

NOTICE OF ADOPTION

The City of Wyandotte Ordinance has been amended as follows:

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND THE CITY CODE OF ORDINANCES  
BY ADOPTING ARTICLE XIII ENTITLED REGULATING COLLECTION BINS  
IN CHAPTER 25  
ENTITLED “OFFENSES – MISCELLANEOUS”

The City of Wyandotte Ordains:

Section 1. Adoption of Article XIII Entitled “Regulating Collection Bins”

Sec. 25-240. Definitions.

Collection Bin (Bin) – Shall be any container, receptacle, or similar device that is located on any parcel or lot of record within the city that is used for soliciting and collecting the receipt of clothing, household items, or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material, any rubbish or garbage receptacle.

Sec. 25-241. Prohibitions on Placement of Collection Bin

- (1) A bin shall not be placed on any property without express written permission from the property owner and after receiving approval from the City of Wyandotte Engineering Department.
- (2) Bins shall only be allowed in the Business, Industrial, and Recreational Zoning Districts. Bins are not allowed on residential zoned properties except if the property is utilized as a church.
- (3) There shall not be more than one (1) bin per property address.
- (4) A bin shall not be located within 1,000 feet of another bin, unless the bin existed before adoption of this ordinance. Once removed this distance provision shall apply.
- (5) Bins shall be located at least twenty-five feet from any property line and at least fifty feet from any trash or recycling dumpster.
- (6) Bins shall not be located within required parking spaces or landscape areas. Applicant shall submit a site plan and a scaled floor plan of their building identifying all uses. All required parking spaces shall be identified on the site plan. Location of bin shall be identified on site plan. Distances from property lines to the bin shall be shown on the site plan.
- (7) Each Bin shall be placed on a hard surface such as concrete, blacktop, or other comparable surface, but not gravel. Hard surface shall not to exceed eight (8) feet wide by five (5) feet long and be located in a manner that is publicly accessible.
- (8) Except for the opening slot for donations, Bins shall remain locked at all times to prevent access by unauthorized persons.
- (9) Bins shall be emptied on a monthly basis or more frequently if needed to prevent overflow. No items shall be placed around the outside of a bin. Upon notice by the City to the property owner and collection bin operator, any such item placed outside a bin shall be removed within 24 hours of said notice. If items are not removed within 24 hours the City may remove the item and charge the cost incurred by the City to the property owner. The cost to provide this removal shall be \$100 and increase by \$100 for each subsequent instance the City must remove additional items. Removal fees must be paid by the property owner.
- (10) Bin operator and property owner on which a bin is located shall have 24 hours after notice from the City to correct any violations of this Ordinance. Property owner shall provide the address, phone number, and email of a local agent located in Wyandotte where any notices may be sent between the hours of 8:00AM – 5:00PM Monday through Friday regarding enforcement of this ordinance.
- (11) Existing bins shall obtain compliance with this ordinance within six (6) months of the adoption of this ordinance.

Sec. 25-242 – License.

Applicant for a Bin shall:

A. Provide a plan detailing

- (i) The access route of the vehicle used to unload the contents of the Bin.
- (ii) The dedicated parking space used for patrons to unload donations.
- (iii) Scaled floor plan of building identifying:

- (a) All uses.
  - (b) Identification of required parking spaces.
  - (c) Location of bin.
  - (d) Distance from property line to bin.
  - (e) Application for a concrete, blacktop, or comparable surface if a hard surface does not already exist.
  - (f) Location of dedicated parking space for bin for unloading of donations.
  - (g) A description or diagram of the proposed locking mechanism of the collection bin.
- B. Provide a schedule for normal pick up of donations and abide by it.
- C. Provide written permission from the property owner.
- D. File an application with the City each year. The filing of an application does not designate approval of a Bin. Approval of a Bin is only received after an application is submitted, reviewed, and stamped “approved” by the Engineering Department of the City of Wyandotte if all requirements are met. Upon approval of an application, the applicant will receive a sticker from the City to be placed in the appropriate location on the Bin.
- E. The name, address, email, and telephone number of both the operator of the collection bin and property owner on which the collection bin is to be located, including 24-hour contact information.
- F. Standards:
- (i) Bins shall not exceed six and a half (6.5) feet in height.
  - (ii) Bins shall be constructed of a durable, UV-resistant metal, molded hard plastic or fiberglass material that is painted.
  - (iii) Bins shall prominently display the name, address, and telephone number of the owner/operator of the Bin in characters no less than four (4) inches in height and not greater than six (6) inches in height.
  - (iiii) Bins shall at all times be maintained in good repair, rust free and clean condition, and shall remain free of graffiti, or other markings.
- G. Bins shall not be utilized for the display of any advertising, signage or promotional materials other than the information of the owner/operator of the bin.
- H. There shall be one dedicated parking space for patrons to unload donations.
- I. All owners of the property where the bin is located shall apply to the Engineering Department for approval of placement of their bin. Bins shall not be placed until approval is provided. There shall be a renewal application each year.
- J. Fee required per Bin:
- (i) Initial Application (one year period) \$ 100.00
  - (ii) Renewal Application (one year period ) \$ 50.00
  - (iii) A license issued under this section shall expire and become null and void annually on January 1<sup>st</sup> of each year. An application for renewal must be submitted prior to the expiration of the license on a form provided by the Engineering Department.
- K. The signatures of the property owner and the operator of the collection container acknowledging that they will both be responsible for compliance with all applicable ordinances, laws and conditions related to the collection bin.
- L. Any license issued under this ordinance may be revoked for noncompliance with the terms of this ordinance after notice and a hearing. The hearing will be conducted by the City Engineer. The license holder may appeal the decision to the City Council within twenty-one (21) days of the City Engineer’s decision.

#### Sec. 25-243 – Violation.

Any person who fails to comply with the terms of this ordinance is responsible for a municipal civil infraction subject to a fine up to Five Hundred (\$500.00) Dollars together with court costs.

#### Section 2. Severability.

All Ordinances or parts of Ordinances in conflict herein are hereby repealed, only to the extent necessary to give this Ordinance full force and effect.

Section 3. Effective date

This Ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption.

Motion unanimously carried.

CERTIFICATION

We, the undersigned, Joseph R. Peterson and Lawrence S. Stec, respectively, the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the City Council of the City of Wyandotte, at a regular session on Monday, August 27, 2018.

**Joseph R. Peterson**, Mayor  
**Lawrence S. Stec**, City Clerk

The effective date of this Ordinance is September 11, 2018. A copy of this Ordinance may be purchased or inspected at the City of Wyandotte Clerk's Office, 3200 Biddle Avenue, Wyandotte, Michigan, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Publication Date: September 5, 2018