

City of Port Huron, Michigan
ORD #23-004

An ordinance to amend Chapter 38, Solid Waste and Recycling, Article I, In General, of the Port Huron Code of Ordinances, for the purpose of specifying the rates and manner of billing for solid waste and recycling services.

THE CITY OF PORT HURON ORDAINS:

That Chapter 38, Solid Waste and Recycling, Article I, In General, of the Port Huron Code of Ordinances is hereby amended for the purpose of specifying the rates and manner of billing for solid waste and recycling services.

CHAPTER 38. SOLID WASTE AND RECYCLING
ARTICLE I. In General

Sec. 38-1 thru 38-12.

No changes.

Sec 38-13. Collection and disposal of solid waste and recyclable materials to be delivered by solid waste hauler.

No person shall dispose of any solid waste or recyclable materials generated within the city on residential parcels other than by means of the designated waste hauler awarded a contract by the city for such purpose.

Sec. 38-14. No individual shall engage in the business of solid waste hauling without a contract with the city.

No person shall engage in the business of collecting, transporting, delivering, or disposing of solid waste or recyclable materials generated by residential properties within the city without first being authorized to do so by contract with the city as provided in this article.

Sec. 38-15. Contracts for solid waste collection, recycling, and disposal services.

Contracts for solid waste collection, recycling, and disposal services shall be determined and established by the city based upon competitive bids.

Sec. 38-16. Rate and billing to be adopted by resolution.

Following execution of such contracts, the city shall adopt resolutions from time to time specifying the rates and manner of billing for solid waste and recycling services. Such resolution shall be published in order to provide notice to the public. Charges for any volume-based charge shall be reasonably based on the cost to remove and dispose of that type of waste. Such charges shall be reviewed periodically, but at least annually, and shall reflect costs of both the designated collector and those of any disposal site. Charges levied through direct billing or as a tax levy shall be determined on the basis of meeting minimal availability of service costs as well as providing for costs associated with the recycling of waste. If such charges are levied as taxes, the normal procedures in both the city Charter and state law shall govern regarding the determination of an appropriate millage rate.

Sec. 38-17. Nonpayments or late fees.

Such charges shall constitute a lien upon the property which is the site of generation. If a payment is not made on or before the due date, a penalty in the amount of one (1) percent per month shall be added for each month or portion of a month payment has not been made in full. Moreover, if there is an outstanding balance owing to the City with respect to any property as of October 1 in any year, such outstanding balance, together with all accrued penalties, shall be placed upon the delinquent tax roll of the city, and shall accrue further interest and penalties, and shall be collected in the manner made and provided for delinquent real property taxes in the city.

§ 38-18 through § 38-45. (Reserved)

ADOPTED: June 12, 2023
PUBLISHED: June 16, 2023
EFFECTIVE: June 17, 2023

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| RESULT: | 2ND READING/ENACTED [UNANIMOUS] |
| MOVER: | Jeffrey R. Pemberton, Councilmember |
| SECONDER: | Anita R. Ashford, Councilmember |
| YES: | Repp, Archibald, Ashford, Haremza, Lamb, Mosurak, Pemberton |

I, Pauline M. Repp, Mayor of the City of Port Huron, do hereby certify that ORD #23-004 was passed and adopted by the Port Huron City Council at its meeting held on Monday, June 12, 2023.

Mayor

Date

I, Cyndee M. Jonseck, City Clerk of the City of Port Huron, do further certify that ORD #23-004 was published Friday, June 16, 2023, in the Times Herald, a newspaper circulated in the City of Port Huron, being the first and final day of publication.

Cyndee M. Jonseck, CMC, MiPMC
City Clerk