

CHAPTER X. COLLECTION, DISPOSAL AND RECYCLING OF SOLID WASTE

1000.01 Disposal Requirements.

It is unlawful for any person to fail to in a sanitary manner dispose of garbage and rubbish, which is, or which may accumulate upon property owned or occupied by such person. Every person who fails or refuses to make provisions for and secure such disposal is guilty of a misdemeanor.

1000.02 Terms.

The word "garbage" as used herein includes only organic refuse resulting from the preparation of food, and decayed and spoiled food from any source. The word "rubbish" as used herein includes all inorganic refuse matter such as, but not limited to, tin cans, glass, paper, ashes and sweepings. "Solid waste" means garbage and rubbish.

1000.03 Garbage Containers.

Every householder or occupant of any dwelling house and every operator of any boarding house, restaurant, or any other place of business having garbage to dispose of, who does not otherwise provide for the disposal of such garbage in a sanitary manner shall provide himself with one or more metal cans sufficient to receive all garbage in a sanitary manner and sufficient to receive all garbage which may accumulate between the times of collection. Each metal can shall have a capacity of not to exceed 30 gallons and shall be provided with a bail or handles and a tight fitting cover. All garbage accumulating between the times of collection shall be placed in said cans after having first been drained of surplus water and wrapped in paper in a manner sufficient to prevent leakage therefrom.

1000.04 Location of Containers.

Garbage cans shall be kept at or near the back door of the building using the same, at the rear of the property or in an enclosed area or garage, and shall be accessible to collectors at all reasonable times. Such garbage cans shall be used for garbage only and not for rubbish. Such garbage cans shall not be used as incinerators or for burning and no garbage shall be placed in any can or incinerator or container used for burning of paper or other combustibles. No garbage shall at any time be burned in any bonfire or other fire whether in a container or in the open.

1000.05 Garbage Disposal.

Every householder, owner, occupant or tenant of any premises who does

not otherwise dispose of garbage in a sanitary manner, shall place all garbage in a container as hereinbefore

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provided and shall not allow the same to be kept or maintained upon said premises in excess of 15 days. It is the duty of each garbage collector to haul away at least once each week to such places as are permitted by law and any applicable contracts and licenses all garbage from the premises of its customers located within the city.

1000.06 Rubbish Removal.

Every householder, owner, occupant or tenant of any premises who does not otherwise dispose of rubbish in a sanitary manner, shall place all rubbish in a tight receptacle and shall not allow the same to be kept or maintained upon said premises in excess of 32 days. If rubbish and garbage are placed in the same container, the entire contents shall be treated as garbage for disposal purposes. It shall be the duty of each garbage or rubbish collector to haul away once each month to such places as are permitted by law and any applicable contract and licenses all rubbish from the premises of its customers located within the city.

1000.07 Regular Removal.

It is the intention of this Chapter to establish a system of complete, regular garbage and rubbish collection throughout the City so that the disposal of such materials shall be accomplished in a sanitary manner and so that the health and sanitary conditions of the residents of the City shall be properly safeguarded. All residents are required by this ordinance to make adequate provisions for sanitary removal of garbage and rubbish by means of collectors hired by them unless such persons have provided other adequate means of disposal which meet with the approval of the Health Officer and which comply with all other ordinances, laws and regulations.

1000.08 Discarding of Garbage or Rubbish.

The indiscriminate discarding of garbage or rubbish on any streets, alleys, drives, parks, playgrounds or other public places or on any vacant lots privately owned shall constitute a violation of this Chapter whether such garbage or rubbish is discarded by the individual upon whose premises the garbage or rubbish originates or whether it is discarded by some other person or collector.

1000.09 Curbside Recycling.

All curbside haulers hired to provide garbage and rubbish collection

within the City of Lilydale must provide curbside recycling service as described in ordinance 10000.13 to all their customers by April 1, 1989.

1000.10 Public Liability Insurance Required.

All individuals and entities collecting or hauling garbage or rubbish in Lilydale shall maintain public liability insurance and shall deposit with the Clerk-Treasurer proof of the public liability insurance hereinafter required. Public liability insurance shall not be less than \$100,000

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for injuries, including accidental death to any one person, and, subject to the same limit for each person, in an amount of not less than \$300,000 on account of any one accident and property damage insurance in the amount of not less than \$25,000 for each accident or mishap. Said policies of insurance shall further provide for indemnity and security to the City of Lilydale against any liability and/or responsibility for the acts, actions, or omissions of the collector or hauler, or any of the agents or servants of such collector or hauler, subject, however, to the limitations as to amount herein stated. No collection of garbage or rubbish shall be done in Lilydale by any person or entity until said insurance policies shall have been filed and approved by the Clerk-Treasurer.

1000.11 Collection Truck.

Each garbage and/or rubbish collector shall provide a covered truck or wagon, so constructed that the contents will not leak or spill therefrom, in which all garbage and/or rubbish collected shall be conveyed to a place permitted by law and applicable contracts and licenses. 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 or rubbish.

1000.12 Collection Hours and Discontinuance of Service.

No collection of garbage or rubbish shall be made except between the hours of 6:00 a.m. and 9:00 p.m. The expense of garbage and rubbish collection shall be paid to the collector by the owner, agent, occupant or tenant of the premises from which such garbage or rubbish is collected and such charge shall be full compensation for the services of such collection. The collector may refuse to make collections from any premises when the fees are not paid within thirty (30) days from the date of invoice. The collector shall notify the Health Officer and the Clerk of the discontinuance of service to any premises within 15 days after service is discontinued.

1000.13 Curbside Recycling Service.

a) Recyclable material consists of aluminum and steel beverage cans, glass and

newsprint. Additional items will be added to the list as county requirements change.

b) Curbside recycling service will be provided on the same day and at the same time

as garbage and rubbish collection.

c) Curbside recycling service will be provided at a minimum of once per week for

single dwellings and townhomes. The frequency of curbside recycling service for

condominiums and apartment buildings may be determined by agreement between the

hauler and customer.

d) The subcontracting by haulers for recycling service shall be subject to customer

approval.

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e) All haulers must comply with all state, county and city laws and regulations concerning curbside recycling service.

f) Each hauler shall retain ownership of all recyclable materials collected.

g) It shall be unlawful to landfill or incinerate collected recyclable materials without

prior approval from the city.

h) All collection pursuant to this ordinance must be made within twelve hours of the designated collection day.

i) If recyclable material is not picked up, for any reason, a written explanation from the hauler to the customer is required.

j) The point of collection for recyclable materials shall be agreed upon by the customer and hauler, whether a service is provided at curbside or another location.

k) Collection conditions of residents for curbside recycling service:

1) Single family and townhome residents shall not put out recyclable

materials for more than twelve hours in advance of collection and containers may

not be out more than twelve hours after collection.

2) The City of Lilydale retains ownership of all the single family containers.

3) For condominiums and apartment buildings, the haulers must provide

recycling containers.

1) Recycling service must be provided to residents by associations of condominiums, townhomes and apartments.

m) Reporting. All haulers must send the city quarterly reports on the amount of recyclable materials and yard waste collected for each calendar quarter. Reports shall be due by the 15th of the month immediately following the calendar quarter.

n) Reimbursement of hauler's expense by City. Haulers may be reimbursed for the expense of curbside recycling service at the discretion of the city.

1000.14 Violations

A violation of any of the provisions of this Chapter X by a collector or hauler shall be a petty misdemeanor, except that a violation occurring within the twelve consecutive months immediately following a previous violation shall be a misdemeanor. Any collector or hauler convicted of a misdemeanor for a violation of this Chapter X shall be prohibited from collecting and hauling solid waste or recyclable materials in Lilydale for the twelve consecutive calendar months immediately following such conviction.

1000.15 Revocation upon Violations.

When any person holding a license has been convicted for the second time by a court of competent jurisdiction for violation of any of the provisions of this section, the Council shall revoke the license of the person so convicted. Such person may not make application for a new license for a period of one year.

1000.16 Curbside Recycling Service.

- a) Recycleable material consists of aluminum and steel beverage cans, glass and newsprint. Additional items will be added to the list as county requirements change.
- b) Curbside recycling service will be provided on the same day and at the same time as garbage and rubbish collection.
- c) Curbside recycling service will be provided at a minimum of once per week for single dwellings and townhomes. The frequency of curbside recycling service for condominiums and apartment buildings may be determined by agreement between the hauler and customer.
- d) The subcontracting by haulers for recycling service shall be subject to customer approval.
- e) All haulers must comply with all state, county and city laws and regulations concerning curbside recycling service.
- f) Each hauler shall retain ownership of all recycleable materials collected.
- g) It shall be unlawful to landfill or incinerate collected recycleable materials without prior approval from

the city.

h) All collections pursuant to this ordinance must be made within twelve hours of the designated collection day.

i) If recycleable material is not picked up, for any reason, a written explanation from the hauler to the customer is required.

j) The point of collection for recycleable materials shall be agreed upon by the customer and hauler, whether a service is provided at curbside or another location.

Subd. 1: Collection conditions of residents for curbside recycling service:

a) Single family and townhouse residents shall not put out recycleable materials for more than twelve hours in advance

of collection and containers may not be out more than twelve hours after collection.

b) The City of Lilydale retains ownership of all the

single family containers.

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c) For condominiums and apartment buildings, the haulers must provide recycling containers.

Subd. 2: If a hauler does not comply with state, county and/or city regulations, its license to haul garbage and recycleable materials may be revoked.

Subd. 3: Recycling service must be provided to residents by associations of condominiums, townhomes and apartments.

Subd. 4: Reporting. All haulers must send the city quarterly reports on the amount of recycleable materials and yard waste collected for the period. The first period report will cover the period from April 1, 1989 through June 30, 1989. Reports shall be due by the 15th of the month immediately following the reporting period.

Subd. 5: Reimbursement of hauler's expense by City.

a) Haulers may be reimbursed for the expense of curbside recycling service at the discretion of the city.

