

ORDINANCE # 14-89 C

AN ORDINANCE TO AMEND ORDINANCE NO. 14-89 B ENTITLED "PINCONNING TOWNSHIP SOLID WASTE SANITARY LANDFILL ORDINANCE" AND INTENDED TO REGULATE THE OPERATION THEREOF IN AREAS NOT PRE-EMPTED BY THE STATE OF MICHIGAN.

THE TOWNSHIP OF PINCONNING ORDAINS THAT ORDINANCE NO. 14-89 B ADOPTED THE 11th DAY OF DECEMBER, 1989: SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:

TITLE

ORDINANCE NO. 14-89 C SHALL BE ENTITLED "PINCONNING TOWNSHIP SOLID WASTE MANAGEMENT SYSTEM ORDINANCE" : WHICH MEANS A SYSTEM AND/OR DISPOSAL FACILITY WHICH PROVIDES FOR THE COLLECTION, TRANSPORTATION, SEPARATION, RECYCLING, RECOVERY AND DISPOSAL OF SOLID WASTE, AND SHALL BE REFERED TO HEREAFTER AS THE SOLID WASTE DISPOSAL FACILITY.

SECTION 4 HOURS OF OPERATION AND DELIVERY

THE TERM: "HOURS OF OPERATION", As used herein shall mean the hours during which the facility may operate in order to prepare for the days deliveries and operation, including but not limited to construction and the placement of cover material.

THE TERM: "HOURS OF DELIVERY", As used herein shall mean the hours during which deliveries of solid waste may be made to the facility, and/or hours during which any material may be removed from the disposal facility, including but not limited to leachate and recyclable material.

THE TERM: "LEGAL HOLIDAYS", As used herein shall be defined as Christmas Day, New Year's Day, Memorial Day, Fourth of July, Labor Day, and Thanksgiving Day.

NO SOLID WASTE DISPOSAL FACILITY SHALL OPERATE IN THE TOWNSHIP OF PINCONNING EXCEPT DURING THE HOURS OF 8:00 a.m. thru 6:00p.m. MONDAY THRU FRIDAY, AND 8:00a.m. thru 12:00 NOON ON SATURDAYS, EXCEPTING LEGAL HOLIDAYS.

In the event a legal Holiday falls on a weekday, the site may remain open till 5:00 P.M. on Saturday of the week of such legal Holiday for the purposes of delivery and/or operation. In the event of a natural diaster, the Pinconning Township Board by resolution, may extend the hours and days of operation.

SECTION 13 - IMPACT FEE(PERMIT FEE)

The owner/operator of any Solid Waste Disposal Facility located within the Township of Pinconning shall collect an impact fee (permit fee) of ten cents (.10¢) per cubic yard of waste disposed of at the facility, including but not limited to recyclable materials. Said fee shall be paid to the Township of Pinconning monthly, by the 15th day of each month. The owner/operator of any Solid Waste Disposal Facility shall keep accurate books and records, with names and addresses of persons or entities depositing waste at any Solid Waste Disposal Facility located within the Township of Pinconning and the amount of fees collected from each person or entity, including but not limited to payments made in cash. Such books and records shall be made available for inspection and audit by the Township of Pinconning and/or it's duly designated agent or representative. The fees so collected by the owner/operator and paid over to Pinconning Township shall be deposited in the General Fund of the Township of Pinconning to be used for any purpose which promotes the general health, safety and welfare of the inhabitants of Pinconning Township. Such revenue shall not be used to bring or support a lawsuit or other legal action against the owner/operator of the Solid Waste Disposal Facility, unless the owner/operator has instituted a law suit or other legal action against said township.

SECTION 14 - PUBLIC HEALTH, SAFETY AND WELFARE

The owner/operator of any Solid Waste Disposal Facility located within the Township of Pinconning shall pay for the containment of all Solid Waste spills in said township as a result of transportation of said material to or from the facility, or operation of the facility. The owner/operator of any Solid Waste Disposal Facility, located within the Township of Pinconning shall be responsible for immediate cleanup of any Solid Waste spill resulting from transportation of said waste to or from the facility, or operation of the facility. The owner/operator of any Solid Waste Disposal Facility located within the Township of Pinconning shall be responsible for the evacuation of any citizen from their home, and responsible for the payment of food and housing for such evacuees, resulting from any spill which could be health threatening to the citizens of Pinconning Township either in the transportation of waste material to or from the facility or as a result of operations at the facility.

SECTION 15 - TRANSPORTATION OF SOLID WASTE

The owner/operator of any Solid Waste transporting unit shall submit the manifest, or such information as deemed necessary for public safety, upon request to any proper authority.

IN ALL OTHER RESPECTS, ORDINANCE NO,14-89B SHALL REMAIN IN FULL FORCE AND EFFECT, EXCEPT AS HEREBY MODIFIED.

EFFECTIVE DATE

This amendment to Ordinance No. 14-89B being necessary for the regulation of any Solid Waste Management System located in the Township of Pinconning, for the public health, safety and general welfare of the persons and property of the township, shall become effective upon publication in the Pinconning Journal. A newspaper circulated within the Township of Pinconning.

ADOPTED AT A REGULARLY SCHEDULED MEETING OF THE TOWNSHIP BOARD OF THE
TOWNSHIP OF PINCONNING, AT THE TOWNSHIP HALL ON THE 23 DAY OF July 1991.

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NAYS

Sharon Stalsberg

Henry Kuvasiak

Janece Pierson

Randy Augustyniak

Lou-Ann Verellen, Clerk

CERTIFICATION

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF AN
ORDINANCE ADOPTED BY THE PINCONNING TOWNSHIP BOARD, AT A REGULARLY SCHEDULED
MEETING ON THE 23 DAY OF July 1991.

Sharon Stalsberg Supervisor
SHARON STALSBERG, SUPERVISOR

Lou-Ann Verellen, Clerk
LOU-ANN VERELLEN, CLERK

PUBLISHED: PINCONNING JOURNAL ON THE 7th DAY OF August, 1991.

