

RECORD OF ORDINANCES

ORDINANCE NO. 4

Township of Evangeline County of Charlevoix

Ordinance No. 4 enacted by the Board July 1, 1966

Published: July 14, 1966, within 10 days after enactment.

Effective July 21, 1966.

Record of votes of Board Members:
(Yes or No)

(Yes or No.)

<u>Joseph Eaton</u>	<u>(yes)</u>	<u>Leonard Nelson</u>	<u>(yes)</u>
<u>Fred Gondzar</u>	<u>(yes)</u>	_____	<u>()</u>
<u>B.J. Ellis</u>	<u>(yes)</u>	_____	<u>()</u>
<u>Fern McNeal</u>	<u>(yes)</u>	_____	<u>()</u>

I CERTIFY that publication was made on July 14, 1966 within 10 days after enactment of ordinance.

Signed: Fern McNeal, Township Clerk

THE TOWNSHIP OF Evangeline ORDAINS,

The Township of Evangeline, County of Charlevoix, Michigan, ordains:

An Ordinance to regulate and set forth provisions for licensing and operating of Sanitary Landfills within the Township of Evangeline and prohibiting open waste disposal dumps.

Section 1. Definitions

The following definitions shall apply to the sections of this ordinance:

(a) "Disposal area" means a site, location, tract of land, area, building, structure or premise used or intended to be used for partial and/or total refuse disposal.

(b) "Ground water" means water in the ground that is in the zone of saturation.

(c) "Habitable building" means a structure or part thereof where persons live, sleep reside or congregate.

(d) "Hazardous material" included, but is not limited to, explosives, pathological wastes: radioactive materials and chemicals.

(e) "Health department" means an approved city, county or district health department, including the Michigan Department of Public Health.

(f) "Open dump" means a site where refuse is dumped and which due to lack of control may create a breeding place for flies and rats, may catch fire or may produce air pollution.

(g) "Premises" means a tract of land with or without habitable buildings.

(h) "Salvaging" means the controlled removal of reuseable materials.

Signed _____

Supervisor

Clerk

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(i) "Sanitary landfill" means a method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing principles of engineering to confine the refuse to the smallest practical area to reduce it to the smallest practical volume, and to cover it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals as necessary.

(j) "Scavenging" means the uncontrolled picking of materials.

(k) "Surface water" means a body of water whose top surface is exposed to the atmosphere including a flowing body as well as a pond and a lake.

Section 2 - There shall be no open waste disposal commercial or public dumps within the Township of Evangeline; and the only form of waste and garbage disposal operated commercially or for public use shall be by Sanitary Landfill.

Section 3.

A Sanitary Landfill within said township shall be permitted only by annual license from the Township Board and only for premises approved by the Township Board.

Section 4.

A Sanitary Landfill once licensed by the Township Board shall be operated and maintained in accordance with the requirements of any statutes of the State of Michigan which regulate Sanitary Landfill operations, and also in accordance with the following regulations:

(a) Water pollution and nuisance control.

Sanitary landfill operations shall be so designed and operated that conditions of unlawful pollution will not be created and injury to ground and surface waters avoided which might interfere with legitimate water uses. Water-filled areas not directly connected to natural lakes, rivers or streams may be filled with specific inert material not detrimental to legitimate water uses and which will not create a nuisance or hazard to health. Special approval of the inert material to be used in this manner is required in writing from the health department having jurisdiction. Such approval shall be filed with the Director. Inert material shall not include residue from refuse incinerators, unless evidence, satisfactory to the Director, is submitted by the licensee substantiating that such residue will not create a nuisance or hazard to health.

(b) Supervision of Operation.

A landfill operation shall be under the direction of a responsible individual at all times.

(c) Fire protection.

Suitable measures shall be available to extinguish accidental fires.

(d) Limited access.

Access to a sanitary landfill shall be limited to those times when an attendant is on duty and only to those authorized to use the site for the disposal of refuse, except as otherwise approved in writing by the landfill operator.

Access to the site shall be controlled by suitable barrier.

(e) Unloading of refuse.

Unloading of refuse shall be continuously supervised, except as may be modified by (d) above.

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- (f) Site maintenance
Measures shall be provided to control dust and blowing paper. The entire area shall be kept clean and orderly.
- (g) Spreading and compacting of refuse
Refuse shall be spread so that it can be compacted in layers not exceeding a depth of 2 feet, of compacted material. Large and bulky items, when not excluded from the site, shall be disposed of in a manner approved by the Township Board.
- (h) Daily cover
A compacted layer of at least 6 inches of suitable cover material shall be placed on all exposed refuse by the end of each working day. The placing of cover material may be modified in writing by the health department having jurisdiction when deemed necessary.
- (i) Final cover
A layer of suitable cover material compacted to a minimum thickness of 2 feet shall be placed over the entire surface of each portion of the final lift not later than 1 week following the placement of refuse within that portion.
- (j) Maintenance of cover
All daily cover depths must be continually maintained and final cover depths shall be maintained for a period of 2 years.
- (k) Hazardous materials, including liquids and sewage.
Hazardous materials, including liquids and sewage, shall not be disposed of in a sanitary landfill unless special provisions are made for such disposal through the health department having jurisdiction. This provision in no way precludes the right of a landfill operator to exclude any materials as a part of his operational standards.
- (l) Burning.
No garbage or refuse containing garbage shall be burned at a sanitary landfill. Burning of select materials shall be severely restricted and shall be conducted only in designated areas and when fire and smoke hazards are at a minimum.
- (m) Salvage.
Salvaging, if permitted, shall be organized so that it will not interfere with prompt sanitary disposal of refuse or create unsightliness or health hazards. This provision in no way precludes the right of a landfill operator to prevent salvaging as a part of his operational standards. Scavenging shall not be permitted.
- (n) Insect and rodent control .
Conditions and unfavorable for the production of insects and rodents shall be maintained by carrying out routine landfill operations promptly in a systematic manner.

Section 5.

Open dumps shall not be permitted unless the location and specific method of operation has been approved in writing by the Township Board and provided further that the isolation and operation and maintenance does not constitute a nuisance or hazard to health.

Section 6.

Any person or firm convicted of a violation of any of the provisions hereof shall be subject to \$100.00 fine and costs, or up to 90 days imprisonment in the County Jail.

Section 7.

This Ordinance shall go into effect 20 days after its adoption.

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This Ordinance was adopted by the Township Board on July 1, 1966
and shall go into effect July 21, 1966.

Signed Leonard B. Nelson
Supervisor

Teru Mc Neal
Clerk