

CHAPTER 50: GARBAGE AND RUBBISH

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Cross-references:

- Garbage in parks, see § 93.01
- Litter, see Ch. 131
- Open rubbish fire, see §§ 92.20 through 92.29

§ 50.01 SERVICE TO RESIDENTS.

All residents of the city are required to utilize the collection service provided or contracted by the city and to pay the collection services established by Commission resolution.

(Prior Code, § 2.0) (Ord. 123, passed 9-21-1987) Penalty, see § 10.99

§ 50.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATOR. The City Administrator.

GARBAGE. All putrescible, animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of foods, and includes animal carcasses or parts thereof.

REFUSE. Includes all of the foregoing items of waste as defined in this section.

RUBBISH. Includes combustible refuse, to mean, but not limited to, paper, cartons, boxes, wood, tree branches, yard trimmings and similar waste and noncombustible refuse, including, but not limited to, metals, tin cans, small quantities of earth, rock and pieces of concrete, glass, crockery and other mineral waste, provided RUBBISH shall not include earth and wastes from

building operations, nor shall it include solvent waste resulting from industrial processes or manufacturing operations.

(Prior Code, § 2.1)

§ 50.03 COLLECTION SCHEDULE.

The Administrator shall establish a schedule for the collection of garbage and rubbish throughout the city and shall either provide the proper labor and equipment for carrying out such schedule, or, when the Commission shall authorize all or part of such collection service to be carried out by contract, shall supervise the performance thereof in accordance with such contract.

(Prior Code, § 2.2)

§ 50.04 OWNER'S DUTY AS TO REFUSE.

(A) It shall be the duty of the owner, occupant or person in charge of any dwelling, house, store or other business establishment, manufacturing company or other building where refuse accumulates to provide suitable receptacles and cause to be placed therein refuse or other waste material created or accumulated on the premises owned or controlled by him or her.

(B) It shall be the further duty of such owner, occupant or other person in charge to place or cause to be placed on the days scheduled for the collection of refuse from the said premises, the receptacles containing such refuse at the curb line in front of the building.

(C) Such refuse containers shall not be set out for collection prior to 12:00 noon preceding the day of collection, and after such receptacles are emptied, they shall be removed from the street by 12:00 noon the next day.

(Prior Code, § 2.3) Penalty, see § 10.99

§ 50.05 UNCOLLECTIBLE REFUSE.

It shall be unlawful for any person to place in any receptacle for collection any material that might either endanger the collection personnel or that would be detrimental to the normal operation of disposal such as gaseous, solid or liquid poisons, dead animals, ammunition, explosives or any material that possesses heat sufficient to ignite any other collected materials.

(Prior Code, § 2.4) Penalty, see § 10.99

§ 50.06 DISPOSITION OF GARBAGE.

No person shall dispose of any garbage within the city other than by means of an approved incinerator, approved garbage grinder or an approved collection service.

(Prior Code, § 2.5) Penalty, see § 10.99

§ 50.07 ACCUMULATION AND DISPOSITION OF RUBBISH.

Any rubbish accumulated or stored outside of a dwelling or building on any premises shall be stored in receptacles meeting the requirements of this chapter. No rubbish may be stored or accumulated which is contaminated by any garbage as herein defined, unless stored as garbage. Rubbish shall be disposed of only to an approved rubbish collector, except that any person may dispose of his or her own rubbish by an approved incinerator located within a building.

(Prior Code, § 2.6) Penalty, see § 10.99

CHAPTER 51: CITY WATER UTILITY

Section

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§ 51.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY TREASURER. The duly appointed officer of the city.

DPW DEPARTMENT HEAD. This could be either the DPW Director or DPW Supervisor, in a case where neither is available one of them may appoint another DPW employee or the City Administrator to make decisions with their approval.

WATER CONNECTION. The part of the consumer's water system between the city's distribution main and the curb stop box which is located approximately one foot outside the sidewalk line.

WATER EXTENSION. The part of the consumer's water supply system extending from the end of the water connection into the premises served and ending at, and including, the city's water meter.

WATER SERVICE LINE. The part of a customer's water supply from the curb stops at the property line into the house up to and including the water meter. The service line is installed, protected and maintained by the customer.

WATER TAP AND SERVICE LEAD. The part of the customer's water supply from the connection at the Watermain to the curb box and stop usually located on the customers property line or prior determined location. This is installed by a city, determined contractor and maintained and repaired by the City DPW or contractor if necessary.

WATERWORKS SUPERINTENDENT. The duly appointed officer of the city or his or her authorized representative and/or representatives.

(1991 Code, § 2.31)

§ 51.02 WATER SYSTEM.

The water supply system of the city shall be operated under the direction and control of the City Commission, subject to all of the provisions and regulations and conditions as hereinafter set forth.

(1991 Code, § 2.32)

§ 51.03 WATER SUPERINTENDENT.

(A) The Waterworks Superintendent shall be appointed by the City Commission and, under the direction of the City Commission, shall have control of the operation and maintenance of the water supply system of the city. He or she shall direct and control all employees of the water supply system who shall serve at the pleasure of the Waterworks Superintendent.

(B) The compensation of the Waterworks Superintendent and all other employees of the water supply system shall be fixed and determined from time to time by resolution, motion or order of the City Commission and may be changed from time to time at the pleasure of the City Commission.

(1991 Code, § 2.33)

§ 51.04 NO FREE SERVICE.

No free service shall be furnished by the water system and plant to the city or to any person.

(1991 Code, § 2.34)

§ 51.05 FISCAL YEAR.

The fiscal year of the water system shall be from July 1 to June 30, both dates inclusive, of each year.

(1991 Code, § 2.35)

§ 51.06 HYDRANT CHARGES.

For fire protection, the city shall pay, out of its general funds, the sum of \$100 per year for each fire hydrant. This payment shall be charged and payable annually in advance.

(1991 Code, § 2.39)

§ 51.07 RATE CHANGES.

All water rates, charges, fees and required deposits may be fixed and revised from time to time by resolution of the City Commission.

(1991 Code, § 2.40)

§ 51.08 APPLICATIONS FOR CONNECTION.

(A) No service connection shall be constructed for the purpose of introducing water into any premises until an application for a permit for such connection has been made in writing to the city.

(B) The application shall fill out an application along with the DPW department head with all the information required.

(C) The DPW department head will determine along with their recommendations for approval or denial of the application.

(D) The DPW department head will then establish the necessary payment required for each connection if approved. The city treasurer will collect the necessary funds from the applicant.

(E) Upon receipt of the required moneys, the City Treasurer shall so mark the application, and file one copy with the customer, one copy with the Waterworks Superintendent and the third copy shall be filed in the Water Department records.

(1991 e, § 2.41) Penalty, see § 10.99

§ 51.09 WATER TAP/SERVICE LEAD

(A) If a water service lead and curb stop is not already installed for the customers lot a tap will need to be made. If a tap already exists, The customer is required to connect to it using the same pipe materials as the service lead, no tap fees will be accrued but capital/impact fees must be made.

(B) Water tap connections shall only be installed by a City approved contractor, this consist of tapping the water main and running the service lead from the main to the property line and installing a curb stop and box. The city will be invoiced by the contractor and the customer is responsible for reimbursing the city within 15 days to avoid penalties and interruption of service. This does not include restoration fees, capital/impact fees, meter or any other cost associated with them.

(C) Prior to the contractor being approved for the tap, the customer must pay all the capital/impact fees, the water meter, and all the associated inspection and installation cost.

(D) Restoration fees will be billed to the customer once the work can be completed and will be required to pay in full within 15 days to avoid interruption of service.

(1) All water taps are minimal of one inch and can be Construction that either type K copper pipe or CTS poly pipe SDR9, this will be determined based on what the customer intends to run for their service line from the house to the curb stop.

(2) All water connections shall be laid to the depth of five feet under the surface of the street or lowest part of the gutter.

(3) No water connection shall be laid in the same trench with a sewer pipe unless supported upon an earth shelf at least one foot above the sewer.

(4) The city shall install a brass stopcock with a valve box which shall be placed approximately one foot outside of the street side of the sidewalk, and this stopcock shall be under the exclusive control of the city.

(5) No person other than an authorized employee of the city shall open or close or otherwise interfere with the stopcock; however, any licensed plumber may stop and/or open the stopcock in emergency cases when authorized by the Waterworks Superintendent.

(1991 Code, § 2.42) Penalty, see § 10.99

§ 51.10 WATER SERVICE LINE

A) All pipes used in the service line must be the same as used in the water tap before the curb stop and follow all current City of Auburn requirements for insulation.

B) The entire service line from the house to the curb stop shall be installed at the owners expense and responsibility, including finding their own contractor.

C) The meter will be installed after the service lead has been approved by the DPW staff and the plumbing inside the house is completed and ready for the meter to be set using the couplers purchase from the city when application fees were paid.

D) The service line is the sole responsibility of the homeowner to protect and maintain. Known leaks in the service line must be repaired within 15 days or water will be discontinued until repair is made meeting city requirements.

(1991 Code, § 2.43) Penalty, see § 10.99

§ 51.11 METERS.

(A) All water service shall be metered.

(B) The meter shall be furnished and installed by the city and shall remain the property of and under the control of the city.

(C) The city shall have access to the meter for the purpose of reading, testing and repairing.

(D) The customer shall provide a suitable place for the installation of the meter, and if in the judgement of the city a meter pit should be constructed, such meter pit shall be constructed by the water customer in accordance with the plans and specifications supplied by the city.

(E) No persons other than an authorized employee of the city shall break or injure the seal on, or change the location of, alter or interfere in any way with any meter.

(F) The water customer shall be responsible for all damage to the meter or meter seal caused by any act or negligence of any person other than an employee of the city, including damage by hot water, frost or other causes, and the expense to the city caused thereby shall be charged to and collected from the water customer.

(G) It shall be required of the customer to grant access to the water meter both inside and outside the home or business with a reasonable amount of time upon the request of the DPW ahead for the purposes of meter changes, repairs, inspection required by the state or

federal agencies or any other reasonable request for access.

Failure to comply within 30 days of initial contact will result in the termination of the water service until access is granted and the task completed.

(1991 Code, § 2.44) Penalty, see § 10.99

§ 51.12 CROSS-CONNECTIONS.

(A) The city adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Public Health, being R325.11401 to R325.11407 of the Michigan Administrative Code.

(B) It shall be the duty of the city to cause inspection to be made of all properties served by public water supply where cross-connections with the public water supply is deemed possible. The frequency of inspections and re-inspections based on potential hazards involved shall be as established by the city and as approved by the State Department of Public Health.

(C) Representatives of the city shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the city thereof for cross-connections.

(1) On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

(2) The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections.

(D) The Waterworks Superintendent is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of noncompliance with the provisions of this section.

(E) The potable water supply made available on the properties served by the public water system supply shall be protected from possible contamination as specified by this section and by the City Plumbing Code (found in Title XV). Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE FOR DRINKING

(F) This section does not supersede the City Plumbing Code or other provisions of this code relating to plumbing.

(G) Any person or customer found guilty of violating any of the provisions of this section, or any written order of the Waterworks Superintendent in pursuance thereof, shall be deemed guilty of a violation of this code, punishable as prescribed in § 10.99.

(1991 Code, § 2.45) Penalty, see § 10.99

§ 51.13 FIRE HYDRANTS.

No person shall open or use water from any public or private fire hydrant for any purpose, except for extinguishing fire, unless a written permit from the Waterworks Superintendent has been issued for such use.

(1991 Code, § 2.46) Penalty, see § 10.99

§ 51.14 LIABILITY OF THE CITY.

All parties using water from the waterworks of the city for any purpose whatsoever will do so at their own risk, and the city or employees thereof shall not be liable for any damages occasioned by or growing out of the stoppage of the water, nor for an insufficient supply of same, nor for accidents or any damage of any kind caused by or growing out of the use or failure of such water.

(1991 Code, § 2.48)

§ 51.15 INTERFERENCE/INJURING THE WATERWORKS; ANY VIOLATION.

Any person willfully interfering with or injuring the waterworks of the city, or any of the pipes, stopcocks or other appurtenances appertaining to the city waterworks or such system; or any person putting any animal, vegetable or other substance in any of the reservoirs, tanks or pipes or polluting the water therein in any way; or any person violating or failing to comply with any provision or provisions of this chapter shall be punishable as prescribed in § 10.99.

(1991 Code, § 2.49) Penalty, see § 10.99

§ 51.16 VIOLATION DECLARED NUISANCE.

- (A) Violation of any provision of this chapter is hereby declared to be a nuisance per se.
- (B) Any court of competent jurisdiction may order such nuisance abated and the violator guilty of maintaining a nuisance per se.

§ 51.17 RESTORATION FEES

- (A) Anytime a new water or service tap is made onto an existing main it shall be the responsibility of the customer to pay the cost of restoration and any associated cost with it.
- (B) After a tap has been made by the City DPW head will get estimates from a qualified

contractor to replace anything removed or damage that was necessary to make the tap into a main. This can include but not limited to concrete or asphalt road services, fill, curb and gutter, sidewalks, and the lawn.

(C) Estimates are not actual costs, they are only intended to give a rough idea of what the contractor believes the finish work will be, the actual cost could come in more or less than the original estimate within reason.

(D) Once a contractors invoices the city for completed work, the customer will be notified and have 15 days to reimburse the city to avoid penalty or interruption of service.

§ 51.18 WATER CAPITAL/IMPACT FEES

(A) This is a fee that's part of the city's Water and Sewer Capital/Impact Fees. It is a one-time fee that applies to new taps into the city's water and sewer supply that helps recover the cost of investing in capacity for new customers.

(B) Money collected will be used in the investment of new water and sewer mains, pumps, valves and other associated cost to the water and sewer infrastructure for expansion and upgrades needed to improve quality service and supply to the residence of Auburn.

(C) These fees are applied to customers who needed to make a physical water tap into the water main for service where one didn't previously exist.

(D) This fee is also applicable to someone who purchased vacant land with a water tap and curb box already existing on the property, this includes contractor-built, subdivisions, where they preinstalled the service lines to all the lots during initial construction unless the contractor prepaid the capital/impact fees for every lot.

(E) This does not apply to a property owner who built and paid/impact fees on his lot who bought the property with the existing house or building already connected to water and sewer who tears the home or building down and rebuild and reconnect to the existing lines.

(1991 Code, § 2.50) Penalty, see § 10.99

Effective as of January 15th 2025