

An Ordinance Amending Section 30 (Solid Waste Management)

The Maplewood city council approves the following changes to the Maplewood Code of Ordinances:

This ordinance amends the Solid Waste Management Ordinance (Chapter 30) which deals with the management of solid waste in the City of Maplewood.

SOLID WASTE MANAGEMENT § 30

Article I - In General (Residential, Multiple-Family, Commercial)

Sec. 30-1 - Purpose.

The city’s goal is to improve solid waste management and to serve the following purposes:

- (a) Achieve a reduction in waste generated.
- (b) Encourage the separation and recovery of materials and energy from waste.
- (c) Ensure the protection of public health and safety and promote city cleanliness and livability.
- (d) Promote best management practices in solid waste management to protect air quality, water quality, and natural resources.
- (e) Be consistent with the requirements of the State statutes, State rules and Ramsey County ordinances, and with State and Ramsey County solid waste plans.
- (f) Provide high quality solid waste and recycling services in the most cost-effective manner possible.
- (g) Coordinate solid waste management among political subdivisions.

The city has authority to enact ordinances for these purposes under Minnesota Statutes, section 412.221, subdivision 22, which requires the city council to provide for or regulate the disposal of garbage and other solid waste. (The city has enacted standards for the implementation of these ordinances as specific requirements for the storage, collection and transportation of solid waste.)

Sec. 30-2 - Definitions.

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

Additional/overflow garbage means garbage in excess of the capacity of the city-provided garbage cart with the lid in the fully closed position.

Appliances include washers, dryers, refrigerators, freezers, air conditioners, dehumidifiers, humidifiers, stoves, ranges, hot water heaters, water softeners and other, similar large household items that require electricity and/or special processing under Minnesota laws, but do not include “electronic waste.”

Bulky waste means all large, bulky household materials which are too large for one person to pick up and/or do not fit within the city-provided garbage cart, and include (but are not limited to) carpeting and padding, mattresses, chairs, couches, tables, appliances and car parts including wheels, rims and tires.

City-contracted garbage hauler is the company that the city contracts with in accordance with Minnesota Statutes, section 115A.94 to provide residential garbage collection and disposal services in the city. The city-contracted garbage hauler is the sole garbage hauler for single family residential properties in the city, and for other properties that the city has allowed to opt-in to the city-contracted garbage hauler service.

City-contracted recyclables hauler means the hauler(s) contracted by the city to provide collection of designated recyclables in the city for single and multiple family residential properties in the city.

City-provided garbage carts are the wheeled containers for residential garbage in the city that are owned by the city and provided to garbage customers for their use; the containers are of various sizes and ownership is retained by the city.

City-residential garbage program is the garbage collection through the city-contracted garbage hauler and any collection services outlined in the residential garbage contract.

City residential recycling program is the recyclable collection through the city-contracted recycling hauler and any collection services outlined in the residential recycling contract.

Collection means the aggregation and transportation of solid waste from the place at which it is generated and includes all activities up to the time when it is delivered to a designated disposal facility.

Collection service is the process of collection and transportation of garbage, yard waste, recyclables, bulky waste and/or source-separated organic materials by a licensed hauler.

Commercial property means properties in the city that are classified generally as commercial or business in the City zoning code which generates garbage and recyclables and are typically serviced by a dumpster form of garbage container.

Composting has the meaning set forth in Minnesota Statutes, section 115A.03, and means the controlled microbial degradation of organic waste to yield a humus-like product.

Contractor's garbage bill is the Contractor's bill for services, from either the city-contracted garbage hauler or a commercial hauler, which is directly submitted to customers.

Construction debris means building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings, roads or other facilities.

Day-certain collection is a city-approved plan for weekly collection services by an established day-certain schedule which requires garbage, yard waste, recyclables, and source-separated compostable materials collections on the same day of the week, and which is based on a five (5) day work week (Monday through Friday).

Designated recyclables shall mean those materials designated as recyclables in the city recycling program in the City of Maplewood Solid Waste Management Standards

Dumpster has the commonly used meaning in the solid waste industry of a commercial garbage container made of metal or durable plastic with a lid that can be serviced by a front-end loading automated or rear-loading semi-automated garbage truck.

Electronic waste (electronic items) has the meaning set forth in Minnesota Statutes, section 115A.1310, subdivision 7 as "covered electronic device" and includes items such as television and computer monitors, computers, computer peripheral devices, fax machines, DVD players, video cassette recorders, other video display devices, cell phones and other small appliances with an electric cord.

Every other week collection garbage service means garbage collection on the same day of the week as day-certain service but on specified every other week dates. Residents must apply to the city to receive approval for this every other week service.

Food ~~scraps~~ waste means residential food waste and includes meal preparation and left over food ~~scraps~~ from households intentionally separated at the source by residents for the purpose of backyard composting or separate collection for centralized recovery.

Garbage has the meaning set forth in Minnesota Statutes, section 115A.03, subdivision 21, mixed municipal solid waste, and means solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural waste, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams.

Household garbage means garbage from residential properties.

Household hazardous waste has the meaning set forth in Minnesota Statutes, section 115A.96, subdivision 1, paragraph (b), and/or Minnesota Pollution Control Agency regulations and means waste generated from household activities that exhibits the characteristics of or that is listed as hazardous waste under agency rules, but does not include waste from commercial activities that is generated, stored, or present in a household and includes items such as paint, fluorescent light bulbs, mercury thermometers, cleaning fluids, herbicides, pesticides, fertilizers and other waste as defined in Minnesota statutes or regulations in that paragraph.

Load sensitive streets are those streets identified by the Public Works Director of the City of Maplewood as being at risk of accelerated deterioration due to excessive or high axle weight loads.

Manufactured home means a dwelling unit that is consistent with Section 44-6 of the Maplewood Zoning Code.

Mixed municipal solid waste has the meaning set forth in Minnesota Statutes, section 115A.03, subdivision 21, and includes garbage, refuse and other solid waste from residential, commercial, industrial, and community activities that the generator of the garbage aggregates for collection, but does not include auto hulks, street sweepings, ash, construction debris, tree and agricultural waste and other materials collected, processed and disposed of as separate waste streams.

Multiple-family dwelling or unit for purposes of this ordinance means a building or a portion thereof containing five (5) or more residential dwelling units.

Resident means the person(s) living in a residential dwelling unit.

Residential dwelling unit is a separate dwelling place with a kitchen in buildings with up to four (4) units per structure.

Residential property means a property containing between one (1) and up to four (4) units per structure.

Self-haul is the city-approved method for a resident to contain and transport garbage from their own household to a licensed/permitted mixed municipal solid waste facility. Self-haul requires the specific approval of the city.

Single-family dwelling unit means a building, including a manufactured home, containing up to four (4) residential units whose occupants and owner are required to participate in the city-contracted garbage service unless exempted by the city.

Small Business and Church means a business or church that can have weekly recycling collection accommodated by the City's contracted recycling hauler.

Solid waste has the meaning set forth in Minnesota Statutes, section 116.06, subdivision 22(1)(9), but is further defined for purposes of this ordinance to include garbage, recyclables, appliances, bulky waste, yard waste, and household hazardous waste.

Source-separated compostable materials has the meaning set forth in Minnesota Statutes, section 115A.03, subdivision 32(a) and means materials that: (1) are separated at the source by waste generators for the purpose of preparing them for use as compost; (2) are collected separately from mixed municipal solid waste; and (3) are comprised of food waste, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable.

Townhouse means a residence for one family that is attached either horizontally or vertically to at least two other residences as defined in Section 44-6 of the Maplewood Zoning Code, each with a private outside entrance.

Vectors of disease are animals including, but not limited, to insects, mice, rats, squirrels, crows, flies and other vermin that are capable of carrying, transmitting and/or infecting humans with disease.

Walk-up service means special garbage or recycling service that is provided from the side of the house or garage, for which the contractor walks the cart or recycling container to and from the side of the house or garage and the collection vehicle, and which is applied for on a case by case basis.

Yard waste means garden waste, leaves, lawn cuttings, weeds, prunings, shrub and small tree branches as defined by the City of Maplewood Solid Waste Standards, generated at residential or commercial properties.

Sec. 30-3 – Source Separation Required

All residents and commercial property shall separate all designated recyclables, and other items designated by City of Maplewood Solid Waste Management Standards, from garbage. These source separated items shall be collected for separate recycling, processing or treatment.

Sec. 30-4 - City Recycling Program Generally

The city has established and developed, or encouraged, recycling programs throughout the city, including residential, multiple-family and commercial programs. The city's goal is to promote solid waste reduction and recycling through education and incentives.

Sec. 30-5 - Collection and Disposal Generally

- (a) All garbage, recyclables, yard waste, source-separated compostable materials and other waste material accumulated in the city shall be collected and conveyed under the supervision of the city manager. The city manager or their designee shall have the authority to develop Solid Waste Management Standards concerning days of collection, type and location of waste containers and other matters as they deem necessary to provide for the safe, orderly and cost-efficient preparation, storage, collection and disposal of all waste materials covered in this ordinance. These standards shall not be contrary to this ordinance.
- (b) Except on days of collection when garbage may be put on the curb for collection in residential areas, every person as a householder, occupant or owner of any dwelling, boardinghouse, apartment building or any other structure utilized for dwelling purposes and any restaurant, firm, corporation or establishment that accumulates garbage in the city shall provide and use one or more fly tight, watertight, rodent proof garbage containers that is removed from the public right of way until lawful collection and disposal is made.
- (c) Fees for hauling garbage, yard waste, and bulky waste under this ordinance shall be paid directly to the garbage hauler by the owner, agent, occupant or tenant of the premises at

- which the garbage is collected, and such fees shall be paid in full.
- (d) The city has the authority to charge residents for recycling programs and services and such fees shall be paid in full.

Sec. 30-6 - Collection Requirements Generally

It shall be the duty of every garbage hauler, contractor, subcontractor, and person, including their agents and employees, who has contracted or undertaken to remove any garbage, or any other waste material or who is engaged in the removal, loading or unloading of any such substance in the city to do such with dispatch, in a clean manner and with as little danger and prejudice to life and health as possible.

Sec. 30-7 - Hours of Collection

~~The collection of garbage for residential and multiple family dwellings shall be in accordance with the times outlined in the city's contract for garbage collection, Monday through Saturday. Collection of residential and multiple family dwelling units' recyclables shall be in accordance with the times outlined in the city's contract for recyclables collection, Monday through Saturday.~~ The collection of garbage and recyclables for all commercial properties shall occur between the hours of 6 a.m. to 6 p.m. Collection outside these hours shall be grounds for suspension or revocation of a hauler's license to operate in the city.

Sec. 30-8 - Unauthorized Collections

Any person who permits garbage to be picked up from their premises in the city by an unauthorized or unlicensed collector under this ordinance shall be guilty of a violation of this ordinance.

Sec. 30-9 - Disposal Required

- (a) Every person shall legally dispose of garbage that accumulates upon their property in the city at least once a week or more often as directed by the city manager unless given special permission as per Sections 30-41 (d) and (e). Every firm, corporation, occupant or owner of any dwelling, boardinghouse, apartment building, manufactured home, or any other structure in the city, including churches and halls, shall have garbage collected by haulers licensed by the city and shall comply with this ordinance and with the dates of collection and requirements therefore as established by the city manager.
- (b) All garbage shall be disposed of in compliance with state law and county policies regarding required processing of waste.

Sec. 30-10 - Unlawful Disposal; Location of Containers for Collection; Disposal of Flammable or Explosive Materials

- (a) No person, business or commercial property in the city shall place any garbage or any other waste material in a street, alley or other public place or upon any private property, whether owned by such person or not, except as provided by this ordinance.
- (b) No person shall throw or place any garbage in any stream, wetland or other body of water in the city.
- (c) No person in the city shall store, sweep or deposit any garbage, or any other waste in such a manner that it may be carried by elements off their property.
- (d) No person shall bury or burn any garbage, or any other waste in the city.
- (e) Highly flammable or explosive materials shall not be placed in city-provided garbage carts for regular collection, but shall be disposed of in accordance with state law and Minnesota

Pollution Control Agency regulations.

Sec. 30-11 - Manner of Transporting Materials

All persons engaged in the business of hauling recyclables or garbage and/or yard waste in the city shall transport the materials in enclosed vehicles, carts, dumpsters, bins, or other secure containers so as to prevent any loss of these materials and to prevent litter. Care shall be taken to ensure no blowing or escape of garbage, litter, yard waste or liquids from truck operations occurs during the collection and transportation of garbage, designated recyclables, bulky waste, yard wastes or source-separated compostable materials

Sec. 30-12 - Obstruction, Delay or Interference with Contractor

- (a) No person shall obstruct, delay or interfere with any contractor or person engaged in the city in removing any offal, garbage, dirt, dead animals, sewage or other like substances or with the proper performance of their contract.
- (b) Scavenging of any waste or material is prohibited.

Sec. 30-13 - Penalty for Violation of Ordinance.

Any person violating any of the sections of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be punished in accordance with Section 1-15. The city may also handle violations of this ordinance through the administrative offenses procedures in Section 1-17.

Secs. 30-14 – Exceptions for Storm Clean-Up or Other Emergency Circumstances

The City Manager shall have the authority to grant temporary exceptions to the requirements in this ordinance and in the standards for purposes of efficient solid waste management during storm clean-up events or other emergency circumstances. Any such exceptions shall be immediately executed in writing and shall have specific sunset dates specified.

Sections 30-15 – 30-20 Reserved

Article II – Recycling Requirements (Residential, Multiple-Family, Commercial)

Sec. 30-21 - Collection and Processing of Residential Recyclables

- (a) Designated recyclables from residential dwellings that are placed on the curb or alley for collection must be in curbside recycling ~~bins~~, carts, boxes or paper bags as prescribed by the City of Maplewood Solid Waste Management Standards such that blowing of recyclables does not occur, and recyclables remain as dry and clean as practicable.
- (b) When designated recyclables are placed at the curb or alley line they are the sole property of the city, and shall be removed only by the city-contracted recyclables collector.
- (c) Only the city-contracted recyclables collector or their city-approved sub-contractor may collect and process recyclables set out for recyclables collection at the curb or alley line.
- (d) Occupants of residential properties shall store all recycling in contractor-provided recycling carts between collections. On the designated day of collection in their area they may place the contractor-provided recycling cart on the curb or alley line for collection by the city-

contracted recycling hauler.

- (e) Instead of the requirement to place the contractor-provided recycling cart at the curb or alley line, residents with physical challenges may apply to the city for walk-up service as provided by the City of Maplewood Solid Waste Management Standards.
- (f) Every person occupying a residential property shall utilize contractor-provided recycling carts for recycling of designated recyclables. The carts are the property of the contractor, and shall be used solely for recycling of designated recyclables. Only city-provided recycling carts, or approved boxes or paper bags for overflow recyclables, in addition to the cart shall be used for the recycling of designated recyclables.
- (g) Except on specified collection days as provided in Section 30-41(g) below, all contractor-provided recycling carts shall be located behind the front line of the dwelling, in the garage or screened from view from the street, and at least ten (10) feet from any abutting dwelling or sufficiently distant so as not to be a nuisance to those properties, unless other provisions are allowed by the city due to special site conditions.
- (h) Contractor-provided recycling carts and any additional boxed or bagged overflow recycling may be placed on the alley line or curb line for collection no earlier than 5:00 p.m. on the day before collection. City-provided recycling carts must be removed from the curb line no later than 6:00 a.m. on the day after collection.
- (i) Payment of fee. The recycling fee shall be invoiced to every single family residential dwelling with water and sanitary sewer bills. The fee shall be due and payable the same terms as water and sanitary sewer bills.

Sec. 30-22 - Collection and Composting or Disposal of Residential Yard Waste

(a) Yard waste to be collected by the city's contract garbage hauler shall be placed on the curb or alley line for collection in carts or state approved compostable or paper bags subject to special arrangements with the city-contracted garbage hauler.

(b) Home lawn and garden waste may be composted in small quantities on a residential lot as long as the compost pile does not create a nuisance for neighbors due to objectionable odor, vectors of disease, attraction of unwanted wildlife, or unsightliness. Compost piles must be placed at least five (5) feet from rear- and side-yard property lines and shall not be placed in a front yard. Residents must follow composting operation guidelines referenced by City of Maplewood Solid Waste Management Standards.

(c) Yard waste not collected by the city-contracted garbage hauler, or not composted by the resident or shrubs, tree limbs, stumps and roots must be transported to a properly permitted and licensed yard waste transfer, composting, or processing facility. The City of Maplewood Solid Waste Management Standards may allow for exceptions if a tree service provides for on-site chipping to produce a suitable mulch product.

Sec 30-23 - Collection of Residential Source-Separated Food Scraps

(a) Food scraps may be composted in small quantities on a residential lot as long as the compost pile does not create a nuisance for neighbors due to objectionable odor, vectors of disease, attraction of unwanted wildlife, or unsightliness. Compost piles must be placed at least five (5) feet from rear- and side-yard property lines and shall not be placed in a front yard. Residents must follow composting operation guidelines referenced by City of Maplewood Solid Waste Management Standards.

(b) Food scraps not composted by the resident can be transported to a properly

permitted and licensed transfer, composting, or processing facility.

(c) The City of Maplewood Solid Waste Management Standards may allow for food scraps to be collected by the city's contract garbage hauler.

Sec. 30-224 - Collection of Recyclables from Multiple-Family Dwellings

- (a) Designated recyclables that are placed on the curb, alley, or designated collection area for collection must be in recycling carts or recycling dumpsters as prescribed by the City of Maplewood Solid Waste Management Standards. This will ensure that blowing away of recyclables does not occur, and recyclables remain as dry and clean as practicable.
- (b) When designated recyclables are placed at the curb, alley, or designated collection area they are the sole property of the city, and shall be removed only by the city-contracted recyclables collector.
- (c) Only the city-contracted recyclables collector or their city-approved sub-contractor may collect and process recyclables set out for recyclables collection at the curb, alley, or collection area.
- (d) The recycling fee shall be invoiced to every multiple-family dwelling with water and sanitary sewer bills. The fee shall be due and payable the same terms as water and sanitary sewer bills.

~~The city requires all the owners and managers of multiple family dwellings to provide recycling services to all their residents.~~

- ~~(a) — Collection Service Required. The owner of a multiple-family dwelling shall make available to the occupants of all dwelling units on the premise services for the collection of designated recyclables.~~
- ~~(b) — Recycling Information Required. The owner of a multiple-family dwelling shall provide recycling information to the occupants of each dwelling unit on the property consistent with the City of Maplewood Solid Waste Management Standards.~~
- ~~(c) — Responsibility for Providing and Maintaining Recycling Containers.
 - ~~(1) — If the owner of a multiple family dwelling uses the city's recycling contractor, then the contractor shall provide and maintain adequate recycling containers for the needs of the property and its occupants; or~~
 - ~~(2) — If the owner uses an independent recycling contractor, the owner shall assure adequate recycling containers are provided and maintained by the independent contractor.~~~~
- ~~(d) — Transportation and Disposal. Upon collection by the city-contracted recyclables hauler or the owner's independent hauler, that person shall deliver the designated recyclables to a recyclable material processing center, an end market for sale or reuse, or to an intermediate collection center for later delivery to a processing center or end market. It is unlawful for any person to transport for disposal or to dispose of designated recyclables in a mixed municipal solid waste disposal facility.~~
- ~~(e) — Annual Report. Each owner or manager of a multiple-family dwelling that does not employ the city's recycling contractor shall file an annual report with the city by January 31 of each year on a form detailed in the City of Maplewood Solid Waste Management Standards.~~
- ~~(f) — Administrative Penalties. Violation of this ordinance shall be charged as an administrative fine as follows: a fine of \$200.00 for the first offense; a fine of \$300.00 for the second offense at the same location within a 12-month period; a fine of \$500.00 for the third offense or additional offenses within a 24-month period at the same location. The owner shall be notified in writing of the violation and if the owner fails to take action within 15 days of receiving the notice of violation, the owner shall be cited for violation in accordance with the fine~~

~~schedule.~~

Sec 30-25 – Collection of Recyclables from Commercial and Institutional Buildings

- ~~(a) Commercial buildings shall ensure that facilities under its control from which mixed municipal solid waste is collected also collect recyclable materials in accordance with state laws and rules and county policies regarding licensed disposal and processing.~~
- ~~(b) A small business or church can opt into the City’s residential recycling program per the City of Maplewood Solid Waste Management Standards.~~

~~Sec. 30-23 – Collection and Composting or Disposal of Yard Waste~~

- ~~(a) Yard waste to be collected by the city’s contract garbage hauler shall be placed on the curb or alley line for collection in carts or state approved compostable or paper bags subject to special arrangements with the city contracted garbage hauler.~~
- ~~(b) Home lawn, garden waste, and kitchen food scraps may be composted in small quantities on a residential lot as long as the compost pile does not create a nuisance for neighbors due to objectionable odor, vectors of disease, attraction of unwanted wildlife, or unsightliness. Compost piles must be placed at least five (5) feet from rear and side yard property lines and shall not be placed in a front yard. Residents must follow composting operation guidelines referenced by City of Maplewood Solid Waste Management Standards.~~
- ~~(c) Yard waste not collected by the city contracted garbage hauler, or not composted by the resident or shrubs, tree limbs, stumps and roots must be transported to a properly permitted and licensed yard waste transfer, composting, or processing facility. The City of Maplewood Solid Waste Management Standards may allow for exceptions if a tree service provides for on-site chipping to produce a suitable mulch product.~~

~~Sec 30-24 – Collection of Source-Separated Compostable Materials~~

Sections 30-265 – 30-40 Reserved

Article III - Solid Waste Requirements (Residential)

Sec. 30-41 - Collection and Disposal of Residential Garbage by City-Contracted Hauler

- (a) Occupants of residential properties shall store all garbage in city-provided garbage carts between collections. On the designated day of collection in their area they may place the city-provided garbage cart on the curb or alley line for collection by the city-contracted garbage hauler.
- ~~(b) Only the city-contracted garbage collector or their city-approved sub-contractor may collect and process garbage set out for collection at the curb or alley line.~~
- ~~(c)~~ Instead of the requirement to place the city-provided garbage cart at the curb or alley line, residents with physical challenges may apply to the city for walk-up service as provided by the City of Maplewood Solid Waste Management Standards.
- ~~(d)~~ Every person occupying a residential property shall utilize city-provided garbage carts for the disposal of garbage. The carts are the property of the city, and shall be used solely for

disposal of garbage. Only city-provided garbage carts, or approved plastic garbage bags for overflow garbage, in addition to the cart shall be used for the disposal of garbage.

- (ed) Persons who wish to self-haul their own garbage may apply to the city to do so. Permission may be granted to self-haul if proof is submitted of an environmentally responsible means of disposal that complies with state laws and regulations and county policies and in conformance with the City of Maplewood Solid Waste Management Standards. Residents that are approved by the city for self-haul must remove their garbage at least once per week. Self-haul can only be accomplished with the specific approval of the city using an application form provided in the City of Maplewood Solid Waste Management Standards.
- (fe) Persons may apply to the city for less than weekly service on a form provided by City of Maplewood Solid Waste Management Standards. Permission may be granted for less than once per week garbage removal provided that sufficient removal is accomplished to prevent nuisance or unhealthful accumulations of garbage. Such permission will be withdrawn and weekly garbage removal required, if nuisance or unhealthful conditions exist.
- (gf) Except on specified collection days as provided in Section 30-41(g) below, all city-provided garbage carts shall be located behind the front line of the dwelling, in the garage or screened from view from the street, and at least ten (10) feet from any abutting dwelling or sufficiently distant so as not to be a nuisance to those properties, unless other provisions are allowed by the city due to special site conditions.
- (hg) City-provided garbage carts and any additional bagged overflow garbage may be placed on the alley line or curb line for collection no earlier than 5:00 p.m. on the day before collection. City-provided garbage carts must be removed from the curb line no later than 6:00 a.m. on the day after collection.

Sec. 30-42 - Requirements to Dispose of Residential Appliances and Bulky Waste

- (a) Residents shall dispose of appliances or any other bulky waste such as furniture, mattresses or large household or garage waste as specified by the City of Maplewood Solid Waste Management Standards.
- (b) Upon resident request, the city-contracted garbage hauler must collect and properly dispose of appliances or other bulky waste in accordance with Sec. 30-62(e).

Sec. 30-43 - Collection and Disposal of Garbage for Multiple-Family Properties ~~without Curbside Collection~~

- (a) The owner, operator or manager of any multiple-family property with more than four (4) units ~~that do not have curbside collection~~ shall have garbage carts or dumpsters or equivalent service from one a commercial hauler licensed to do business in the city. The garbage carts or dumpsters shall be ~~of a minimum capacity of one cubic yard,~~ covered, and of a city-approved sanitary type with the proper attachments for lifting onto garbage trucks.
- (b) Garbage shall be removed at least once weekly, and more often if garbage carts or dumpsters become full. Garbage shall be transported and disposed of in accordance with state laws and rules and county policies regarding licensed disposal and processing.
- (c) Multiple-family townhomes and manufactured homes properties that can have garbage collected curbside in carts can opt into the City's residential garbage program per the City of Maplewood Solid Waste Management Standards.

Sec. 30-44 - Requirements to Dispose of Multiple-Family Bulky Waste

The owner, operator or manager of any building containing more than four (4) dwelling units shall

provide on-site disposal of large or bulky waste for all occupants. Disposal of these items shall be in compliance with all state laws and regulations and county policies.

Sec. 30-45 - Delinquent Accounts

- (a) The city contracted garbage hauler is responsible for collection of all fees associated with the collection and processing of garbage from residential properties. The city-contracted hauler shall make good-faith efforts to collect all amounts due, including use of a collection agency. All such efforts shall be documented.
- (b) The St. Paul Regional Water Authority and adjacent cities, as applicable, are responsible for the collection of all fees associated with the City of Maplewood recycling program. The St. Paul Regional Water Authority or the appropriate cities shall make good-faith efforts to collect all amounts due, including use of a collection agency.
- (c) Delinquent accounts shall be defined as those residents who have not paid and are over three (3) months past due.
- (d) If the amount continues to be delinquent past ~~six the three (63)~~ months ~~from the account being declared "past due" by the above entity, the City of Maplewood shall declare the amount delinquent.~~ the garbage hauler entity shall submit a written request to the City of Maplewood with adequate documentation of the efforts made to collect the past due amounts. If the city determines that a good faith effort was made and that adequate documentation was submitted, the city shall place the amount on the property taxes associated with the property for which the amount is due. The city shall follow all practices required by the state and city ordinance to assess the delinquent amount to the property.

Sections 30-46 – 30-50

Reserved

Article IV - Solid Waste Requirements (~~Multiple Family and Commercial~~)

Sec. 30-51 – Collection and Disposal of Commercial Garbage

- (a) The owner, operator or manager of any firm or corporation shall have a dumpster or equivalent service from a commercial hauler licensed to do business in the city. The dumpsters shall be of a minimum capacity of one cubic yard, covered, and of a city-approved sanitary type with the proper attachments for lifting onto garbage trucks.
- (b) Garbage shall be removed at least once weekly, and more often if garbage carts or dumpsters become full. Garbage shall be transported and disposed of in accordance with state laws and rules and county policies regarding licensed disposal and processing.

~~**Sec. 30-52 – Manufactured Homes, Townhouses May Opt-In**~~

~~The owners of manufactured homes or manufactured home parks and of townhouses and townhouse associations may opt in to the city contracted garbage hauling service, at their application and with the city's approval.~~

Sections 30-5~~23~~ – 30-59 Reserved

Article V - Collection Licenses (Residential, Multiple-Family, and Commercial)

Sec. 30-60 - Collection Licenses Required

It shall be unlawful for any person to collect any garbage, designated recyclables, or other solid waste in the city from any residential, multiple-family, or commercial property without having first secured a license from the city to do so.

Sec. 30-61 - Application; Fee; Duration

- (a) Any person desiring a license to collect garbage, yard waste, recyclables, or other solid waste in the city shall apply for a license to the city clerk by first submitting an application with the name and address of the applicant.
- (b) The application described in subsection (a) of this section shall be submitted to the city manager. Upon finding that the applicant is responsible, has proper equipment for such collection and that no nuisance is liable to be created by the granting of the license, the city manager shall endorse and approve the application.
- (c) Before any license may be issued, the applicant shall pay to the city clerk a license fee imposed, set, established and fixed by the city council, by resolution, from time to time, which fee shall accompany the application.
- (d) No license issued under this article shall be for a longer period than one year, and all licenses shall expire on December 31 of each year.

Sec. 30-62 – Licensee Operating Requirements

The applicant shall:

- (a) Use tandem axles or flotation tires to reduce the per-axle weight of all trucks used for collection of solid waste.
- (b) Provide maps of service routes configured so that customers on load-sensitive streets will be among the first served on such routes to minimize damage to load-sensitive streets and alleys.
- (c) Provide collection carts or dumpsters to customers upon their request.
- (d) Provide collection of yard waste to customers upon their request.
- (e) Provide special or extraordinary collection services, such as bulky waste removal, within two (2) business days of a customer’s request.
- (f) Provide special service collection arrangements for customers to accommodate their physical health concerns.
- (g) Properly contain all garbage or recyclables such that no blowing or escape from trucks of solid or liquid waste or recyclables occurs.
- (h) Provide information to all customers that may be required of the city by county, metropolitan, state, or federal governments.

Sec. 30-63 - Insurance

The applicant for the license required under this article shall provide a certificate of ~~public liability~~ insurance in the amounts specified in this section for collecting garbage. Such insurance policy shall be subject to the approval of the city manager. The applicant must also provide a comprehensive general policy of liability insurance with minimum coverages as stated. At a minimum, the insurance shall

conform to the following requirements:

- (a) General liability in the following amounts:
 - (1) Bodily injury, per occurrence, or combined single limit, \$1,500,000.00.
 - (2) Property damage, \$500,000.00.
- (b) Auto liability in the following amounts:
 - (1) Property damage or combined single limit, \$500,000.00.
 - (2) Bodily injury in the following amounts:
 - a) Per person, \$1,000,000.00.
 - b) Per occurrence, \$15,000,000.00.
- (c) Workers Compensation Insurance as specified by the Minnesota Department of Occupational Health and Safety and federal law.

Sec. 30-64 - Vehicle Requirements

Each garbage collector licensed under this article shall provide a covered or enclosed truck, tank or trailer so constructed that the contents will not leak or spill from it, in which all garbage collected shall be conveyed to an approved disposal facility. The truck or conveyance used shall be kept clean and as free from offensive odors as possible and shall not be allowed to stand in any street, alley or public place longer than is reasonably necessary to collect garbage. Any litter or truck fluid leaks shall be immediately cleaned up. Significant release of any truck fluid leaks shall be immediately noticed to the appropriate authorities. Each truck used under a city license shall remain in compliance with all federal and Minnesota Department of Transportation rules and regulations.

Sec. 30-65 - Pickup Schedules (Residential)

Each residential licensee under this article shall consent to and follow a schedule of pickups, setting the day and area of pickups, as established by City of Maplewood Solid Waste Management Standards, to limit area pickups for residential collections to the same day per week each week.

Sec. 30-66 - Duty of Licensees to Report Accumulations of Garbage

Each licensee under this article shall report any accumulations of garbage that violates this ordinance or other city ordinances to the city as per City of Maplewood Solid Waste Management Standards.

Sec. 30-67 – Prohibited Mailings (Residential and Multiple Family)

No notices shall be sent from licensees or other persons to dwelling units within the City of Maplewood or dwelling unit owners that are subject to or participating in the [City recycling or garbage program](#). ~~city contracted garbage service~~. These prohibited mailings shall include those for advertising rates or services not available under the city's contract for [recycling or](#) garbage collection services or any other services covered under the city contract for garbage service. No notices shall be sent to any residential dwelling in the City of Maplewood by licensees without prior written approval by the City of Maplewood.

Sec. 30-68 - Suspension or Revocation

- (a) Failure by a licensee under this article to comply with this ordinance shall be grounds for revocation of the license by the city council after a hearing for the purpose.
- (b) If the city finds a violation of this ordinance by a licensee under this article and the city orders correction of the violation which the licensee fails to make, the city may suspend the licensee's right to operate under the terms of the license and order his appearance at

the next regular meeting of the city council for a hearing on whether the suspension should continue in effect.

- (c) Continued willful or egregious violations of this ordinance by any licensed or unlicensed hauler of solid waste shall result in fines and/or liquidated damages as deemed reasonable by the city council.

Sec. 30-69 - Volume-Based Rates -(Residential)

- (a) The city’s contract hauler for residential garbage shall provide to its residential customers a system of volume-based rates. A volume-based rate includes a solid waste collection charge and a disposal charge based on the volume of the solid waste generated by the customer.
- (b) The city shall determine the increments upon which the volume-based rate will depend and the difference between the rates for each increment.

Sections 30-70 – 30-75. Reserved

Article VI – Disposal Sites (Generally)

Sec. 30-76 - Unlawful Deposit of Garbage and Other Substances

- (a) No manure or pet feces, garbage, or other waste which may be detrimental to health, shall be deposited at any place within the city limits, except in accordance with Section 30-23 and Section 30-24, relating to composting and source separated compostable materials.
- (b) No unauthorized landfill (or dump) for garbage materials and other solid waste shall be operated within the city by any person.

Sections 30-77 – 30-105 Reserved

**ORDINANCE AMENDMENT EXECUTION:
SIGNATURES OF CITY OFFICERS**

The city council approved the first reading of this ordinance on _____, 2020.

The city council approved the second reading of this ordinance on _____, 2020.

Signed:

Mary Lee Abrams, Mayor

Date

Attest:

Andrea Sindt, City Clerk