

**CITY OF CEDAR SPRINGS
CITY COUNCIL
Kent County, Michigan**

Councilmember _____ supported by Councilmember _____, moved the adoption of the following ordinance:

ORDINANCE NO. XXX

AN ORDINANCE TO AMEND Chapter 40- ZONING OF THE CITY CODE OF ORDINANCES

THE CITY OF CEDAR SPRINGS ORDAINS:

Section 1. Amendment to Modify Chapter 40-Zoning, Article IV-Supplemental Regulations, Division 2 Yard, Use, Height, etc. Requirements Sec. 40-462. - Waste receptacles (dumpsters). That the Code of Ordinances of the City of Cedar Springs is amended to;

to read in its entirety as follows:

Sec. 40-462. - Waste receptacles (dumpsters).

- (a) All outdoor waste receptacles shall be enclosed on three sides and screened to be opaque or substantially opaque to the outside. The enclosure shall be constructed of brick, decorative concrete, vinyl, steel, aluminum or composite boards. Other high-quality and durable decorative materials consistent with the building materials of the principal building may be approved by the Planning Commission or Zoning Administrator on a case by case basis. Chain-link fence is prohibited as an enclosure material. The bottom of the enclosed three sides shall be within 2 inches of the waste receptacle (enclosure) base at all points of the enclosure.
- (b) The enclosure shall also include an opaque or substantially opaque to the outside gate or gates, made of metal, wood or other high quality material on the fourth side. Chain-link fence is prohibited as a gate material. The bottom of the gate shall be within 4 inches of the waste receptacle (enclosure) base at all points. The gate(s) shall have a closing latch and shall remain closed at all times

except during servicing. The waste receptacle must have an enclosing lid or cover.

- (c) The enclosure shall have a minimum height of six feet or one foot above the height of the waste receptacle, whichever is greater. The enclosure must be spaced at least three feet from the waste receptacle .
- (d) Waste receptacles and enclosures shall be located in the rear yard, not closer than three feet from the rear lot line, or nonrequired side yard, unless otherwise approved by the planning commission and shall be as distant from the property line as practical. The waste receptacle enclosure should be placed a minimum 20 feet from all residential uses.
- (e) Waste receptacles shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces or interfering with the normal movement of vehicles on or off the site. If possible, the opening shall not directly face the driveway.
- (f) The waste receptacle base shall be at least nine feet by six feet in area, constructed of six inches of reinforced concrete pavement. The base shall extend six feet beyond the waste receptacle pad or gate to support the front axle of a refuse vehicle.
- (g) Curbing or bollards shall be utilized at the rear of the inside of the enclosure as bump guards to prevent damage to the enclosure during the emptying process. Bollards are recommended as bump guards for use in other areas subject to damage from vehicles, during the emptying process or to prevent the gates from swinging into parked vehicles or travel lanes. The Planning Commission or zoning administrator may require the installation of additional bollards to meet site plan objectives.
- (h) The shared use of receptacles shall be allowed by adjoining businesses where sharing will not create a health or safety concern and where it does not result in the accumulation of visibly excessive quantities of waste. Necessary shared use agreements are required.
- (i) Where grease disposal receptacles are used, curbing shall be provided around the enclosure base to contain any spillage.

- (j) Areas provided for waste receptacles must be maintained in a clean and sanitary fashion. Where deemed necessary for restaurant uses, a drain may be installed to collect any liquids and/or for use in cleaning.
- (k) The enclosure shall be constructed in such a manner that all structural members, including braces, posts, poles and other projections, shall be on the interior side of the fence unless of a decorative nature. The decorative side of the screening side and gate shall face to the outside.
- (l) All waste receptacle or dumpster enclosures shall be installed in a workmanlike manner and be maintained at all times in a state of good repair, with all braces, fasteners, supporting frames, etc., free from deterioration, insect infestation, rot and rust. All waste receptacles or dumpster enclosures shall be kept neatly finished, including all metal parts and supports that are not galvanized or made of rust-resistant metals.
- (m) Whenever land uses, buildings, and structures are proposed to be expanded, enlarged, or increased in intensity, the zoning administrator shall determine whether the screening of dumpsters is needed to improve the appearance of a site and reduce the likelihood of windblown trash and may require compliance with this section under the requirements of Sec. 40-55.

Section 2. Severability and Repealer. If any portion of this Ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. Effective Date. This ordinance shall take effect upon its publication in The Cedar Springs Post, a newspaper of general circulation in the City of Cedar Springs, consistent with state law and the City Charter.

YEAS: Councilmembers:_____

NAYS: Councilmembers:_____

ABSENT: Councilmembers: _____

ABSTAIN: Councilmembers: _____

Ordinance No. XXX declared adopted

Dated _____, 2019

Rebecca Johnson, City Clerk

CERTIFICATION

I certify that this is a true and complete copy of an ordinance adopted by the City Council of the City of Cedar Springs at a Regular Meeting held _____, 2019 and that public notice of the meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: _____, 2019

Rebecca Johnson, City Clerk

Public Hearing:

First Reading:

Second Reading:

Published:

Effective: