

ORDINANCE NO. 126

AN ORDINANCE TO PROHIBIT THE BURNING OF GARBAGE AND RUBBISH IN THE VILLAGE OF DECATUR, MICHIGAN, AND TO PROVIDE FOR A CIVIL FINE FOR VIOLATION THEREOF.

THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:

Section 1: BURNING OF GARBAGE AND RUBBISH PROHIBITED. In order to protect the public health, safety and welfare of the residents of the Village of Decatur, Michigan, no person shall burn any garbage or rubbish within the Village of Decatur, Michigan; provided however that the normal use of fireplaces and other wood burning stoves used for heating purposes shall not be prohibited; and provided further, that condemned and/or old buildings may be burned by the Decatur/Hamilton Fire Department upon permission granted by the Village Council of Decatur, Michigan, or its agents.

Section 2: DEFINITIONS: Garbage and rubbish are hereby defined as follows:

A. Garbage: The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

B. Rubbish: Combustible waste materials, including but not limited to, wood, paper, cloth, plastic, leather, Styrofoam, cardboard, dead vegetation, animals and their feces, and any other combustible substance or material, except leaves.

Section 3: SEVERABILITY. Sections of this Ordinance shall be deemed severable and should any section, clause or provision of this Ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 4: REPEAL. All other ordinances or parts thereof of the Village of Decatur, Michigan in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5: VIOLATION AND PENALTIES. A violation of this Ordinance is a Municipal Civil Infraction and any person who shall violate this Ordinance shall be responsible for a civil infraction and subject to a civil fine not exceeding Five Hundred and 00/100 (\$500.00) Dollars, plus any costs, damages, expenses and other sanctions as authorized under Chapters 83 & 87 of Act No. 236 of the Michigan Public Acts of 1961 as amended, being M.S.A. 27A.8302 and 27A.8701 et seq., respectively.

Section 6: EFFECTIVE DATE. This Ordinance shall become effective the 2nd day of November, 1998.

Adopted by the Village Council of the Village of Decatur, Michigan on this 12th day of October, 1998.