

VILLAGE OF CASS CITY
PROPOSED ORDINANCE NO. 201

AN ORDINANCE TO AMEND THE ZONING ORDINANCE, IN RELATION TO THE CASS CITY CODE OF ORDINANCES, CHAPTER 46, ZONING, ARTICLE V, SITE STANDARDS, DIVISION 3, SECTION C4, DUMPSTERS.

THE VILLAGE OF CASS CITY ORDAINS:

The Village Council of Cass City hereby amends the Village Ordinance, Chapter 46, Zoning, Article V, Site Standards, Division 3, Section C, Subsection 4. Dumpsters, as follows:

Subsection a. shall be repealed in its entirety and replaced with the current subsection b. "Dumpsters Permanent;" and subsections c. and d. shall be added.

Subsection b. shall then read as follows:

"b. Residential Storage Containers and Dumpsters, when used in this section, shall have the meaning ascribed to them in this section, except where the context indicates a different meaning and shall include storage containers, cargo containers, storage pods or other standardized reusable vessel, and further defined as:

- i. a large trash receptacle designed to be hoisted and emptied into a truck or hauled away. (as defined by Oxford English Dictionary)
- ii. that are designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; or
- iii. originally designed for or capable of being mounted or moved by rail, truck, or ship by means of being mounted on a chassis or similar transport device. The definition includes the terms "transport containers" and "portable site storage container" having a similar appearance to and similar characteristics of cargo containers.

Subsection c. shall then read as follows:

"c. Compliance requirements:

- i. A single storage container may be placed on an occupied lot for the purpose of loading or unloading personal belongings to be transported to another location for a period of up to 14 days.

ii. Storage containers or dumpsters used in conjunction with a home improvement or construction project are permitted for the duration of an active building permit.

iii. In the event of remodeling that does not require a permit, remediation of hoarding, flood damage, fire damage, asbestos removal or similar catastrophes or emergency repairs, a single portable moving and storage container or roll-off dumpster is permitted on an improved driveway surface for a period of up to 30 days. Time frame extensions can be made by the zoning administrator discretion.

iv. Containers shall be located on an improved driveway surface and shall not be located in the public right-of-way or private road easement. **Temporary containers located in the public right of way require an easement permit.**

v. Storage containers, dumpsters, pods and shipping containers shall not be used for a permanent accessory, structure, living/habitable spaces, and/or permanent storage on any lot.

Subsection d. shall then read as follows:

“d. Penalties.

i. The first notification of violation shall be a warning and property owner shall have 15 days to come into compliance. The second violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$150.00. The fine for a third offense shall not be less than \$250.00 per day. The foregoing sanctions shall be in addition to the rights of the village to proceed at law or equity with other appropriate and proper remedies.

ii. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the village incurs in connection with the municipal civil infraction.

iii. Each day during which any violation continues shall be deemed a separate offense.

iv. In addition, the Village may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

v. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the village or by such other person(s) as designated by the village manager.

A MOTION TO INTRODUCE AND CONDUCT THE FIRST READING OF PROPOSED ORDINANCE # 201, TO AMEND THE ZONING ORDINANCE, IN RELATION TO THE CASS CITY CODE OF ORDINANCES, CHAPTER 46, ZONING, ARTICLE V, SITE STANDARDS, DIVISION 3, SECTION C4, DUMPSTERS

Was offered by Trustee _____ and supported by Trustee _____

Ayes: Nays:

Resolution: Approved / Not Approved

Section 2. This Ordinance is hereby declared to have been adopted by the Village of Cass City Council at a meeting thereof duly called and held on the ____ day of _____, 2025 and ordered to be given effect immediately upon its adoption.

_____, Village President _____, Village Clerk

Notice of adoption published in the Tuscola County Advertiser on _____, 2025.

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Cass City, County of Tuscola, State of Michigan at a regular meeting of Village Council duly called and held on the _____ day of _____, 2025.