

Part 79

HAZARDOUS WASTE DISPOSAL

Ord. No. 25

Adopted: December 7, 1978

79.000

An ordinance to prohibit the disposing of hazardous waste within Lyon Township and to provide penalties for violation.

THE LYON TOWNSHIP BOARD, ROSCOMMON COUNTY, FOR ITSELF AND AS THE TOWNSHIP HEALTH BOARD, ORDAINS:

79.001 Legislative findings.

Sec. 1. It is hereby determined that the environment within this Township is generally clean, natural and free from contamination, and that the disposing of hazardous waste in any place within this Township would be detrimental to said environment and harmful to the health, safety and welfare of the residents herein, and that the regulations contained in this ordinance are the minimum regulations required to eliminate the foregoing undesirable condition and protect the public health, safety and welfare.

79.002 Definitions.

Sec. 2. As used in this ordinance, "*hazardous waste*" means any substance or organism contaminated with any chemical determined to be harmful to living things. Hazardous waste includes, but is not limited to the following:

1. The carcasses of dead animals contaminated with such harmful substance.
2. Refuse from factories containing such harmful substance.
3. Any solid, liquid or sludge containing radioactive particles.
4. Harmful gases, whether or not in a sealed container.

79.003 Unlawful acts.

Sec. 3. It shall be unlawful for any individual, corporation, partnership, governmental unit or other legal person to dispose of hazardous waste in any form, and including the depositing of such waste into any airway or waterway or soil which would carry such hazardous waste into this Township. For the purpose of this Act, such disposing and/or depositing shall constitute a separate violation for each day the said contamination is allowed to exist.

79.004 Penalty.

Sec. 4. Any person (as defined above) who violates any provision of this ordinance shall upon conviction thereof, be punished by a fine not exceeding \$500.00

plus three times the cost of cleaning up same, or by imprisonment in the county jail not exceeding 90 days or by both such fine and imprisonment.

79.005 Declaration of nuisance.

Sec. 5. Any violation of any provision of this ordinance is hereby declared to be a nuisance.

79.006 Effective date.

Sec. 6. This ordinance shall become effective on January 13, 1979.

Published: December 14, 1978.