

Chapter 17 - Rubbish Fill Operations

- 2.21 Purpose. The City of Troy, Michigan, hereby declares that it is necessary to provide and establish regulations and conditions governing the filling or depositing of household, commercial and other refuse and debris upon lands within the City, in order to protect the public health, safety, welfare and comfort.
- 2.22 License Required. It shall be unlawful for any person to conduct any filling or depositing operations within the territorial limits of Troy by depositing or placing household, commercial or any other types of refuse upon lands or premises within said City without having first obtained a license for the filling or depositing as herein provided.
- 2.23 Application. Application for licenses hereunder shall be made to the City Clerk and shall be in writing and contain the following information:
- (1) Names and addresses of the person, persons, firm or corporation making the application.
 - (2) Name and address of the owners of the land for which a license is applied for.
 - (3) The full legal description of the land or premises upon which the filling or depositing is to take place.
 - (4) Estimated length of time filling activity will consume, and purpose for which license is desired.
- 2.24 Contour Map. There shall be filed with the application a map of the premises under consideration, showing the existing contour lines and proposed contour grades resulting from such filling or depositing in relation to the topography of the premises together with United States Coast and Geodetic Datum.
- 2.25 License Fee. That upon filing such application and information there shall be paid to the City Clerk a license fee based upon an estimate by the City Engineer of the actual cost of reviewing said plans and information. Only that any part of the license fee that is not expended shall be returnable if said application together with necessary materials is disapproved by the City Engineer.
- (Rev. 9-25-78)
- 2.26 Engineer's Approval. The above license fee includes the cost of one inspection per month during the operation of said fill. The City Engineer shall have the duty and authority to make more frequent inspections if he determines said inspections to be necessary to protect the public health, welfare, safety and comfort. For said additional inspections there shall be imposed a fee arrived at in the following manner: \$4.00 per hour for each City employee. The contractor and/or the owner will be billed for said additional inspections and failure to pay said inspection fees within thirty (30) days from date of billing will be grounds for temporary revocation of said license and upon payment of said additional inspection fees the license shall be reinstated.
- 2.27 Planning Commission Hearing. Upon receipt of such approval and recommendation from the City Engineer, the Planning Commission shall, within thirty (30) days thereafter, consider such application and recommendation of the City Engineer, and shall notify the applicant of the time and place of such meeting.

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(Rev. 9-25-78)

- 2.28 Recommendation. The City Planning Commission shall, upon completion of its investigation, forward its recommendation to the City Council, and in arriving at its decision shall consider particularly whether the proposed fill activities would create or be likely to create a public or private nuisance, whether it would result in an unreasonable depletion of the natural resources of the City, whether such activity would create a hazard to the public health, welfare, safety and morals and whether such excavation would create a place of danger, or impede the coordinated, adjusted and harmonious physical development of the City.

(Rev. 9-25-78)

- 2.29 Grant of License. Upon receipt of the application and map, together with the recommendation of the City Engineer and Planning Commission, the City Council shall consider same, and if, after due consideration, the Council shall be of the opinion that the proposed filling and depositing shall not create conditions inimical to the public health, welfare and safety, nor create any drainage, sewerage problems or other conditions of danger, permission to fill and deposit shall be granted.

(Rev. 9-25-78)

- 2.30 Fill Operation. If permission to fill or deposit shall be granted the owner, contractor or person shall so conduct the operations so that sanitary land fill procedure will be followed and as refuse and debris are dumped on said premises same shall be covered with dirt. The dirt shall be six (6) inches in thickness. Dirt cells shall be made daily and when dumping operations are stopped a dirt cell shall be made and at such other intervals as the City Engineer shall deem necessary. That the grade in land elevation shall, when the said land fill operation is completed, comply with the topographical map attached to the original application, and any amendments thereto approved by the City Manager and City Engineer. That the roads on the premises used for the land fill operation will be oiled if in the opinion of the City Engineer and City Manager a dust hazard is being created. The premises will be sprayed daily with an insecticide gamma insomer or benzene, hexochloride from lindane of at least twenty-five (25%) percent if in the opinion of the City Manager and City Engineer a nuisance of odor and insects is created by said land fill operation or such other insecticides approved by the City Manager and City Engineer. There will be no burning of any refuse on the premises. Suitable provision shall be made for drainage ditches to accommodate storm water.

(Rev. 7-19-71)

- 2.31 Approvals Required. A license under this Chapter only shall be granted after the applicant shall have received the written approval of the offices of the Michigan Department of Health, Oakland County Department of Health, and a certificate from the Oakland County Drain Commissioner to the effect that the proposed filling operation will not cause increased loading of or interference with sewers, septic tanks or systems, drains, and ditches in the area affected nor cause or create any health or safety hazard; the applicant shall also satisfy the City Council that the proposed operation will not constitute or cause a traffic and safety hazard to the people of the City of Troy.

(Rev. 9-25-78)

- 2.32 Penalty. Any person who shall violate any of the provisions of this Chapter or shall fail to comply with the same, shall, upon conviction thereof, be punished by a fine not to exceed five hundred

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(\$500.00) dollars or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the Court. Each and every violation of and non-conformance with this Chapter, or each day that any provision of this Chapter shall have been violated, shall be construed as a separate and distinct violation thereof.