

CHAPTER 10.
SOLID WASTE ABATEMENT

1000.01 MIXED MUNICIPAL SOLID WASTE ABATEMENT PROGRAM.

Pursuant to Dakota County Ordinance 110, the City of Lilydale hereby establishes a solid waste abatement program. The intent is to have the program be consistent with the Dakota County Solid Waste Master Plan, ensure the opportunity to recycle exists for all residents and commercial generators, deliver solid waste abatement messaging as determined by the Dakota County department or unit designated by the Dakota County Board of Commissioners to conduct solid waste regulatory activities within the County, its staff, and designated agents, and to support the implementation of the Dakota County Solid Waste Master Plan. The provisions of this chapter shall constitute the City's solid waste abatement program which shall be made available to the residents of the City of Lilydale.

1000.02 DEFINITIONS.

For the purpose of this Part, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

BACK-OF-HOUSE. The kitchen, food preparation, dishwashing, and storage areas of a commercial generator or large event venue with organics that are not accessed by customers or the public.

COLLECTION. The aggregation of waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.

COMMERCIAL/COMMERCIAL GENERATOR. An entity that is not a residential source generator. Commercial generators must comply with all applicable Dakota County ordinances.

COMPOSTABLE MATERIAL. Any material that is primarily organic and can be decomposed through biological activity. Compostable plastics or lined papers must meet ASTM D6400 and ASTM D6868, respectively, as certified by the Biodegradable Products Institute or other similar independent certification bodies.

COMPOSTING. The controlled biological decomposition and management of selected solid waste to produce and innocuous, hummus-like material, which can be used as a soil conditioner

CONSTRUCTION DEBRIS. Waste building materials, packaging, and rubble resulting from construction, remodeling, and repair.

DEPARTMENT. The Dakota County department or unit designated by the Dakota County Board to conduct solid waste regulatory activities within Dakota County and its staff and designated agents.

DESIGNATED LIST OF CONTAMINANTS. A list of contaminants approved by the Dakota County Board of Commissioners and published by the Department on the Dakota County website.

DESIGNATED LIST OF ORGANICS. A list of organic material types suitable for commercial composting approved by the Dakota County Board of Commissioners and published by the Department on the Dakota County website.

DESIGNATED LIST OF RECYCLABLES. A list of recyclable material types approved by the Dakota County Board of Commissioners and published by the Department on the Dakota County Website that represents the minimum haulers must accept and generators must recycle.

GARBAGE. Discarded material resulting from the handling, processing, storage, preparation, serving, and consumption of food.

INDUSTRIAL SOLID WASTES. All solid wastes generated from an industrial or manufacturing process and solid waste generated from nonmanufacturing activities such as service and commercial establishments and chemical and debris contaminated soils spills; property clean up and development activities. Industrial solid waste does not include office materials, restaurant, and food preparation waste, discarded machinery, demolition waste, or household waste.

LARGE EVENT VENUE WITH ORGANICS. A public gathering of at least three hundred (300) people that generates at least one ton of municipal solid waste or contracts for eight cubic yards or more per location, and generates organics back-of-house. Examples include but are not limited to: concerts, fairs, festivals, community events, athletic tournaments, parades, etc.

MIXED MUNICIPAL SOLID WASTE/MUNICIPAL SOLID WASTE. Garbage, refuse and other 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 wastes, sludges, tree and agricultural wastes, tires, lead-acid batteries, motor or vehicle fluids and filters, and other materials collected, processed, and disposed of in separate waste streams.

MULTI-UNIT RESIDENTIAL BUILDING. Residential buildings containing four (4) or more dwelling units.

ORGANICS/ORGANIC MATERIAL. Food waste and the designated list of organics published on the Dakota County website.

PERSON. Any human being, any municipality or other governmental or political subdivision, or other public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of the foregoing, or any other legal entity.

RECYCLABLES/RECYCLABLE MATERIALS. Materials that are suitable for separating from solid waste for the purpose of recycling including, but not limited to, paper, glass, plastics, metals, automobile oil, batteries, etc. Refuse derived fuel or other material that is destroyed by incineration is not a recyclable material.

RECYCLING. 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 material in a manner that precludes further use.

RECYCLING FACILITY. A site at which waste materials are prepared for reuse in their original form or for use in manufacturing processes that do not cause the destruction of materials in a manner that precludes further use.

REFUSE. Putrescible and non-putrescible solid wastes, including garbage, rubbish, ashes, incinerator ash, incinerator residue, and market and industrial solid wastes.

RESIDENTIAL/RESIDENTIAL SOURCE. Any source from a residential building.

RESIDENTIAL UNIT. The following, jointly and severally:

1. Single-family residential dwellings, including manufactured homes, townhomes, and boat homes; and
2. Multi-unit residential buildings containing three or fewer dwelling units.

RUBBISH. Non-putrescible solid wastes, including ashes, consisting of combustible and noncombustible wastes, such as paper, cardboard, tin cans, wood, glass, bedding, crockery, plastics, electrical appliances, or litter of any kind.

SCHEDULED DAY/COLLECTION DAY. That normal, customary, and prearranged day that the collector has informed the customer or agreed with the customer to collect mixed municipal solid waste from the residential unit, multi-family building, commercial generator, or other location.

SOLID WASTE ABATEMENT MESSAGING. The standardized solid waste abatement education messaging developed by the Department and published on the Dakota County website.

SOLID WASTE ABATEMENT PROGRAM. A program for reducing, reusing, and recycling solid waste.

TRASH. The same as mixed municipal solid waste.

YARD WASTES. The garden wastes, leaves, lawn cuttings, weeds, and prunings generated at residential, commercial properties, or public properties.

1000.03 TRASH AND RECYCLING COLLECTION AND DISPOSAL REQUIREMENTS.

1. Collection Required. Every person owning, managing, operating, leasing, or renting any premises or any place in the City of Lilydale where trash accumulates shall subscribe to a trash and recycling collection service.

2. Container Required; Placement; Kept Sanitary and Secure.

A. Trash and recycling containers shall be watertight and constructed of a solid and durable grade of metal, plastic, or paper material.

i. Exceptions:

a. All composting must occur in a container designated for composting organic waste.

b. Yard waste may be composted or placed in bags designed for such purposes.

c. Any mixed municipal solid waste that by its size or bulk cannot be stored in a container shall be secured to the ground in such a manner to prevent the scattering of the mixed municipal solid waste by animals or wind.

B. It shall be the duty of every person whose trash or recycling is collected by a trash or recycling collection service to place the trash and recycling containers directly behind the curb line of the street abutting their property or in the absence of a curb directly behind the ditch line abutting their property during their designated date and time of collection. In no event shall containers be placed in the street or on the sidewalk or in any manner placed where the containers will interfere with vehicular or pedestrian traffic while waiting for collection.

C. All containers shall be kept clean and free from accumulation of any substance remaining attached to the inside of the container which would attract or breed flies, mosquitoes, or other insects. The area surrounding garbage containers shall be maintained in a clean and sanitary condition. The contents of all receptacles shall be protected so that the wind cannot scatter the contents over the streets, alleys, or other property within the City. All containers shall be securely closed in a manner as to prevent the scattering of the contents and to make them inaccessible to insects, rodents, and other animals. When not out for collection, containers shall be kept at or near the back door of the building using these containers, at the rear of the property or in an enclosed area or garage, including screened, designated collection areas servicing multi-unit residential buildings. Single family and townhome residents shall not put out containers for collection more than twelve hours in advance of the collection day (midnight to midnight) and containers may not be out more than twelve hours after the day of collection.

- D. Such collection containers shall not be used as incinerators or for burning. No trash shall at any time be burned in any bonfire or other fire whether in a container or in the open.
3. Collection Frequency. Every property owner, business owner, manager, resident, or tenant of any premises who does not otherwise dispose of trash in a sanitary manner, shall place all trash in a container as hereinbefore provided and shall not allow the same to be kept or maintained upon said premises in excess of fifteen (15) days. All collectors or haulers shall offer trash collection no less frequently than every fourteen (14) days. Curbside recycling shall be offered by all collection services no less frequently than every week.
4. Collection Truck. The collection, removal and disposal of all garbage, trash and brush shall be carried in a systematic, efficient manner to keep the City in a clean and sanitary condition. Each trash collector or hauler shall provide a covered vehicle, so constructed that the contents will not leak or spill therefrom, in which all trash collected shall be conveyed to a place permitted by law. The truck 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 material.
5. Hours of Collection. Except in cases of a rescheduled collection due to a holiday or weather delay, no collection of trash, recycling, or organics shall be made except between the hours of 6:00 a.m. and 7:00 p.m.
6. Meddling with Trash and Recycling Containers Prohibited.
- A. It shall be unlawful to meddle with garbage cans, trash or rubbish receptacles, or recycling containers or in any way pilfer, search or scatter contents of garbage cans, rubbish receptacles, or recycling containers in or upon any street or alley within the city limits.
 - B. This section shall not apply to persons authorized by the City or persons authorized by state or federal law to search or otherwise meddle with trash receptacles.
7. License Required. No person shall offer trash collection service within the City without first obtaining a trash hauler license from Dakota County. All haulers must comply with all state, county, and city laws and regulations concerning curbside recycling service.

1000.05 LARGE EVENT REQUIREMENTS.

Large events, defined as a public gathering of at least three hundred (300) people that generates at least one ton of municipal solid waste or contracts for eight (8) cubic yards or more per location, and generates organics back-of-house are required to have recycling and trash service to serve the event, and are requested to offer organic composting for the event.

1000.06 VIOLATIONS.

1. It is unlawful for any person to fail to dispose of trash, which is, or which may accumulate upon property owned or occupied by such person, in a sanitary manner. Every person who fails or refuses to make provisions for and secure such disposal is guilty of a misdemeanor.
2. It shall be unlawful for any person to sweep, throw or deposit any garbage, trash, debris, stagnant water, or dead animal into, upon or along any public or private property of another, except as may be specifically provided by this chapter.
3. It shall be unlawful for any person owning or otherwise in control of any premises within the City to permit any of the conditions prohibited by this chapter to exist upon property owned or controlled by that person after having actual or constructive notice thereof.
4. It shall be unlawful for any person to deposit any burning match, charcoal, ember, or other material in any container used for the disposal of garbage.
5. The discarding of trash on any streets, alleys, drives, parks, playgrounds, or other public places shall constitute a violation of this chapter whether such material is discarded by the individual upon whose premises the material originates or whether it is discarded by some other person or collector.

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