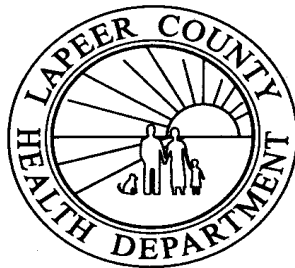


**REGULATIONS**  
**For**  
**LAPEER COUNTY**  
**GOVERNING**  
**GARBAGE AND RUBBISH**



Administered By  
The Lapeer County Health Department

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# **Regulations Governing GARBAGE AND RUBBISH, HABITABLE BUILDINGS AND DWELLINGS AND LAND SUBDIVISIONS**

## **Chapter I Purpose, Administration and General Definitions**

### **Section A Purpose**

The broad objective of these regulations is to provide a means for safe guarding the environment necessary for the health and welfare of the users and all other persons of Lapeer County.

### **Section B Authority, Jurisdiction and Administration**

#### **1- Authority**

By virtue of the power vested in the Health committee of the Lapeer County Health Department under the authority of Act 306 of the Public Acts of 1927, as amended, there are hereby provided regulations affecting the public health, safety and welfare relating to food sanitation, sewage disposal, garbage disposal, the sanitation of habitable buildings and dwellings, land subdivision, and also to provide for permits for contractors installing sewage disposal systems within the County of Lapeer, State of Michigan, and to provide penalties for the violations of such regulations.

#### **2- Jurisdiction**

The Lapeer County Health Department shall have jurisdiction throughout Lapeer County, including all cities, villages, and townships, in the administration and enforcement of these regulations, including all amendments hereafter adopted unless otherwise specifically stated.

Nothing herein contained shall be construed to restrict or abrogate the authority of any municipality in Lapeer County to adopt more restrictive ordinances, or to enforce existing ordinances relating to these regulations, control or issuance of licenses, or the renewal or revocation thereof, or to charge and collect a fee therefore: Provided, that whenever inspection relating to health or sanitation is required, no such municipality shall issue or renew such license without first having obtained a written statement from the Lapeer County Health Department indicating compliance with the requirements of these regulations.

#### **3- Enforcement**

All premises affected by the requirements of these regulations shall be subject to inspection by the health officer, and the health officer may collect such samples for laboratory examination as he deems necessary for the enforcement of these regulations.

#### **4- Right of Entry and Inspection**

No persons shall refuse to permit the health officer to inspect any premises nor shall any person molest or resist the health officer in the discharge of his duty, and the protection of the public health.

## **5- Handling of Fees**

All fees collected by the health officer shall be receipted for and be deposited with the treasurer of Lapeer County to the credit of the Lapeer County Health Department.

## **6- Penalty**

Any person who shall fail to comply with any provision herein, shall be deemed guilty of a misdemeanor and on conviction hereof shall be punished by a fine of not less than ten dollars nor more than one hundred (\$100.00) dollars or by imprisonment in the county jail of not less than five days nor more than ninety (90) days or both such fine and imprisonment in the discretion of the court. Each twenty-four hours said owner shall knowingly permit said violations of these regulations shall be deemed an additional offense.

## **7- Interference with Notices**

No person shall remove, mutilate or conceal any notice or placard posted by the health officer except by permission of the health officer.

## **8- Validity**

If any section, subsection, clause, or phrase of these regulations is for any reason adjudged unconstitutional or invalid, it is hereby provided that the remaining portions of these regulations shall not be affected thereby.

## **9- Other laws and Regulations**

These regulations are supplemental to the rules and regulations duly enacted by the Michigan Department of Public Health, and to laws of the State of Michigan relating to public health, and shall supersede all local ordinances heretofore enacted inconsistent therewith.

## **10-Notification**

Notification of the adoption of all regulations promulgated by the board of health, under authority of Act 306 of the P.A. of 1927, as amended, and approved by the Board of Supervisors of Lapeer County shall be published in a newspaper circulated in the appropriate county within 30 days after such action indicating where copies of such can be obtained for review.

## **11-Effective Date**

These regulations added or amended thereto shall become effective on the 30<sup>th</sup> day after the date of notification as required under Section B, Item 10 of this chapter, unless an earlier date is prescribed for reason of expediency in the interest of public health and safety.

## **Section C General Definitions**

### **1- Words and Terms**

When not inconsistent with the context, words used in the present tense include the future, words used in the singular number include the plural and words in the plural include the singular number. The word "shall" is always mandatory and not merely directional. Words and terms not defined herein shall be interpreted in the manner of their common usage.

The following words and terms used in these regulations unless otherwise expressly state shall have the following meaning:

**(a) Board of Health**

The term "board of health" shall mean the board of health of the Lapeer County Health Department.

**(b) Health Department**

The term "health department" shall mean the Lapeer County Health Department of Lapeer County.

**(c) Health Officer**

The term "Health Officer" shall mean the director or the acting director, of the Lapeer County Health Department and/or his authorized representative.

**(d) Municipality**

The term "municipality" shall mean any incorporated city or village, or township within the County of Lapeer.

**(e) Habitable Building**

The term "habitable building" shall mean any structure where persons reside, are employed or congregate.

**(f) Premise**

The term "premise" shall mean any tract of land containing a habitable building.

**(g) Person**

The term "person" shall mean an individual, or a firm, partnership, company, corporation, trustee, association, or any public or private entity.

**(h) Dwelling**

The term "dwelling" shall mean any house, building, structure, tent, shelter, trailer, or vehicle, or portion, thereof which is occupied in whole or in part as a home, residence, living or sleeping place of one or more human beings either permanently or transiently.

## **CHAPTER IV – Garbage and Rubbish**

Scope – These regulations will apply to all single family and multi-family dwellings and will complement but not abrogate the requirements of Act 87 of the Public Acts of 1965 or Rules R 325.1101 through R325.1110 as published in Supplement No. 45 of the 1954 Administrative Code.

### **Section A Words and Terms**

The following words and terms used in this Chapter unless otherwise expressly stated shall have the following meaning:

- (1) "Garbage shall mean rejected food wastes including waste accumulation of animal, fruit, and vegetable matter used or intended for food or that attend the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetable.
- (2) "Rubbish" shall mean nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, or litter of any kind that will be a detriment to the public health and safety.
- (3) "Ashes" shall mean the residue from the burning of wood, coal, coke or other combustible materials.

### **Section B - Accumulation of Garbage**

No owner of any multiple dwelling or occupant of any private or two family dwelling shall permit to accumulate upon such premise any garbage except in covered containers of rodent proof, fly proof, and water tight construction.

### **Section C - Accumulation of Rubbish**

No owner of any multiple dwelling or occupant of any private or two family dwelling shall permit to accumulate upon such premise and rubbish except in durable containers with close-fitting covers except that bulky rubbish such as tree limbs, weeds, large cardboard boxes, etc. may be bundled and so stored as not to provide a harborage of breeding place for rodents.

### **Section D - Disposal of Garbage and Rubbish**

Garbage and rubbish shall be disposed of in a manner which creates neither a nuisance nor a menace to health in accordance with the provisions of Act 87 of the Public Acts of 1965. Any person or property owner disposing of garbage or rubbish from his own household upon property under his control can dispose of such material as long as such disposal method does not create a nuisance or hazard to health.

### **Section E – Transportation of Garbage and Rubbish**

Vehicles used in the transportation of garbage and rubbish shall be so constructed and maintained so that no portion of the contents there from shall be deposited on or along any public highway.

Resolutions of the Lapeer County Board of Commissioners on May 23 1978

And September 21, 1978 for name change.

Signed for the Lapeer County Board of Commissioners by:

**Durward B. Rice** **March 03, 1979**

Durward B. Rice

Date

Resolutions of the Lapeer County Board of Health on August 23, 1978 for name change.

Signed for the Lapeer County Board of Health by:

**Durward B. Rice** **March 03, 1979**

Durward B. Rice

Date