

**ORDINANCE NO. 429-14**

**CITY OF LATHRUP VILLAGE  
OAKLAND COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND THE CITY OF  
LATHRUP VILLAGE ZONING ORDINANCE,  
ARTICLE 5.0 SITE STANDARDS SECTION 5.3 WASTE AND RUBBISH  
TO MODIFY THE EXISTING SITE STANDARDS FOR  
WASTE AND RUBBISH ENCLOSURES**

**THE CITY COUNCIL OF THE CITY OF LATHRUP VILLAGE ORDAINS:**

**PART I. TITLE.**

This Ordinance shall be known as the "2012 Zoning Ordinance Amendments".

**PART II. TEXT AMENDMENTS.**

That Article 5.0 Site Standards, Section 5.3 Waste and Rubbish is hereby amended to read as follows:

A. Condition. They must be maintained in a clean, well painted, and structurally solid condition. They must be kept covered or closed at all times except when a person is in attendance for the purpose of depositing or emptying refuse. No refuse shall be caused or permitted to spill over from the container or to litter the surrounding area or neighboring properties. They shall be emptied at sufficiently frequent intervals to prevent their being filled beyond the capacity with the lid or cover closed, but they shall not be dumped or emptied before 8:00 a.m. nor after 9:00 p.m.

B. Odors. No odors shall be permitted to emit therefrom which are discernable to the human senses more than ten (10) feet away from the container.

C. Location. Dumpsters shall be permitted in the side or rear yard, provided that no dumpster shall extend closer to the front of the lot than any portion of the principal structure, and provided further that the dumpster shall not encroach on a required parking area, is clearly accessible to servicing vehicles, and is located at least ten (10) feet from any building. Dumpsters shall comply with the setback requirements for the district in which they are located. Dumpsters shall be located as far as practicable from any adjoining residential district.

D. Concrete pad. Dumpsters shall be placed on a concrete pad. The concrete pad should extend a minimum of three feet in front of the dumpster enclosure.

E. Screening. All refuse bins located in the city must be enclosed or screened from public view. Such screening shall consist of a wall or fence not less than one (1) foot higher than the height of the refuse bins placed therein, which completely conceals its contents from public view, but in no instance shall such screening be less than six (6) feet in height on three (3) sides. The fourth side of the dumpster screening shall be equipped with an opaque, lockable gate that is the same height as the enclosure around the other three sides. The inside dimensions of the enclosure shall be such as will permit adequate access for refuse collection vehicles as well as completely enclose refuse bins within the three (3) sides so that no refuse bin projects outside of the open side.

Screening materials shall consist of any of the following:

- a. Masonry, consisting of those materials permitted under the building material standards contained in, "Zoning Ordinance," section 5.4
- b. Wood, provided the wood is cedar, redwood, , or equivalent of at least five-eighths-inch (1.5875 centimeters) thickness or other types of wood which have been pressure treated with preservatives. If cedar or redwood are used in the screening, it shall be protected from possible rot or decay by the application of a preservative. Wood that has been pressure treated need not be further protected from possible rot or decay;

F. Bollards. Bollards (concrete-filled metal posts) or similar protective devices shall be installed at the opening to prevent damage to the screening wall or fence.

G. Site plan requirements. The location and method of screening of dumpsters shall be shown on all site plans

H. Permit Requirements. No container shall be placed or permitted to remain on any lot unless there is in effect a special permit issued by the building official in conformity with the provisions of article 6.

### **PART III. SAVINGS CLAUSE.**

The amendments referenced herein do not affect or impair any act done, offense committed, or right accruing or acquired, or liability, penalty or forfeiture or punishment pending or incurred prior to the effective date of this amendment.

**PART IV. SEVERABILITY**

This Ordinance and its various parts, sentences, paragraph, sections, clauses and rules promulgated hereunder are hereby declared to be severable. If any part, sentence, paragraph, section, clause, or rule promulgated hereunder is adjudged to be unconstitutional or invalid for any reason, such holdings shall not affect the remaining portions of this Ordinance.

**PART V. EFFECTIVE DATE; PUBLICATION.**

This Ordinance shall become effective after publication of a brief notice in the newspaper circulated in the City, stating the date of the enactment and the effective date of the Ordinance, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk, and such other facts as the City Clerk shall deem pertinent.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL, CITY OF LATHRUP VILLAGE, OAKLAND COUNTY, MICHIGAN THIS 16th DAY OF JUNE, 2014.

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Yvette Talley, City Clerk

Date of Public Hearing: May 19, 2014  
Date of Adoption: June 16, 2014  
Date of Publication of  
Notice of Adoption: June 26, 2014

**CERTIFICATE OF ADOPTION**

I hereby certify that the foregoing is a true and complete copy of the ordinance passed at a meeting of the City of Lathrup Village held on the 16<sup>th</sup> day of June, 2014.

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Yvette Talley, City Clerk