

ORDINANCE #11-2017

ORDINANCE TO AMEND “CHAPTER 50 – SOLID WASTE” OF THE CITY OF MARLETTE CODE OF ORDINANCES

WHEREAS, the City of Marlette has completed a thorough review of its Code of Ordinances in pursuit of publishing a comprehensive update of the Code of Ordinances book; and

WHEREAS, the following amendments are necessary to complete the update.

THE CITY OF MARLETTE ORDAINS . . . .

**Section 1.** That Section 50-32 of Chapter 50 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

***Section 50-32. Pickup; charges; billing.***

Charges for garbage, refuse or rubbish pickup under this article may be ~~billed in a manner the council shall deem fit established by a resolution of city council.~~ Any charges unpaid and past due ~~shall incur a penalty as established by a resolution of city council in excess of 15 days shall incur a penalty of ten percent.~~ Any charges under this article which are delinquent ~~on March 1 of any year~~ may be returned as unpaid taxes which shall become a lien on the land and premises which was furnished by the garbage pickup.

**Section 2.** That Section 50-34 of Chapter 50 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

***Section 50-34. Residential collection; containers.***

There will be a pickup of residential garbage, at least once a week. Residents will be informed of the time and place to set garbage cans for pickup. Garbage cans will be a watertight can, either metal or plastic, or other approved material not in excess of ~~the contractually-determined 20 gallons in~~ capacity with a closed tight cover thereon and in sufficient condition to keep the garbage securely contained therein. No can of garbage, when full or otherwise, shall weigh in excess of ~~60 pounds the contractually-determined capacity.~~ ~~All residents shall place their garbage in paper bags or wrap the garbage in paper prior to placing it in the garbage can.~~ No garbage cans shall be stored on streets, alleys, sidewalks or other public places except for a period of 24 hours prior to pickup thereof or in such a place that at the time of pickup they are saturated with water or snow or other liquids to make the picking up difficult or unpleasant.

**Section 3.** That Section 50-35 of Chapter 50 of the City of Marlette Code of Ordinances is hereby deleted in its entirety.

***Section 50-35. Collection of rubbish and refuse.***

~~The city, or such person as the city may designate shall pick up rubbish and refuse of the citizens at least twice a month. All rubbish and refuse shall be separated and shall~~

~~be placed in watertight containers, piled and bundled, or placed for pickup in such a manner and such a size that it shall be capable of being loaded into a packer-type truck. Any residents having questions may consult with the pickup crew for instructions as to size and manner or for preparing rubbish or refuse.~~

**Section 4.** That Section 50-36 of Chapter 50 of the City of Marlette Code of Ordinances is hereby deleted in its entirety.

~~***Section 50-36. Accumulations of rubbish and refuse prohibited.***~~

~~All rubbish or refuse shall be neatly stored away from the public view, preferably inside of a building at all times except the rubbish or refuse may be placed at the designated spot for pickup for a period of 48 hours while it is awaiting the pickup. All refuse and rubbish containers shall be watertight and stored in such a place that at the time of pickup they are not saturated with water or snow or other liquids to make the picking up difficult or unpleasant.~~

**Section 5.** That Section 50-37 of Chapter 50 of the City of Marlette Code of Ordinances is hereby deleted in its entirety.

~~***Section 50-37. Condemnation of containers.***~~

~~The city may place an official tag with the caption "Condemned" with date of condemnation of any container that it determines to be badly broken or so faulty as to constitute an unsanitary condition. Once a container is condemned, it may be classified rubbish and collected as such at any time after three days from the date of condemnation.~~

**Section 6.** That Section 50-38 of Chapter 50 of the City of Marlette Code of Ordinances is hereby deleted in its entirety.

~~***Section 50-38. Tampering with containers.***~~

~~No person, other than the owner or occupant, his employees or agents, or such persons as the city council shall designate, shall tamper or meddle with any garbage container, bundle or bushel basket or remove the contents thereof from the location of where such containers have been properly placed pending collection.~~

**Section 7.** This Ordinance is declared necessary for the peace, health and safety of the residents of the City of Marlette and shall become effective upon twenty five days after enactment and publication.

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Mayor

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City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Published: \_\_\_\_\_

The foregoing ordinance was offered by Council Member \_\_\_\_ and supported by Council Member \_\_\_\_\_:

AYES:

NAYS:

ABSENT:

The Clerk declared the ordinance adopted.

I, Sandra Cargill, the duly qualified and acting Clerk of the City of Marlette, Sanilac County, Michigan do hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Council at a regular meeting held on Monday, \_\_\_\_\_, 2017, the original of which is on file in the City Office.

\_\_\_\_\_  
Sandra Cargill, City Clerk