

CHAPTER 66. UTILITIES

ARTICLE III. Solid Waste Collection and Disposal.*

*State law references--Waste Management Act, Minn. Stats. ch. 115A; littering, Minn. Stats. §§ 169.42, 609.671, subd. 13, 115A.99; mandatory that City provide for solid waste collection, Minn. Stats. § 115A.941.

DIVISION 1. Generally.

Section 66-81. Intent.

It is the intent of the City Council, by means of this Article, to establish a complete system for collection of garbage, other refuse, white goods, recyclables, and yard waste throughout the City so that the disposal of such materials is accomplished in a sanitary manner and so that the health and sanitary conditions of the residents of the City are properly safeguarded and so that the City is in compliance with the State and/or the County's recycling and solid waste reduction mandates.

Section 66-82. Definitions.

The following words, terms, and phrases when used in this Article shall have the meanings ascribed to them in this Section except where the context clearly indicates a different meaning:

Aluminum recyclables means containers fabricated primarily of aluminum and commonly used for soda, beer, or other beverages.

Can recyclables means containers fabricated primarily of metal, or a metal alloy other than aluminum, or tin.

Collection means the aggregation of garbage, other refuse, white goods, recyclable or yard waste, from the place at which it is generated and includes all activities up to the time when the material is delivered to a designated facility.

Commercial establishment means any premises where a commercial or industrial enterprise of any kind is carried on, and shall include restaurants, hotels, clubs, churches, and schools where food is prepared or served.

Commerical/Industrial/Multiple Dwelling Collection means collection occurring on premises where a multiple dwelling, commercial or industrial enterprise of any kind is carried on, and shall include restaurants, hotels, clubs, churches, and schools where food is prepared or served.

Corrugated cardboard means heavy paper with alternating ridges and grooves for use in packing or boxing materials.

Garbage means all putrescible wastes, excluding animal offal and carcasses of dead animals, human excreta, sewage, and other water-carried wastes.

Glass or plastic recyclables means jars, bottles, and containers which are primarily used for packaging and bottling of various matter.

Mixed Municipal Solid Waste means garbage, refuse and other solid waste form residential, commercial, industrial, and community activities that the generator of the

waste aggregates for collections, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludge, tree and agricultural waste, tires, lead acid batteries, used oil, and other materials collected, processed and disposed of as separate waste streams.

Mixed paper recyclables means boxboard (cake, cracker, cookie boxes), junk mail, magazines, newsprint, newspaper supplements, and telephone books.

Multiple residential dwelling means any building used for residential purposes consisting of more than four dwelling units with individual kitchen facilities for each.

Other refuse means ashes, non-recyclable glass, crockery, cans, paper, boxes, rags, and similar non-putrescible non-recyclable wastes but excluding sand, earth, brick, stone, concrete, trees, tree branches and wood.

Recycling means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Recycling facility means an organization or business that collects recyclable materials.

Residential Collection means collection occurring on the premises of any single building consisting of one, two, three, or four dwelling units, with individual kitchen facilities for each.

Residential dwelling means any single building consisting of one, two, three, or four dwelling units with individual kitchen facilities for each.

Separation or to separate mean to place and store other recyclable materials in containers provided by the City in a manner determined by the City Council.

Single sort container means the sole container specified to store all curbside recyclables until collection.

Special pickup means any collection of materials other than garbage, other refuse, recyclable or yard waste including white goods, furniture, over sized materials, and construction materials.

Targeted recyclables means aluminum and tin cans, glass bottles (clear, green, and brown) with neck, plastic bottles with neck, mixed paper, and corrugated cardboard, or other materials as defined by Council resolution.

Waste stream means the manner of disposal particularly prescribed by this Article for each of the types of materials specifically defined in this Section.

White goods means large appliances, furniture, oversize materials, construction materials, sand, earth, brick, stone, crockery, trees, tree branches, and other materials collected, processed, and disposed of as a separate waste stream.

Yard waste means garden wastes, leaves, lawn cuttings, weeds, shrub and tree waste and prunings.

Cross reference--Definitions generally, § 1-2.

Section 66-83.

Exceptions.

Nothing in this Article shall prevent persons from hauling garbage, other refuse, recyclables, yard waste, or white goods from their own residence or business properties provided that the following rules are observed:

- (a) All garbage shall be hauled in containers that are watertight on the bottom and all sides and with tight fitting covers on top;
- (b) All other refuse and recyclables shall be hauled in vehicles with leak proof bodies and completely covered or enclosed by canvas or other material so as to completely eliminate possible cargo loss;
- (c) All garbage and other refuse shall be dumped or unloaded only at a County designated disposal facility, pursuant to County and State regulations;
- (d) Recyclables shall be disposed of at a recycling facility, or an organized recyclable drive, or through the City's organized curbside collection recycling program;
- (e) Yard waste may be composted privately, be disposed of at the County composting facilities, or through the City's curbside collection with a licensed hauler.

Section 66-84.

Disposal generally.

- (a) All residents and owners of commercial and multiple residential dwellings shall make provisions for the sanitary disposal of garbage, other refuse, mixed municipal solid waste and white goods by means of a licensed private collector unless they have provided for adequate disposal which meets the approval of the City Council and which complies with all Ordinances and regulations of the City, County, and State.
- (b) No person shall permit garbage, other refuse, mixed municipal solid waste, white goods, recyclables, or yard waste to accumulate or remain upon property owned or occupied by that person except when stored in required containers, and kept out of sight and smell, and such storage or accumulation shall not continue for more than two weeks. Outside storage containers and single sort containers shall be located in the side or rear yard next to the garage or house. Containers and single sort containers may be kept in the front of the house if kept in an enclosure or screened from the street or upon the driveway directly in front of the garage the furthest possible distance from the house. Containers may be placed next to the street or curb on the days scheduled for collection but shall be returned to the place of storage within twelve (12) hours after collection.
- (c) All yard waste shall be disposed of in compliance with all applicable State and County laws and regulations. No person shall dispose of yard waste into the waste streams for garbage, other refuse, recyclables, or white goods. Yard waste shall be disposed of by:
 - (1) Curbside collection through a licensed hauler;
 - (2) The resident transporting the yard waste to the County compost sites; or
 - (3) Composting the yard waste on private property with the owner's consent.

- (d) No person shall permit garbage, other refuse, recyclables, or yard waste to be removed from their property by an unauthorized or unlicensed collector.
- (e) No person shall discharge garbage, other refuse, recyclables, yard waste, hazardous waste, or white goods on any street, alley, drive, park, playground, other public place or any privately owned lot in the City. Persons who violate this provision shall be subject to the cost of removing and disposing of the material in addition to any other penalties imposed.
- (f) No person or business shall scavenge or otherwise collect garbage, other refuse, recyclables, white goods, or yard waste which have been placed at the curb or from recyclable containers other than a duly authorized employee of the City or collectors authorized by the City under this Article.

State law reference--Littering, Minn. Stats. §§ 169.42, 609.671, subd. 13, 115A.99.

Section 66-85.

Penalties.

A violation of subSection 66-84(b), (c), (d), (e), or (f) shall be a petty misdemeanor, except that the third and each succeeding violation of any petty misdemeanor provision of this Article, within a period of three years, shall be a misdemeanor. Each day during which the violation continues shall constitute a separate offense. Any other violation of this Article shall be a misdemeanor.

Section 66-86.

Storage and placement for collection.

- (a) The occupant of a residential dwelling and the owner of multi-residential dwellings shall insure the provision of containers with covers for the collection of garbage and other refuse sufficient to keep odors in and insects and vermin out. Such containers shall be constructed of metal or other approved materials and shall be watertight so that they hold without leakage of material or odors all the garbage that may accumulate between times of collection. Nothing but garbage and other refuse as defined in this Article shall be placed therein. Except when filling or emptying such containers, covers shall be kept tight thereon.
- (b) Every owner, operator or lessee of an industrial and/or commercial business who provides his/her own garbage and/or refuse containers shall keep the containers in a storage area or building which can be locked except on the day of collection. Every owner, operator, or lessee of an industrial and/or commercial business who uses a container provided by the licensed private collector shall keep the container so located as to be out of the public view as far as possible except on the day of pick up. Containers shall not be filled to the extent that the garbage or refuse placed therein can drop or spill from such containers.

Section 66-87.

Provision of collection.

- (a) Yard Waste. The removal and disposal of yard waste is the sole responsibility of the property owner or party responsible for the property.
- (b) Recyclables. It is unlawful for any person other than a duly authorized employee of the City or collectors authorized by the City to collect or remove recyclable which have been placed at the curb for pick up.

Section 66-88.

Payment and rates.

Charges for recyclable collection shall be as determined by the Council and shall be billed to the property owner.

Secs. 66-89--66-105. Reserved.