license, and shall be subject to all of the same requirements as those for obtaining the original license.

Section 7. Vehicles.

No person, firm, association, partnership or corporation shall collect, haul, and/or dispose of refuse for hire in the Charter Township of Frenchtown, unless by way of a water tight vehicle and only when the transportation is done in such a manner that no nuisance or health hazard is created and so that no part of the material transported or any liquid or any material therefrom will be allowed to fall onto, or be deposited on any street, alley, or way in the Charter Township of Frenchtown. Further, said vehicles shall conform to and be in compliance with any and all State, County of Monroe, and local laws, ordinances, or regulations.

Section 8. Subject To Other Laws.

Nothing in this Ordinance shall be in conflict with or be less restrictive than the provisions of any of the laws, ordinances or regulations of the State of Michigan, and/or the County of Monroe regarding the collecting, hauling, and/or disposing of refuse. Further, any person, firm, association, partnership, or corporation licensed under this Ordinance shall conform to any and all laws, ordinances or regulations of the State of Michigan, and/or the County of Monroe regarding the collecting, hauling, and/or disposing of refuse.

Section 9. Performance.

Any licensee under this Ordinance who collects, hauls, and/or disposes of refuse in such a manner as to create a nuisance or health hazard, or in such a manner as to allow refuse to accumulate to such an extent as to create a nuisance or health hazard shall be deemed in violation of this Ordinance and subject to the penalties contained herein.

Section 10. Persons Ineligible for License.

The Frenchtown Charter Township Board may refuse to issue a license to any applicant who is in violation of the provisions of this Ordinance, and may suspend or revoke any such license for a violation or violations of any of the provisions of this Ordinance. Each application for a license shall contain an agreement by the applicant that he will accept the license, if granted him, upon the condition that it may be suspended or revoked by the Frenchtown Charter Township Board for violation of the provisions of this Ordinance.

Section 11. Penalty.

Violation of this Ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not to exceed One Hundred (\$100.00) Dollars, or imprisonment not to exceed ninety (90) days, or both such fine and imprisonment, in the discretion of the Court.

Section 12. When Effective.

This Ordinance shall become effective thirty (30) days after final passage and publication in the Monroe Evening News, a newspaper having general circulation in Frenchtown Charter Township, Monroe County, Michigan.