

TOWNSHIP OF BEAR CREEK

ORDINANCE #86

AN ORDINANCE TO REGULATE THE ESTABLISHMENT, MAINTAINENCE AND OPERATION OF ALL PUBLIC GARBAGE OR TRASH DISPOSAL FACILITIES OR SYSTEMS IN SAID TOWNSHIP, TO REQUIRE PERMITS FOR THE CONSTRUCTION THEREOF, AND TO PROVIDE FOR THE PERMISSIBLE LOCATION THEREOF:

WHEREAS, it has been determined by the Township Board of Bear Creek Township, Emmet County, Michigan that the health, safety and welfare of the Inhabitants of said township requires the regulation and control of public disposal of garbage and trash in said township and,

WHEREAS, it is in the best public interest to provide by ordinance for such regulation and control;

THE TOWNSHIP OF BEAR CREEK ORDAINS:

1. No person, firm or corporation, or any combination thereof shall hereafter establish, construct or maintain any public garbage dump, sanitary land fill, or other facility or system for the disposal of garbage or trash in the Township of Bear Creek without first securing a permit therefor from the Township Board.
2. No such permit shall be issued by the Township Board until application has been made therefor in the manner prescribed herein and until an investigation has been made by the Township Board determining that the granting of such a permit would not be detrimental or injurious to the public health or safety, In making such investigation, the Township Board shall avail itself of the service of state and county public health authorities.
3. Applications for such permits shall be filed with the Township Clerk. All applications shall be in writing, signed by the person making such application and shall specify the exact location of the garbage disposal facility proposed to be established. Applications shall be accompanied by a complete set of construction plans for the proposed project and a filing fee in the amount of Twenty-five (\$25.00) dollars, which shall not be refundable.
4. No garbage dump, land fill, or other facility for the disposal of garbage or trash shall be allowed or permitted to be established within one thousand (1,000) feet of any public highway now within one thousand (1,000) feet of any dwelling house or building used for the care and keep of livestock.

5. Violation of any of the provisions of this Ordinance shall constitute a nuisance per se and the township may pursue any and all civil remedies which may be available to it to restrain such violation.
6. Any person violating this Ordinance shall, upon conviction thereof, be guilty of a misdemeanor punishable by fine not exceeding One Hundred Dollars (\$100.00) or by imprisonment in the County Jail not to exceed ninety (90) days, or by both such fine and imprisonment.
7. A true copy of this Ordinance shall be published once In the Petoskey News Review, a newspaper circulated in said township, within ten (10) days after its passage and shall take effect thirty (30) days after such publication.

Enacted and Ordained by the Bear Creek Township Board this 8th day of February, 1978.

Supervisor

Clerk

Ayes:

Nays:

Absent:

Ordinance declared: _____
Supervisor

Published in the Petoskey News Review on the 10th day of February, 1978.

Clerk