CHARTER TOWNSHIP OF WEST BLOOMFIELD

ORDINANCE NO. C-408-D

SOLID WASTE MANAGEMENT ORDINANCE AMENDMENT

An Ordinance to amend the regulations and license requirements for solid waste collection in the township.

THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS:

Section 1 of Ordinance

Division 1, Generally, in Article III, Business of Collection, of Chapter 13, Solid Waste Management, of the Charter Township of West Bloomfield Code is amended by adding new subsections 13-48(e), 13-48(f), 13-51(d), 13-51(e) and 13-51(f) to read as follows:

Sec. 13-48. Regulation of vehicles.

(a) – (d) [Unchanged]

(e) Vehicle specifications. Vehicles and equipment used to make collections of solid waste, yard waste and recyclables shall be modern, sanitary, mechanically safe and sound and shall not exceed applicable Oakland County weight requirements.

(f) Operations. Vehicles and equipment used to make collections of solid waste, yard waste and recyclables shall transport same without spillage to the disposal location and/or MRF. Any spilled, loose or dislodged waste, materials or containers deposited upon any street, sidewalk or other public way in the course of collection or transportation within the township shall be promptly cleaned up and removed.

Sec. 13-51. Pickup schedules.

(a) – (c) [Unchanged]

(d) Handicapped customers. If there are no members of a customer's household that are physically able to place solid waste and recyclables at the edge of the road for collection due to a documented handicap or disability that is on file with the township clerk’s office and the licensee, without any additional charges or fees, the licensee shall be required to collect solid waste and recyclables from, and return empty receptacles to, a location that is outside of and between the customer’s home and roadway.

(e) Collection days and hours. Collection of solid waste, recyclables and yard waste shall only be performed in the township between the hours of 7:00 a.m. and 5:00 p.m., Monday through Thursday provided collection services may be provided on Friday when
a holiday occurs in that week, or due to strikes, work stoppages and/or inclement weather. Collection shall not be scheduled on the following holidays: New Years Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day.

(f) **Customer lists.** Each licensee shall maintain a current list of the names, addresses and collection day of its customers and a current customer count which shall be filed electronically monthly with the township for inspection, but not copying and in connection with an application for a license or license renewal.

**Section 2 of Ordinance**

Division 2, License, in Article III, Business of Collection, of Chapter 13, Solid Waste Management, of the Charter Township of West Bloomfield Code is amended by adding new sections 13-76, 13-77 and 13-78 to read as follows:

**Sec. 13-76. Hazardous waste fees.**

In addition to any other fees required in this Article, prior to issuance or renewal of a license, the licensee shall pay a hazardous waste fee in an amount established by resolution of the township board, which is to be used by the township to provide household hazardous waste collection days, with the amount to be paid by each licensee to be in proportion to the number of residential customers they are serving when compared to the total number of residential customers being served in the township by all licensees.

**Sec. 13-77. Bond.**

Each licensee shall provide and maintain a performance bond with the township in an amount and form to be established by resolution of the township board, which shall be to ensure compliance with the provisions of this chapter and the license, and the performance of paid for services to customers with the amount of the bond to be in proportion to the number of residential customers they are serving when compared to the total number of residential customers being served in the township by all licensees, which shall be payable to the Charter Township of West Bloomfield, for its benefit and in trust for those customers.

**Sec. 13-78. Penalties for violations.**

Violations of this Article III shall be punishable as municipal civil infractions, with each provision violated and each day on which a violation occurs constituting a separate offense. The penalty for each violation of this article shall be a civil fine of five hundred dollars ($500.00) with the violator also subject to costs, damages, expenses, collection and prosecution as provided in section 1-10(b) of this Code.
Section 3 of Ordinance

Should any section, subdivision, sentence, clause or phrase of this Ordinance, be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 4 of Ordinance

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 are commenced.

Section 5 of Ordinance

This Ordinance Amendment shall be effective immediately upon publication.

CERTIFICATION

It is certified that the foregoing ordinance was duly adopted by the Board of Trustees of the Charter Township of West Bloomfield at a meeting duly called and held on June 15, 2009.

CHARTER TOWNSHIP OF WEST BLOOMFIELD

By: [Signature]
Catherine Shaughnessy, Clerk

Introduced: April 20, 2009
Adopted: June 15, 2009
Published: June 24, 2009