

Ordinance #64

Waste collection

1. - Purpose.

This adopted ordinance is the city's goal to improve solid waste management and to serve to the following purposes:

Achieve a reduction in waste generated.

To protect the public health, safety, comfort, convenience, and general welfare of the residents of the city.

Encourage the separation and recovery of materials and energy from waste.

To establish powers, duties, rules, regulations, and standards for the removal of solid waste from the city.

Promote best management practices in solid waste management to protect air quality, water quality, and natural resources.

Provide high quality solid waste and recycling services in the most cost-effective manner possible.

To promote programs and recommend policies to reduce waste and promote yard waste reduction through separation of recyclables and yard and garden wastes; and encourage the purchasing of products that are most durable or contain recycled or recyclable materials.

To meet minimum standards and requirements established by rules of the Minnesota Pollution Control Agency regarding solid waste.

To provide for the administration of the ordinance. The city has authority to enact ordinances for these purposes under Minn. Stat. § 412.221, subd. [22](#), which requires the city council to provide for or regulate the disposal of garbage, recycling and other solid waste.

2. - Consumer regulations.

Consumer regulations are as follows:

Trash includes household garbage and waste,

Collection by the city. All trash and recycling accumulated in residences in the city shall be collected, conveyed and disposed of by the city or by its duly authorized contractor. No person shall collect or dispose of any trash and recycling accumulated on residential premises of the city except the city or its designated contractor.

Containers. Trash and recycling containers shall be only those authorized by the city and provided to the consumer by the city contractor and shall be equipped with suitable handles and tightfitting covers and shall be watertight.

Trash and recycling containers shall be stored in an enclosed garage or accessory building. If they are not in an enclosed garage or accessory building, then they must be located behind the front line of the dwelling (on a corner lot this applies to both the front line and the exterior side line) in a location that is screened from view from the street. If not located in an enclosed garage or accessory building, then the screening must either be a wooden privacy fence, vegetation that when mature screens as effectively as a privacy fence, or some other effective permanent screen approved by the City Zoning Administrator.

The exception to these standards is that containers may be placed at curbside after 5:00 p.m. the day before the scheduled collection and on days scheduled for collection. The trash and recycling containers shall be made readily accessible to the collector by placing the container at curbside no later than 6:00 a.m. on the day of collection.

The consumer shall be responsible for the damage or loss of a container and shall be liable to the contractor for this damage, except that reasonable wear is expected.

No mixing of household waste, yard waste, hazardous waste, recyclables or other solid waste, including building materials shall be permitted in containers.

No container shall be unreasonably compacted by stuffing or otherwise.

Participants in residential dwelling service as defined must participate in the trash and recycling program.

Any person that observes a garbage and rubbish container that has been placed on the traveled portion of a roadway is entitled to move the container to curbside.

Yard waste. Yard waste shall be separated from household solid waste and recyclable materials. Yard waste may be disposed of at a location, date and time determined by the City and published online or local printed media.

3. - Fees.

The fees for collection per month are established by the city council in the agreement negotiated with the city's hauler.

Residents who will be continuously absent from the city for more than 90 days and have notified the city will not be charged during the period of their absence.

4. - Recycling procedures.

Materials to be collected. The city's contracted hauler is required to pick up recyclable materials at every residential dwelling.

The city council, by resolution approving the city's contract hauler agreement, establishes recyclable materials. In the event the city, county or state changes the list of recyclable materials, the city's contracted hauler shall begin collection of any additional recyclable materials within 30 days of the adoption of the resolution unless written approval is obtained from the city.

Collection. City's contracted hauler shall only collect recyclable materials properly prepared by the homeowner and placed in an approved recycling container. The licensed hauler shall provide single-sort recycling services to all properties.

The hauler shall have full responsibility to determine which items are properly prepared, but should make every reasonable effort to collect all items set out by residents for recycling.

The hauler shall not landfill or incinerate any recyclable materials collected, nor sell, trade or give materials to any person or business for the purpose of

landfilling or incinerating said materials without the prior written consent of the city and the State of Minnesota.

Notifications. The hauler shall provide each new customer with detailed instructions on how to prepare recyclables for collection. Hauler must notify customers at least thirty (30) days in advance before changing their recycling collection system and provide detailed instructions on how to prepare recyclables under the system. The list of recyclable materials is printed on the top of each recycle cart. If there are changes to the list, the contractor will advise the City and residents will be notified.