

ORDINANCE #243-09

AN ORDINANCE OF THE VILLAGE OF BANCROFT, MICHIGAN KNOWN  
AS:

**REFUSE/TRASH ORDINANCE/COLLECTION, DISPOSAL, BILLING PROCEDURES.**

THE VILLAGE OF BANCROFT ORDAINS:

WHEREAS the Village of Bancroft has determined that the health, safety and welfare of the inhabitants of the Village necessitates an orderly manner of governing the collection and disposal of refuse, garbage, rubbish and other discarded waste materials, the Village of Bancroft hereby adopts the following Refuse Ordinance:

**Section 1. Responsibility of Owners or Occupants.**

Every owner, occupant or person in possession of a residential premise in the Village is required to have accumulations of refuse removed and disposed of in accordance with this ordinance, other Village ordinances, and in accordance with the rules and regulations promulgated under this ordinance. The Village shall provide for such refuse removal services, which may include recycling services, for residential premises. There shall be paid to the Village the charges specified by the Village Council for such services.

**Section 2. Rules and Regulations**

The Village Council is hereby authorized to make such rules and regulations as from time to time appear to the Council to be necessary to carry out the intent of this ordinance, provided that such rules are not in conflict with this or any other law of the Village or other appropriate governmental unit. Failure to observe any approved rule or regulation shall be a violation of this ordinance. Such rules and regulations shall be published and available for distribution at the Village Clerk's office.

**Section 3. Compliance Required:**

No owner, occupant, tenant or lessee of any building, structure, property or premises in the Village shall store, collect, transport or dispose of any refuse, garbage, rubbish or other rejected, unwanted or discharged waste materials, except in compliance with this ordinance and applicable State, Federal and local laws, rules and regulations.

**Section 4. Establishment of Rates and Fees**

The Village Council shall establish, by resolution, all rates and fees for residential premises refuse collection and the allocation of such fees. Such rates shall be subject to revision by the Village Council from time to time.

**Section 5. Responsibility for Payment**

In the case of residential premises containing more than one dwelling unit, which units are billed separately for water charges by the Village Water Billing Department, fees for refuse collection

shall be billed to the person who is the customer of the Department. In the case of residential premises containing more than one dwelling unit, which premises are served by a single water bill, so that occupants or tenants cannot be billed separately by the Department, fees for refuse collection shall be billed to the customer of the single utility bill who shall be liable for the service fee for such premises. Owners and/or occupants of residential premises who are not customers of the Department shall be billed individually.

Although the occupant or person in possession of the residential premises may make arrangements with the Village for payment of rates for the required refuse service, the owner of record, as title holder, as reflected in the records of the Village Assessor, shall be ultimately responsible for all refuse collection charges for service to the owner's residential premises.

**Section 6. Service Fee.**

The service fee for removal of refuse by the Village contractor shall be established by the Village Council from time to time.

**Section 7. Billing Procedures.**

The following billing procedures shall be controlling as to residential premises refuse collection service:

- A. Statements shall be rendered quarterly or monthly and may be contained within water billings and shall be payable to the Village at the office of the Village Treasurer and at other locations as may be designated.
- B. The billing statement shall be payable on or before the due date shown on the statement. The payment date shall constitute the date upon which payment is received at the appropriate office. A late charge of ten percent of the unpaid bill shall be assessed on all bills paid more than twenty days after the due date.

**Section 8. Liens; Special Assessments; Deposits.**

Charges for residential premises refuse collection shall constitute a lien on such premises.

In addition to the methods of collection of fees imposed by or pursuant to this chapter, the Treasurer shall, on April 30, certify all unpaid charges for such service furnished to any premises which, as of such dates, have remained unpaid for a period of six months, to the Village Assessor who shall place the same on the tax roll of the Village. Such charges shall be collected in the same manner as Village taxes.

**Section 9. Exclusive Contracts.**

The Village Council may, either by advertising for bids or otherwise, enter into an exclusive contract, with the mutual consent of the contractor, or extend the term of such contract, with such person as the Village Council may deem best able to collect and dispose of residential refuse in the Village in accordance with the best interests of the Village and its residents. The contractor shall be the only person allowed to provide residential refuse collection and disposal services within the



**VILLAGE OF BANCROFT  
REFUSE/TRASH ORDINANCE**

I, Shana Post, being the Clerk of the Village of Bancroft, MI does hereby cause to be published the following recently adopted ordinance of the village of Bancroft, pursuant to M.S.A. 5.1274.

At the regular council meeting on February 11th, 2009 the following village ordinance was adopted and will become effective March 3rd, 2009:

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**Section 10. Violations:**

A person who violates this ordinance is responsible for a civil infraction.

**Section 11. Effective Date:**

This Ordinance shall take effect twenty (20) days after its passage, as set forth hereafter.  
Publish: February 27, 2009