

ARTICLE R 45

SECTION R 45.01 ACCUMULATION OF JUNK, TRASH, DEBRIS, AND INOPERABLE VEHICLES.

AN ORDINANCE TO REGULATE THE ACCUMULATION OF JUNK, TRASH, GARBAGE, RUBBISH AND TO PROVIDE FOR PENALTIES FOR THE VIOLATION OF SUCH REGULATIONS.

THE TOWNSHIP OF FRUITLAND ORDAINS:

SECTION R 45.02 DEFINITIONS

A. ACCUMULATION OF JUNK, TRASH AND DEBRIS

The terms “accumulation of junk, trash and debris” includes but is expressly not limited to keeping or depositing on, or the scattering over the premises of any of the following:

1. Junk, trash, litter, refuse, debris, lumber, wood, and brush;
2. Abandoned, discarded, or unused objects or equipment such as automobiles, mobile homes, trailers, campers, furniture, stoves, refrigerators, freezers, appliances, cans, or containers;
3. Motor vehicles in an inoperative condition, whether currently licensed or not. Any style or type of motor driven vehicle which has defective or missing parts, is unable to move under its own power, and/or has been wrecked, dismantled, discarded, stripped, or is in such a condition as to be generally unfit for further use as a conveyance;
4. Automobile parts, including tires and any other portion or parts of any motor vehicle detached from the vehicle as a whole, and;
5. Scarp metal or pieces or parts of steel, iron, tin, zinc, copper, aluminum, or any alloy thereof whether covered with porcelain, plastic, rubber, or any other material and whether intact or in parts.

B. DEBRIS

The term “debris” includes the remains of something broken down bits and pieces of stone, glass, wood, concrete building materials after demolition, bits and pieces of rubbish or litter, and a heap of rock fragments.

C. GARBAGE

The term “garbage” shall mean all putrescible waste including animal, fruit and vegetable wastes and discarded food of any type or any filthy or offensive substances, such as but not limited to waste material and refuse from kitchens, residences, grocery stores, butcher shops, restaurants, cafes, or other like businesses.

D. JUNK

The term “junk” means any discarded or worn-out materials or manufactured products, whether reusable or saleable or not.

E. RUBBISH

The term “rubbish” shall mean all refuse, tin cans, bottles, paper cartons, discarded clothing, discarded utensils, discarded containers, sweepings, glass, crockery, nails, tin, wire, light bulbs, signs, advertising matter, and such other materials as are normally discarded from a household including all waste, trash, or any material of any kind that has been discarded, rejected, cast aside, or thrown away as useless.

F. RESPONSIBLE PARTY

The term “responsible party” means, collectively the person or persons having a present interest legal title with respect to the premises on which a violation of this Ordinance occurs (all persons who constitute a responsible party are jointly and severally responsible for maintaining the premises in compliance with this Ordinance).

G. TRASH

The term “trash” shall include but not be limited to such items of discard which are normally associated with residential usage, also discarded household appliances, dismantled vehicles or their parts, discarded or dismantled machinery or tools and such other items that shall constitute a health or safety hazard or a menace or nuisance or be visually repugnant to persons residing in the neighborhood or surrounding area, and shall include but not be limited to discarded household furniture, household equipment and household appliances, building wastes, unused, used or unusable building materials, including lumber and building materials salvaged from demolished buildings or demolished structures.

SECTION R 45.03 GARBAGE AND RUBBISH STORAGE

No person, firm or corporation, INCLUDING THE OCCUPIER OR OWNER OF ANY PREMISES IN FRUITLAND TOWNSHIP, shall store garbage or rubbish on any premises in Fruitland Township, unless such materials be completely contained within water-tight, metal containers with tight fitting metal covers. Putrescible wastes shall not be stored more than four (4) days.

- A. The owner of every multiple dwelling, and in the case of private and two-family dwellings, the occupant or occupants thereof, shall provide for said dwelling, keep clean and in place, proper water-tight metal containers, with tight fitting metal covers, in sufficient number and of a capacity of ten (10) gallons or more for storing garbage, refuse, ashes, and other waste matter.

- B. Metal containers used for the storage of garbage or rubbish shall be maintained in a clean and sanitary condition, and shall be tightly covered except at such times as material is being placed within or removed from containers.

**SECTION R 45.04 GARBAGE, TRASH AND RUBBISH:
UNLAWFUL ACCUMLATION OR OPENED DISPLAY**

THE OCCUPIER OR REAL PROPERTY PREMISES IN FRUITLAND TOWNSHIP OR the owner of any parcel of real property in the Township of Fruitland shall not allow the OPEN accumulation OR open display of garbage, rubbish or trash upon any such property, regardless of whether the title holder occupies said parcel. Written notice by Building Inspector, CONSTABLE or other ordinance enforcement official to the owner OR OCCUPIER of the premise OR OPEN DISPLAY OR accumulation of garbage, rubbish or trash and failure to remove the same within ten (10) days of such notice shall constitute prima facie evidence of the intent of the owner to allow the OPEN accumulation OR OPEN DISPLAY of such rubbish, trash or garbage as notified, regardless of whether the owner occupies said parcel OR IN THE CASE OF AN OCCUPIER WITHOUT THE TITLE OF THE INTENT OF THE OCCUPIER TO ALLOW THE OPEN ACCUMULATION OR OPEN DISPLAY OF SUCH RUBBISH, TRASH OR GARBAGE.

SECTION R 45.05 TRANSPORTATION

- A. No person, firm or corporation shall transport garbage, rubbish or other waste materials upon any street, alleys, roads, rights of way or highways in Fruitland Township in any vehicle unless such vehicle is so constructed and maintained as to prevent offensive odors or exhalations therefrom, and leaking, sifting, dropping, spilling or blowing of the contents thereof upon any street, alley, road, right-of-way, highways, public or private property.
- B. Any person, firm or corporation, other than the actual producer or owner of premises upon which garbage, rubbish or refuse is accumulated, desiring to collect or dispose of such waste materials shall first obtain a permit in writing to do so from the Township Board of Fruitland Township.

SECTION R 45.06 DISPOSAL

No person, firm or corporation shall deposit any garbage, rubbish, trash or other waste matter upon any road, street, alley, highway, right-of-way, or within any park, stream, lake or river in Fruitland Township, Muskegon County, Michigan.

- A. Disposal or deposit of garbage, rubbish, trash and other waste material shall be permitted upon a site approved for such use by the Township Board of Fruitland Township and the Muskegon County Health Officer; and a copy of such written approval shall be delivered to the person, firm or corporation desiring to dispose or deposit such waste materials upon such sites.
- B. The storage, transportation and disposal of garbage, rubbish and trash shall be done only in accordance with the Sanitary Regulations of Muskegon County which are hereby adopted and incorporated herein by reference and are available online at <https://www.co.muskegon.mi.us/DocumentCenter/View/3661/Muskegon-County-Sanitary-Code-Regulations-PBF?bidId=>

SECTION R 45.07 ADMINISTRATION

It shall be the duty of the Building Inspector or Ordinance Enforcer Officer of the Township of Fruitland to enforce the provisions of this Ordinance.

SECTION R 45.08 MAINTENANCE OF PROPERTY

It shall be the duty of every responsible party and any person owning or controlling any private premises to maintain such private premises in a clean and orderly manner. It shall be a violation of this ordinance to abandon, neglect, or disregard the condition or appearance of any premises so as to permit the accumulation of junk and trash thereon.

SECTION 45.09 VIOLATION AND PENALTY

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resist the enforcement of the provisions of this ordinance, or any person who knowingly or intentionally aids or abets another person in violation of this ordinance, shall be responsible for a civil infraction and subject to fines as published by the Township from time to time. Each day's continued violation shall constitute a separate and distinct offense.

SECTION R 45.10 VALIDITY

Should any section, clause or provision 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 declared to be invalid.

SECTION R 45.11 EFFECTIVE DATE

This Ordinance is hereby declared to be immediately necessary for the preservation of the public peace, health and safety and shall take effect thirty (30) days after publication.

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