

## Sec. 62-33. - Obligations of the refuse generators.

- (a) *Providing collection at households or businesses.* Pursuant to Minn. Stat. § 115A.941, every dwelling unit and place of business in the city must contract for solid waste collection service, which must be provided at least once a week. All dwelling units except apartment buildings and manufactured homes will be provided service under a city contract.
- (b) *Cleanliness of premises; placing garbage and refuse in containers.* Every property owner, occupant, or owner of any dwelling unit or place of business shall control the refuse on the premises so as to keep the premises in a clean and sanitary condition. All refuse accumulating between the times of collection shall be placed in containers as described. Containers shall not be left at the curbside for more than 24 hours.
- (c) *Container placement for collection.*
  - (1) Dwelling units, except apartment buildings and manufactured homes not contracting for curbside service: On the designated pickup day, refuse, recyclables and yard waste shall be set out for collection immediately behind and within two feet of the curb. Containers shall not be placed in the street.
  - (2) Businesses: Every property owner, occupant or owner of a place of business shall place containers used for the storage of refuse, recyclables and yard waste in conformance with the city zoning ordinances. Such containers shall be accessible to the haulers at all reasonable times.
- (d) *Containers; specifications; cleaning and disinfecting.*
  - (1) Every property owner or occupant or any place of business that accumulates refuse shall provide one or more rust resistant, watertight, nonabsorbent and easily washable containers, which are equipped with a bail or handle and covered with close-fitting lid. Containers shall have a capacity of not less than ten nor more than 32 gallons and shall be of sufficient number to store all refuse accumulating between collections. Places of business having accumulations in excess of three 32-gallon containers per week shall provide dumpsters for storage. Dumpsters shall be no less than one cubic yard capacity and be covered with a lid that keeps precipitation and animals from getting in.
  - (2) Every property owner and occupant of any dwelling unit except manufactured homes and apartment buildings shall provide a sufficient number of containers, described in this subsection (d), which do not exceed 32 gallons capacity. Residents on the city "one-can" program may also use plastic bags to put out excess garbage.
  - (3) All containers shall be washed and treated with disinfectant as often as necessary to prevent a nuisance.
- (e) *Service charges; as established; periods, delinquency.*

- (1) There is hereby imposed upon each dwelling unit except manufactured homes and apartment buildings for the collection of refuse and recyclables, a monthly charge for such services billed in accordance with schedules established from time to time by action of the council.
  - (2) If such charge is not paid within 25 days after the last day of the billing period, there shall be a late charge of ten percent of the amount owing for the previous period, with a minimum late charge of \$1.00.
  - (3) Such delinquent charge, plus penalty, as heretofore provided, shall be entered, shown and placed on the tax assessment rolls for the city for each dwelling unit within the city.
- (f) *Reduced rate for disabled citizens and senior citizens with a hardship.*
- (1) The refuse and recycling collection service charges shall be reduced by one-half for any dwelling unit (excluding manufactured homes and apartment buildings) which is principally occupied by:
    - a. Persons who are 65 years of age or older who meet the hardship conditions.
    - b. Disabled citizens having received an award letter from the Social Security Administration indicating that the individual is 100 percent disabled and who meet the hardship conditions.
  - (2) A hardship shall be deemed to exist when all the following apply:
    - a. The annual gross income of the household according to its most recent federal income tax return does not exceed the Federal Poverty Income Guidelines for a family of four, plus \$3,000.00. If no such return was filed, the clerk shall require the applicant to submit other documentation to show that this qualification is met.
    - b. The total assets of the household, exclusive of the homestead, do not exceed \$20,000.00.
- (g) *Burning of refuse; adoption of state regulations by reference.*
- (1) It is unlawful to kindle or authorize the kindling or maintenance of open fires which are fueled in part by refuse or yard wastes. This includes, but is not limited to, chemically treated lumber and other burnable building materials. Air pollution control regulations of the state pollution control agency, and any amendments thereto, are hereby adopted by reference by the city.

**State Law reference—** Adoption by reference, Minn. Stat. § 471.62.

- (2) One copy of the standards and regulations shall be marked as an official copy and filed for use and examination by the public in the office of the city clerk.

(Code 1980, § 10-3; Ord. No. 91-1273, 1-9-1992; Ord. No. 03-1967, 3-6-2003; Ord. No. 17-2393, 12-21-2017)