

**CITY COUNCIL  
CITY OF GREENVILLE  
Montcalm County, Michigan**

Councilmember Moss, supported by Councilmember Lehman, moved the adoption of the following ordinance:

**ORDINANCE NO. 24-05**

**AN ORDINANCE TO AMEND SECTION 32-19 AND SECTION 32-26 OF DIVISION 1,  
CHAPTER 32, OF THE CODE OF THE CITY OF GREENVILLE IN ORDER TO PROHIBIT  
YARD WASTE AND PROVIDE FOR VIOLATION PENALTIES.**

THE CITY OF GREENVILLE ORDAINS:

Section 1. Amendment. Section 32-19 of Division 1, “Generally,” Article II, “Collection and Disposal,” Chapter 32, “Solid Waste,” of the Code of Ordinances, City of Greenville, Michigan, is hereby amended in its entirety to read:

**Sec. 32-19. – Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Approval or disapproval by the city* means approval by the department director of the Greenville Public Works Department, criteria for approval being compatibility of container with city trucks and systems and compliance with section 32-25(a) and (b).

*Day of pickup* means the day established for garbage and trash pickup by the city, which days and pickup areas shall be designated on a city map at the city hall, which map shall be available for public view.

*Garbage* means any putrescible animal or vegetable waste resulting from handling, preparation, cooking and consumption of food.

*Licensed trucks* means and includes trucks owned by the city and other trucks when hauling waste originating from residential, commercial and industrial premises located within the city. Application for a license shall be made to the city manager.

*Metals and large furniture items* means stoves, water heaters, bathtubs, sinks, bikes, steel fence posts, metal beds and springs, metal furniture, stuffed chairs, couches or sofas.

*Premises* means land, building or other structures, vehicles, watercraft, or parts thereof upon or in which garbage and/or trash may be or is stored.

*Private garbage and/or trash haulers* means a person who hauls for hire.

*Schedule of rates and hours of operation* means that schedule, as adopted by the city council by resolution, governing the fees charged and the hours of availability, for use of the city solid waste disposal facility.

*Trash* means any non-putrescible solid waste consisting of both combustible and noncombustible waste, such as paper, cardboard, discarded articles, tin cans, glass, dishes, crockery, and cold ashes. Boards, stones, sod, logs and wastes from building or remodeling projects are not considered as trash.

*Used appliances* means used washers, dryers, stoves, freezers, refrigerators and similar appliances which weigh 50 pounds or more. Such used appliances are not trash.

*Yard waste* means grass clippings, yard trimmings, branches, sticks, leaves, and general yard and garden waste materials.

Section 2. Amendment. Section 32-26 of Division 1, “Generally,” Article II, “Collection and Disposal,” Chapter 32, “Solid Waste,” of the Code of Ordinances, City of Greenville, Michigan, is hereby amended in its entirety to read:

**Sec. 32-26. – Prohibited Activities.**

(a) *Littering generally.*

- (1) It shall be unlawful for any person to deposit any garbage, trash, or yard waste in any street, alley, river or public place within the city, except for pickup in accordance with section 32-26.
- (2) It shall be unlawful for any person to deposit any garbage and/or trash upon any private property, whether or not owned by such person, within the limits of the city, unless same shall be in an approved container as required by this article.
- (3) It shall be unlawful for any person to destroy or dispose of garbage by burning, except garbage may be burned in a natural gas burner if that burner is located within a building, is operationally sound and safe, and if that burner is approved and sealed by Underwriters Laboratories.
- (4) It shall be unlawful to bury garbage or trash within the city (this provision, however, does not apply if such is properly composted under article III of this chapter).

(b) *Bringing garbage or trash into city or park for pickup.* It shall be unlawful for any person to transport garbage, trash, or yard waste into the city for pickup by the city, except this provision does not apply to city residents who are returning from vacationing, camping or travelling. It is also unlawful for any person to deposit in a park waste container garbage and/or trash not originating from activities within the park.

(c) *Transportation of garbage and trash.* No person shall transport garbage, trash, or yard waste in such a manner as to cause litter to fall upon the streets of the city or any public highway. Any vehicle used for the transportation of garbage, trash, or yard waste shall be cleaned at sufficient frequency to prevent becoming a nuisance or a place for insect breeding, and shall be maintained in good repair.

(d) *Use of another's container.* It shall be unlawful for any person to place or dump trash, garbage, or yard waste in a receptacle or dumpster which serves a premises in which that person has no ownership or lease interest. This subsection does not prohibit placement or dumping of trash or garbage in public receptacles or in receptacles located on nonresidential premises placed for the use of persons on such premises.

(e) *Yard waste on private property.* It shall be unlawful for a property owner to pile yard waste in the open, store brush piles, or leave uncut logs and trees on the ground to rot. A violation of this subsection shall be enforced as follows:

- (1) A violation of this subsection shall constitute a municipal civil infraction which, upon an admission or finding of responsibility, shall result in a fine of not less than \$100.00.

- (2) A second violation of this subsection within two years shall constitute a municipal civil infraction which, upon an admission or finding of responsibility, shall result in a fine of not less than \$200.00.
- (3) A third and any subsequent violation of this provision within two years of the first such violation shall constitute a misdemeanor which shall, upon conviction, be punishable by up to 90 days of incarceration and a \$500.00 fine as well as the cost of prosecution of not less than \$500.00 but not to exceed \$1,000.00.
- (4) In addition to the penalties provided by this section, the district court shall have equitable jurisdiction to enforce any judgment, writ, or order necessary to enforce any provision, the violation of which is a municipal civil infraction, including, but not limited to, abatement of the violating condition or the granting of any injunctive relief.

Section 3. Conflict and Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Publication and Effective Date. This Ordinance shall be published in a newspaper of general circulation in the City within 10 days of its adoption, and shall be effective 15 days after its adoption provided it has been published.

YEAS: (7) Councilperson Scoby, Lehman, Johnson, Moss, Cunliffe, Barrus and Linton.

NAYS: (0) None

ABSTAIN: (0) None

ABSENT: (0) None

**ORDINANCE DECLARED ADOPTED.**

#### CERTIFICATION

As the duly appointed and acting City Clerk, I certify that this is a true and complete copy of an ordinance adopted by the City Council of the City of Greenville, Montcalm County, Michigan, at a regular meeting held on March 5, 2024.

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Krissi Brott, City Clerk

Introduced: February 2, 2024

Adopted: March 5, 2024

Published: March 13, 2024

Effective: March 20, 2024