

**REFUSE, JUNK & NUISANCE REGULATIONS, PROHIBITIONS & REMEDIES
THE COUNCIL OF THE CITY OF DEXTER DOES HEREBY ORDAIN:**

SECTION 1. FINDINGS. The Council finds that the unregulated deposit and storage of junk and unregulated storage and nonmandatory collection of refuse are not only potential, but immediate, habitat for rodents, the spread of noxious weeds and other hazardous conditions of decay which are unsanitary, unhealthy, and an ecological blight. The Council further finds that such hazardous conditions must not only be halted in the future but also corrected for the present. The Council recognizes that the regulations, prohibitions and remedies provided for herein are bold steps but absolutely essential to the health of the residents and ecology of the community.

SECTION 2. DEFINITIONS. The following terms, as used in this Ordinance shall have the meanings stated:

A. "Refuse" means and includes all organic and inorganic (1) material resulting from the manufacture, preparation or serving of food or food products; (2) spoiled, decayed or waste food from any source; (3) bottles, cans, glassware, paper or paper products, crockery, ashes, rags and discarded clothing; (4) tree, lawn or bush clippings and weeds; (5) furniture, household furnishings or appliances, or parts or components thereof; or (6) human or household waste of all kinds not included in any other portion of this definition.

B. "Junk" means and includes all (1) unregistered, unlicensed or inoperable (including, but not limited to, the lack of major component parts) motor vehicles, motorized vehicles or equipment, bicycles, boats, outboard motors, or trailers, or parts or components thereof; (2) inoperable (including, but not limited to, the lack of major component parts) agricultural implements or parts or components thereof, machines and mechanical equipment of all kinds or parts or components thereof, and by-products or waste from manufacturing operations of all kinds; (3) used lumber or waste resulting from building, construction, renovation, remodeling, or demolition; (4) felled trees and tree branches that are not immediately processed into lumber, wood for fuel, fence components, or other such ultimate use; or (5) old or scrap metal, plastic, rubber or other material.

C. "Public Nuisance" means and includes (1) maintaining or permitting a condition which unreasonable annoys injures or endangers the safety, health, morals, comfort or repose of the public; (2) interfering with, obstructing or rendering dangerous for passage any street, public right-of-way or waters used by the public; or (3) any other act or omission declared by law to be a public nuisance.

SECTION 3. Enforcement Officer.

- A. Any persons designated by City Council resolution shall constitute the enforcement officer, and it is the enforcement officer's duty to enforce the provisions of this ordinance. Such officers shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances.

SECTION 4. Refuse Storage.

- A. It is unlawful for any person or entity to store refuse within the City for a continuous period in excess of seven (7) days.
- B. Notwithstanding the provisions of this section it shall not be unlawful for grass clippings, leaves, garden and yard wastes to be composted on the premises from which they were

collected, nor the City of Dexter to operate a community collection spot for such materials.

SECTION 5. Dumping Prohibited. No person shall cause or permit garbage, trash, refuse, cans, paper, ashes, junk, junk vehicles, yard waste, demolition waste, hazardous waste, tires, white goods or solid waste:

- A. To be dumped, thrown, scattered or deposited upon any public or private land within the city; or
- B. To be deposited in one or more garbage cans, dumpsters, or other containers for waste containment, processing or removal unless said material is from a source from which the container is designated to receive such material.

SECTION 6. Junk Storage.

- A. It is unlawful for a person or entity to park or store junk on any premises unless it is housed within a completely enclosed building or on duly licensed junk dealer premises.
- B. If any person or entity fails or refuses to comply with Subparagraph A of this Subdivision, the City may, upon thirty (30) days notice in writing mailed to the owner of such premises at the address appearing on the tax rolls, and as additional and not alternate to any other remedy provided herein, physically remove the junk, dispose of it as valueless, and certify all costs thereof to the County Auditor to be spread upon the tax rolls as a special assessment on the subject property.

SECTION 7. Public Nuisance. It is unlawful for any person or entity to permit or maintain a public nuisance upon any premises.

SECTION 8. Additional Unlawful Acts.

- A. It is unlawful for any person or entity to deposit offal of the body of a dead animal in any place other than a sanitary landfill or other facilities approved by statute or ordinance.
- B. It is a misdemeanor for any person or entity to store, deposit or dispose of any refuse that is in flames or heated to the point of danger or fire.

SECTION 9. Penalty. Any person or entity violating a provision of this ordinance shall be guilty of a misdemeanor. Each day on which a continuing violation exists may be prosecuted as a separate offense.

SECTION 10. Repealer. Ordinance # 117 is hereby repealed.

March 11, 2002 -

M. Snyder
J. Flisner