

TOWNSHIP OF FABIUS

COUNTY OF ST. JOSEPH, STATE OF MICHIGAN

RESOLUTION NO. A-22-09

**POLICY FOR WASTE MANAGEMENT LANDFILL PASSES**

WHEREAS, a Waste Management Landfill is located in Fabius Township; and

WHEREAS the Township has an established practice to distribute five (5) landfill passes per single-family dwelling unit per parcel after payment of the summer and winter tax bills; and,

WHEREAS the Township Board has determined that it should formalize the above process in response to increasing resident demands for exceptions to the practice; and

NOW THEREFORE IT IS HEREBY RESOLVED that Township Board adopts the following policy to regulate distribution of waste management passes to owners of eligible single-family dwellings in the Township;

**The Fabius Township Waste Management Landfill Pass Policy**

1. **Title.** This policy shall be known as The Fabius Township Waste Management Landfill Pass Policy (hereinafter: "Policy").
2. **Purpose.** The purpose of the Policy is the orderly and equitable distribution and regulation of waste management landfill passes to residents of Fabius Township ("Township").
3. **Definitions.** The following definitions are given effect in this policy.
  - a. *Township Hall.* The seat of local government located at 13108 Broadway Three Rivers MI 49093.
  - a. *Treasurer.* The currently elected Treasurer of the *Agricultural*. A business or facility operating on a parcel designated as "AG" according to the Township Zoning Map and Township Zoning Ordinance
  - b. *Commercial.* A business or facility operating on a parcel designated as "B," "RB," "SSB," and "SC" according to the Township Zoning Map and Township Zoning Ordinance.
  - c. *Dwelling.* Any building in conformance with the various types of dwellings as defined in the Township Zoning Ordinance § 46-3.
  - d. *Industrial.* A business or facility operating on a parcel designated as "I-1" according to the Township Zoning Map and Township Zoning Ordinance.
  - e. *Pass.* A document which allows a resident to undertake dumping of certain household waste in the Waste Management Landfill free of charge.
  - f. *Resident.* An individual currently residing within the Township in a dwelling on a residential district. This provision also shall apply to individual occupants of

Agricultural parcels living within a dwelling who produce nonhazardous household waste, but shall not apply to the actual businesses or facilities of Agricultural parcels producing agricultural waste.

- g. *Residential*. A parcel designated as "R-1," "R-2," "R-3," "LR," "MH," "RM-1," according to the Township Zoning Map and Township Zoning Ordinance
- h. Township Board.

**4. Ineligible for Landfill Passes.** The following are ineligible for passes.

- a. *Commercial*. No passes shall be provided to a Commercial entity.
- b. *Industrial*. No passes shall be provided to an Industrial entity.
- c. *Agricultural*. No pass shall be given to an Agricultural entity, excepting those Agricultural entities on which a single-family dwelling is located and used as a residence.

**5. Passes for Dwelling Units.**

- a. Every single-family dwelling located on a residential or agricultural parcel is eligible for five (5) passes per year.
- b. A total of five (5) Passes shall be given to residents once yearly after payment of both summer and winter tax bills.
- c. Eligibility for passes shall be determined based on the township's assessing records.
- d. No more than 5 passes shall be provided per single-family dwelling per year.
- e. The Township Treasurer keeps a record of the number of passes provided to residents such that no more than 5 shall be provided after payment of tax bills.

**6. Restrictions on Passes.**

The Township Treasurer, nor any member of the Township Staff, shall not have power to dispense additional passes.

**7. Notification.**

- a. A copy of this policy shall be posted at the Township Hall and on the Township's website.
- b. The Township shall post a sign at the public entrance to the Township Hall indicating as follows:

"Dump Passes are provided to eligible single-family dwelling unit owners along with receipt of payment of winter tax bills. Please do not request the staff to provide you with any additional passes, as this program has been discontinued. You may still utilize the landfill by paying for dumping charges."

Motion was made by Lindy and seconded by Cliff Judy to adopt the foregoing Resolution.

Upon roll call vote the following voted "Aye": Judy, Cliff, Cindy, Dan

The following voted "Nay":

The following were absent: Carol

The Supervisor declared the motion carried and the resolution duly adopted.

#### CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted at a regular meeting of the Fabius Township Board held on November 9, 2022; that the meeting was conducted and public notice of the meeting was given pursuant to and in compliance with the Michigan Open Meetings Act; that a quorum of the Board was present and voted in favor of the resolution; and that the minutes of the meeting will be or have been made available as required by the Open Meetings Act.

---

Carol Wilkins, Clerk  
Township of Fabius  
St. Joseph County, Michigan