

Chapter 605 – Solid Waste

Section 605.1 – Title

This Ordinance shall be known and cited as the “Solid Waste & Incinerator Ash Disposal Fee Ordinance.”

Section 605.2 – Intent

An Ordinance to establish solid waste disposal impact fees pursuant to Act No. 66 of Public Acts of 1990, as amended; providing for the administration and enforcement thereof; providing for the collection and use of the revenues to be generated thereby; and providing for penalties for violation thereof.

Section 605.3 – Definitions

The words and phrases as used herein shall have the same meanings described to them as set forth in Act No. 641 of Public Acts of 1978, as amended.

Section 605.4 – Solid Waste Impact Fee

An impact fee of \$0.10 (ten cents) per cubic yard shall be assessed on all solid waste disposed of in any landfill located in Lenox Township which is utilized by the public to dispose of solid waste from 2 or more persons.

Section 605.5 – Incinerator Ash Impact Fee

An impact fee of \$0.10 (ten cents) per cubic yard shall be assessed on all municipal solid waste incinerator ash disposed of in any landfill located in Lenox Township which is utilized to dispose of municipal solid waste incinerator ash.

Section 605.6 – Landfill Located Within a Village

The impact fees provided for in this Ordinance in relation to landfills located within a village shall be assessed by Lenox Township in agreement with any such village.

Section 605.7 – Collection and Payment by Owner or Operator of Landfill

The impact fees imposed by this Ordinance shall be collected by the owner or operator of any such landfill operated in Lenox Township and shall be paid to the Township quarterly by the thirtieth (30th) day after the end of each calendar quarter.

Section 605.8 – Agreements with Owners or Operators of Landfills

The Township may enter into an agreement with the owner or operator of a landfill to establish a higher impact fee other than provided for in this Ordinance. The impact fees assessed to each landfill under this Ordinance shall be reduced by any amount of revenue paid to or available to the Township from such landfill under the terms of any agreements, conditions, court settlement agreement conditions, and trust in existence on the effective date of this Ordinance.

Section 605.9 – Use of Revenues Collected

The revenues collected by the Township shall be deposited in the general fund of the Township to be used for any purpose which promotes the public health, safety, and welfare of the citizens of the Township. The revenues collected pursuant to this Ordinance shall not be used to bring or support litigation against any owner or operator of any landfill who is collecting and paying to the Township an impact fee pursuant to this Ordinance unless the owner or operator of such landfill has instituted litigation or other legal action against the Township.

Section 605.10 – Penalties

Any person, firm, or corporation violating the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the County Jail not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the Court.