

Ordinance No 87

SOLID WASTE DISPOSAL AND COLLECTION ORDINANCE

THE CITY COUNCIL OF THE CITY OF GREENBUSH, ROSEAU, COUNTY, MINNESOTA, ORDAINS:

SECTION 1-PURPOSE:

The city council finds that it is in the best interest of the health and safety of the residents of the city to mandate that all persons in the city be required to use the solid waste disposal system set forth in this ordinance. Disposal of solid waste through this system will help to ensure that solid waste is disposed of properly and promptly and will help to avoid the potential health and safety risks to residents and persons in the city caused by improper disposal or lack of disposal of solid waste.

SECTION 2- DEFINITIONS:

For the purpose of this ordinance, the following words and terms shall have the meanings set out in this section, unless the context specifically indicates otherwise:

BULKY WASTE: Inorganic waste material from a source, other than construction debris or hazardous waste, with a weight or volume greater than appropriate for allowance in the waste containers. Bulky waste includes large appliances and furniture. Bulky waste does not include tires, batteries, waste oil or yard waste.

COMMERCIAL: Any retail business, service establishment, office, wholesale business, manufacturing and warehouse or storage buildings.

CONSTRUCTION DEBRIS: Inorganic waste material resulting from construction, remodeling, repair or demolition operations.

DISPOSAL: Transporting of solid waste to a disposal facility licensed and approved by all applicable governmental entities, including, but not necessarily limited to, the County of Roseau and the State of Minnesota.

GARBAGE: Any organic waste normally produced from the handling and preparation of foods and decayed and spoiled food from any source. Garbage does not include yard waste, any inorganic rubbish, animal offal or carcasses of dead animals.

HAZARDOUS WASTE: All waste designated as hazardous by the United States environmental protection agency or appropriate State of Minnesota agency.

PERSON: Any individual, firm, company, association, society, corporation, municipal corporation, governmental unit, or group.

RESIDENTIAL: All single-family dwellings or buildings used for and as single-family residences or dwelling places on a permanent or seasonal basis.

RUBBISH: Inorganic materials such as packaging products, cans, bottles, paper, ashes, sweepings and other similar inorganic waste.

SOLID WASTE: Waste materials in a solid or semi liquid state including, but not limited to, garbage, rubbish, yard waste, bulky waste, construction debris and hazardous waste.

YARD WASTE: Organic plant materials collected from yards or gardens including leaves, grass clippings, vines, stalks and tree branches.

SECTION 3- COLLECTION AND DISPOSAL REQUIREMENTS:

Persons generating, possessing or having control or ownership of solid waste in the city shall collect and dispose of that waste only as provided in this ordinance.

A. Residential Garbage And Rubbish: All residential garbage and rubbish generated or present within the city shall be collected and disposed of according to the requirements of this ordinance. The city may contract with private solid waste collection businesses to provide this service, and all persons generating, possessing or having control or ownership of residential garbage and rubbish in the city shall collect and dispose of that waste according to the terms of any such contract then in effect. Each property where residential garbage or rubbish is generated shall have located on the property an onsite collection facility or container adequate to enclose and contain all of the garbage and rubbish generated on the property during the period of time between disposal dates. The combined weight of individual container and its contents shall not exceed 100 pounds. Containers shall be placed in an easily accessible location immediately adjacent to the alley from which collections are made except that where no alleys exist; containers shall be placed at the street curb on collection days designated by the City Council. Yard Waste, Bulky items, Construction Debris and Hazardous Waste shall be disposed of according to ordinance sections that deal with those items. Persons generating, possessing or having control or ownership of residential garbage and rubbish shall pay for disposal pursuant to the garbage utility service fees set by resolution of the city council.

B. Commercial Garbage And Rubbish: All commercial garbage and rubbish generated or present within the city shall be collected and disposed of by the persons generating, possessing or having control or ownership of such waste promptly, at least once every seven (7) days, and said persons shall not allow such waste to become a nuisance. Each property where commercial garbage or rubbish is generated shall have located on the property an onsite collection facility or container adequate to enclose and contain all of the garbage and rubbish generated on the property during the period of time between disposal dates.

C. Yard Waste, Bulky Waste And Construction Debris: Yard waste, bulky waste and construction debris generated or present within the city shall be disposed of by the persons generating, possessing or having control or ownership of such waste promptly, and such waste shall not be allowed to become a nuisance. Yard waste, bulky waste and construction debris disposal shall be regulated by city policy.

D. Hazardous Waste: Hazardous waste generated or present within the city shall be disposed of by the persons generating, possessing or having control or ownership of such waste promptly and according to all rules and regulations of the United States environmental protection agency, the appropriate state of Minnesota agency or the county.

SECTION 4- FEES AND BILLING:

The city council may establish appropriate utility fees by resolution for use of the city garbage utility service for the disposal of garbage and rubbish as required herein. All billing of charges shall follow the Utility Billing Ordinance.

SECTION 5- ENFORCEMENT:

A. Notice Of Violation; Failure To Comply: In the event a person generating, possessing or having control or ownership of solid waste in the city fails to collect and dispose of that waste as provided in this ordinance, the city shall mail to such person at such person's last known address a notice requiring compliance with this chapter within three (3) days of said notice. Failure to comply with this notice within the time allowed shall constitute a separate misdemeanor offense for each day of noncompliance past the three (3) days, punishable as provided by law.

SECTION 6- This ordinance hereby repeals Ordinance 28- Ordinance Regulating the Storage, Collection and Disposal of Garbage and other Refuse and all parts of ordinances inconsistent with this ordinance.

SECTION 7- This ordinance becomes effective from and after its passage and publication.

Dated this _____ day of _____, 20_____.

Approved:

Scott Waage, Mayor

Attest:

Anita Locken, Clerk-Treasurer