

**CITY OF HARTFORD
COUNTY OF VAN BUREN
STATE OF MICHIGAN**

ORDINANCE NO 306-10

AN ORDINANCE LIMITING THE DURATION OF USE OF TEMPORARY TRASH, GARBAGE RECEPTACLES, ROLL OFF CONSTRUCTION DUMPSTERS OR OTHER SIMILAR UNITS AND ASSESSING FEE.

WHEREAS, the City Council has determined that temporary roll off construction dumpsters reduces the aesthetic quality of the City unless the duration of use of said facilities is limited.

WHEREFORE, be it resolved that the following ordinance is adopted:

Section 1. Definitions

For the purpose of this section a temporary trash, garbage receptacle or roll off construction dumpster shall mean facilities which are designed and used to dispose of materials which are typically removed from the property of a customer and left onsite for some temporary time period.

Section 2. Duration

The onsite placement and use of a temporary roll-off construction dumpster is limited thirty (30) days at any business or residential lot in the City and shall not be located on any City Street or right-of-way at any time. Extension may be granted at the discretion of the City Manager in cases of inclement weather and other applicable circumstances.

Section 3. Disposal of Debris

The contents placed in a disposal unit shall not be allowed at any time to overflow or fill to a capacity that a current of air may cause debris to exit the dumpster. No contents shall be placed adjacent to or outside of the dumpster at any time.

Section 4. Penalty Clause

Any violation of this ordinance or any part thereof shall constitute a civil infraction punishable by a fine of \$100.00. In addition, the City specifically reserves the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this ordinance.

Section 5. Severability Clause

Should any portion of this ordinance adopted hereby be declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any other part or portion thereof.

Section 7. Effective Date and Repeal of Conflicting Ordinances

This ordinance shall take effect on March 22, 2010. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Motion by: Hall Supported by: Pleyer

Ayes: Dockter; Hall; Latus; Pleyer and Johnson

Nays: None

Absent: Austin; Miller

Resolution declared adopted.

RoxAnn Rodney- Isbrecht, City Clerk