

Garfield Township
Special Meeting Minutes
Transfer Station Ordinance Review
September 12th, 2016 7:00 p.m.

The meeting opened at 7:00 p.m. with Supervisor Byl leading the Pledge of Allegiance. Board members present were Byl, Yarhouse, Irwin, Farwell. Roland was excused. Also present were several citizens.

Byl started the meeting by stating he had gone through the Ordinance and red Lined all “dump” references be changed to “transfer station” on his power point. Then the procedure was to read through each section of the ordinance and make any further changes as necessary through board concurrence.

Section 1. NAME Only change was transfer station for dump.

Section 2. REGULATIONS

- a. Only change was transfer station for dump.
- b. Only change was transfer station for dump.
- c. Only change was transfer station for dump.
- d. Chang 2 dump references to dumpsters.
- e. No change.
- f. Eliminate the first part of the sentence and change the last part to –NO waste material shall be allowed by the transfer station to remain on the approach-way to such transfer station when the transfer station is not open.
- g. Change 2 dump references to transfer station and add to property owner “with a livable home”.
- h. Eliminate “allowed or” from the sentence.
- i. No Change.
- j. Delete all
- k. Tabled for another meeting.
- l. Tabled and reword together with l and m.
- m. Tabled and reword together with l and m.
- n. Only change was transfer station for dump.
- o. Only change was transfer station for dump.

Section 3. ENFORCEMENT

- a. Only change was transfer station for dump.
- b. Only change was transfer station for dump.
- c. Only change was transfer station for dump

Section 4. PENALTIES FOR VIOLATIONS

Tabled. To be discussed.

Section 5. EFFECTIVE DATE

To be discussed when ordinance is ready.

Irwin reported that in comparison to other townships, he would like to see our transfer station recycle some hazmat materials like-oil, paint, household cleaners, liquids and also possibly let outsiders bring larger items and charge them for it, like couches, furniture, appliances. Tire disposal.

PUBLIC COMMENT.

A resident asked the question--Why is this ordinance now a problem? What brought it up? Irwin stated he had brought it up because of the potential that someone could get hurt getting into and out of a dumpster and the liability to the township. Someone had been struck in the head in the scrap metal dumpster and received a cut. The old ordinance stated that anything placed in the dump remained in the dump. However, this was never enforced and throughout the years, people were allowed to take whatever they needed or wanted. Now, with the dumpsters, it remains a hazardous practice to "dumpster dive" for items and materials and a township liability.

Several residents in attendance voiced their opinion about the removal of usable materials from the transfer station. Most were in favor of allowing the public to take what they needed. A few were concerned about the liability.

'One man's junk is another man's treasure"

Some comments were: --I have helped folks with water problems fix their pumps and clean their pipes with items from the transfer station, for free, and they are very grateful. Otherwise couldn't have done it.

Another had a hole in her roof fixed by supplies from transfer station.-- Some just need a 2X4 to finish something.-- Others have had furniture replaced.-- Most in attendance want to be able the take what they need. --It is a savings for the township because the trash haulers won't be carting as much stuff away. --It is the right thing to do, to help others in need. --One man quoted Clare county statistics on the poverty level here and that we are called to help each other out. Let the people take what they need and he read the township mission statement that we are the help our residents and keep expenses to a minimum.--One made an appeal that if medical items or equipment were trashed, to save them because he gives medical equipment to anyone in need.—Why should everyone be punished for those that abuse a privilege.--

A few in attendance were concerned about the liability to the township as a whole. Perhaps some signage to say the township is not responsible if someone is hurt removing materials from the transfer station or signing a waiver, or having some items set aside in case someone would take them. .—let the employees get the stuff out for the people.--- Too much workman's compensation if an employee get hurt on the job.

Supervisor

Clerk

GARFIELD TOWNSHIP ORDINANCE NO. 5
GARFIELD TOWNSHIP DUMPING GROUND ORDINANCE

Adopted: March 27, 1967
Effective: May 15, 1967

An ordinance to secure the public peace, health, safety, welfare, and convenience of the residents and property owners of the Township of Garfield, Clare County, Michigan, a municipal corporation, by the regulation of dumping grounds for waste, rubbish, junk, and debris, and the operation thereof within said Township; to provide penalties for the violation thereof and to repeal all ordinances and parts of ordinances in conflict therewith.

THE TOWNSHIP BOARD OF GARFIELD TOWNSHIP, CLARE COUNTY, MICHIGAN, ORDAINS:

Section 1. NAME

This Ordinance shall be known and cited as the Garfield Township Dumping Ground Ordinance.

Section 2. REGULATIONS

(a) No person, firm, or corporation shall dump any waste, rubbish, junk, or debris in any area of the Township of Garfield, Clare County, unless the same is municipally maintained and operated for such dumping ground purposes or a permit is obtained therefor from the Township Board, to be granted only in situations where such dumping would not be a nuisance or annoyance to adjoining property owners.

(b) No pharmaceutical-manufacturing waste, explosives, or human or animal excretion shall be dumped in any municipally operated dumping ground.

(c) Any brush, parts of trees, or other waste, rubbish, junk, or debris dumped in a municipally operated dump will be dumped in the particular area designated therefor, according to signs posted on the premises or by the direction of the caretaker of a said dump.

(d) No loose papers shall be placed in the dump. All said papers shall be tied into bundles or securely sealed in bags or boxes before depositing in said dump.

(e) No junk cars or dismantled bodies or parts of same shall be allowed in municipally operated dumping grounds.

(f) Any dumping in municipally operated dumps shall be accomplished by depositing the waste material over the bank of the dump, and no such waste material shall be allowed by the dumper to remain on the approachway to such dump.

(g) No municipally operated dump within Garfield Township shall be used by any person, firm, or corporation which is not a resident, property owner, or tenant within said Township; further only such waste, rubbish, junk, or debris as shall be accumulated within said Garfield Township shall be placed in the Township dump.

(h) No firearms shall be allowed or discharged within any municipally operated dumping ground.

(i) Township property shall not be damaged or destroyed and shall be treated with respect.

(j) No dumping of waste, rubbish, junk, or debris shall be allowed in any area within twenty-five (25) feet of the nearest point of the base of the towers, poles, supports or other structures of any public utility company, its agents, successors or assigns.

(k) No municipally operated dump shall be used for any purpose other than for dumping operations permitted under this Ordinance. No picking or scavenging shall be permitted by any person, firm or corporation other than those duly registered with and approved by the Garfield Township Board. No loitering shall be allowed within dumping area, and no person, firm, or corporation using such dumping facilities shall interfere with the rights, duties, and privileges of any other person, firm, or corporation using said dumping facilities in accordance with the provisions of this Ordinance.

(l) The burning of any dumping ground area, or the waste material therein, shall be prohibited and forbidden, without the prior written approval of the Township Supervisor or Fire Chief, said Supervisor or Fire Chief having received approval from the Fire Warden of the Conservation Department.

(m) The Township of Garfield shall not be liable for any damage to property adjoining a municipally operated dump caused by fires within said dump not approved in writing by the Supervisor or Fire Chief of said Township.

(n) Any person, firm, or corporation dumping in any municipally operated dump shall do so at his, its, or their own risk and the Township of Garfield shall not be held liable for any injuries or damage occurring therein.

(o) All municipally operated or approved dumping grounds shall be operated in accordance with any and all existing state or county regulations or laws governing said dumping grounds.

Section 3. ENFORCEMENT

(a) The Garfield Township Board shall have full authority to set the days and the hours that municipally operated dumping grounds shall be open for use.

(b) The Garfield Township Board shall have full authority to set the amount of any charges which may be made for the use of said dump, as may be deemed necessary to cover the operating expense of any municipally operated dumping grounds.

(c) The Garfield Township Board shall have full authority to appoint and authorize the necessary persons to oversee the operation of said dumping grounds and enforce the provisions of this Ordinance.

Section 4. PENALTIES FOR VIOLATIONS

Any persons, firm, or corporation which violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$100.00 or by imprisonment in the County Jail, not to exceed ninety (90) days, or by both such fine and imprisonment. Each day that a violation occurs shall constitute a separate offense.

Section 5. EFFECTIVE DATE

This Ordinance will take effect on the 15th day of May, 1967. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Donna M. Scott
Garfield Township Clerk