

## MANCHESTER TOWNSHIP

## ORDINANCE NO. 30

AN ORDINANCE TO PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF PERSONS AND PROPERTY WITHIN THE TOWNSHIP OF MANCHESTER BY ESTABLISHING A COMMON SOLID WASTE TRANSFER SITE IN COOPERATION WITH THE VILLAGE OF MANCHESTER, THE TOWNSHIP OF BRIDGEWATER, THE TOWNSHIP OF FREEDOM AND THE TOWNSHIP OF SHARON: BY CONTROLLING AND REGULATING THE DEPOSIT OF SOLID WASTE WITHIN THE TOWNSHIP: TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF; TO PROVIDE FOR THE ESTABLISHMENT OF FEE SCHEDULES FOR THE DEPOSIT OF SOLID WASTE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

THE TOWNSHIP OF MANCHESTER ORDAINS:

Section 1. Title.

This ordinance shall be known and may be cited as "The Solid Waste Transfer Site Ordinance of the Township of Manchester."

Section 2. Establishment of Solid Waste Transfer Site.

Pursuant to 1951 P.A. 35 for the State of Michigan, being MCLA 124.1; MSA 5.4081, et. seq., as amended, the (Supervisor or Village Manager) is authorized to negotiate agreements with other municipalities in the County of Washtenaw for the purpose of establishing and administering a Solid Waste Transfer Site, and from time to time to negotiate modifications of agreements or new agreements with the same or other municipalities within the county for those purposes.

Such agreements shall be of no force and effect until adopted by resolution by the legislative bodies of all of the agreeing municipalities.

Section 3. Definitions.

(1) "Solid Waste Transfer Site" means the area and container established for that purpose by agreement of the legislative bodies of the agreeing municipalities.

(2) "Garbage" means rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attend the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruits or vegetables, and all other putrescible wastes, excluding grass.

(3) "Rubbish" means empty cans or bottles, glass, wooden or paper boxes, crates, old metals or alloys, stone, ashes, brick, tires, grass, cloth and any other nonputrescible waste allowed by the rules established pursuant to this ordinance.

Section 4. Use Limited to Rubbish; Fee Required.

No person shall use the solid waste transfer site area for the dumping or depositing of garbage and hazardous materials, as defined in 1979 P.A. 64 for the State of Michigan, being MCLA 299.501; MSA 13.30(1) et. seq., as amended, and defined by the Department of Natural Resources in its Hazardous Waste Management Rules, Sections R299.6301 through R299.6317 inclusive. Only rubbish, as defined in subsection 3(3) hereof may be so dumped or deposited, upon the payment of the fees prescribed by agreement of the agreeing municipalities.

Section 5. Fee Schedule; Rules and Regulations; State Law.

The agreeing municipalities, by resolution of their legislative bodies, or a jointboard established for the purpose of managing the Solid Waste Transfer Site, may prescribe, adopt and from time to time modify a schedule of fees for the use of the solid waste transfer site and establish rules and regulations equal to or more stringent than those imposed by State Statute or by the State Health Commission. Nothing in this section shall be construed as less stringent than the rules and regulations of state law or the Commissioner.

Section 6. Compliance with Section and Signs Required.

Whoever uses the facilities of the solid waste transfer site shall abide by and conform with this ordinance, with all instructions and orders of the person authorized by the agreeing municipalities to supervise dumping operations at the solid waste transfer site and with all signs and notices posted at the solid waste transfer site by the person in charge or posted pursuant to the rules and regulations adopted.

Section 7. Removal of Articles.

No person shall remove an article or object which has been deposited or dumped and left at the solid waste transfer site without the permission of the person in charge.

Section 8. Penalty.

Any person, firm or corporation who violates any of the provisions of the within Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not to exceed \$500.00 or imprisonment in the county jail for not to be exceeded 90 days, or both such fine and imprisonment as a court of competent jurisdiction may so determine. In addition to the foregoing, the enforcing officers of the Township of Manchester shall have the right and authority in their discretion to remove any material, rubbish or debris deposited in violation of the within ordinance at the expense of the owner or tenant of the premises or owner of the rubbish or debris as may be determined to be most appropriate by such officials. Such right of removal, however, shall not relieve a violator from penalties hereinbefore set forth.

Section 9. Saving Clause.

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of the ordinance other than said part or portion thereof and the remainder of said ordinance shall remain in full force and effect.

Section 10. Effective Date.

This ordinance shall take effect 30 days after its publication in the Manchester Enterprise. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Effective date September 20, 1986, 1986

*Wilma E. Lentz*  
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 Wilma E. Lentz, Manchester Township  
 Clerk

## CERTIFICATE

I, Wilma E. Lentz, Clerk of the Township of Manchester, Washtenaw County, Michigan hereby certify that the within Ordinance of Manchester Township was duly adopted by the Township Board of the Township of Manchester at a regular meeting thereof on August 11, 1986 and that Macomber, Widmayer, Burch, Fielder, Lentz voted for the adoption of said ordinance and noone voted against and that the same was published on the 21st day of August, 1986 in the Manchester Enterprise a newspaper printed and published in the Township of Manchester, Washtenaw County, Michigan.

*Wilma E. Lentz*  
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 Wilma E. Lentz, Manchester Township  
 Clerk.