

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 86-70 OF CHAPTER 86, SOLID WASTE, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO MODIFY COMMERCIAL AND INDUSTRIAL WASTE HAULER COLLECTION HOURS; REPEAL CONFLICTING ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 86-70 of Chapter 86 of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

**Sec. 86-70 – Regulations.**

A licensed waste hauler shall comply with the following regulations:

- (1) *Collection hours.*
  - a. Domestic. Solid waste, recyclable materials and yard clippings shall be collected within the City from the curbside of residential sites of generation only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday; except solid waste, recyclable materials and yard clippings may be so collected on a Saturday between those hours when a legal holiday has occurred on a weekday in the immediately preceding week or when scheduled weekday collections have been delayed in the immediately preceding week due to collection vehicle equipment failure beyond the control of the waste hauler.
  - b. Commercial and industrial. Solid waste, recyclable materials and yard clippings shall be collected within the City from commercial and industrial sites of generation only between the hours of ~~6:00~~7:00 a.m. and 8:00 p.m., Monday through Friday.
- (2) *Delivery to disposal areas.* A waste hauler shall deliver all waste collected in the City to licensed disposal areas authorized to operate pursuant to Act 451.
- (3) *Compliance with applicable laws.* A waste hauler shall comply with all federal and state laws, local ordinances and related rules and regulations in the collection, transportation and delivery of solid waste, recyclable materials and yard clippings.
- (4) *Hazardous waste.* A waste hauler shall not knowingly collect and deliver hazardous waste to a licensed disposal area.
- (5) *Solid waste transporting units and collection vehicles.* All solid waste transporting units and collection vehicles shall:

- a. Be kept clean and free from odors.
- b. Bear on each side in letters at least three inches high the name of the waste hauler and the license decal issued by the Building Department.
- c. Comply with all requirements of Act 451 related to solid waste transporting units.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. Except as otherwise provided therein, all violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of \$500.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on \_\_\_\_\_, 2019 following its publication in the *Oakland Press* on \_\_\_\_\_, 2019.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on \_\_\_\_\_, 2019.

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Bryan K. Barnett, Mayor  
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON \_\_\_\_\_, 2019.

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Tina Barton, Clerk  
City of Rochester Hills