

Ordinance # 87

ORDINANCE PROVIDING FOR THE COLLECTION, TRANSPORTATION, & DISPOSAL OF WASTE AND RECYCLABLE ITEMS, BILLING FOR THESE SERVICES, AND BURNING OF WASTE WITHIN THE CITY CORPORATE LIMITS

Sect. 1. Definitions

- a. Compulsory Disposal List. The list of persons and businesses within the City of Vernon Center who by the provision of this ordinance are required to pay a monthly service fee for the collection, transportation, and disposal of waste and/or recyclable items.
- b. Contractor. Any person, firm, or corporation with whom the City of Vernon Center shall contract for the collection, transportation, and disposal of waste and/or recycling.
- c. Household Unit. A single residential structure with a private entrance where one or more persons reside.
- d. Multiple Residence. A residential structure containing two or more household units sharing a common entrance that are generally rental units.
- e. Recreational Fires. A fire set for cooking, warming, recreational, or ceremonial purposes which is not more than 3 feet diameter by 3 feet high and the ground surrounding the fire has been cleared of all combustible material for 5 feet from the base of the fire. Campfires shall be considered recreational fires.
- f. Recyclable Items. Aluminum, tin cans, plastic containers (HDPE #1-7 with neck/no lids or cap), glass containers (clear, green, or brown), newsprint, envelopes, letters, magazines, cereal boxes, and corrugated cardboard.
- g. Site. An approved sanitary landfill waste disposal site approved by the MN Pollution Control Agency to which wastes shall be transported and disposed of.
- h. Starter Fuel. Dry, untreated, unpainted wood or charcoal fire starter. Paraffin candles and alcohols are permitted as starter fuels and as aids to ignition only. Propane gas torches or other clean burning devices causing minimal pollution may be used to start a fire.
- i. Unit Service Fee. The monthly charge made to owners and occupants of residential and commercial property.
- j. Waste. Refuse, garbage, and rubbish of all kinds that accumulate in the ordinary operation of a household, commercial, or industrial establishment. Not to be included in this are grass clippings, appliances, tires, hazardous wastes, paint

cans, batteries, herbicide containers, tree branches, Christmas trees, furniture, and ashes.

- k. Wood. Dry, clean fuel only such as twigs, branches, limbs, charcoal, cordwood, or untreated dimensional lumber. Wood does not include wood that is green, with leaves or needles, rotted, wet, oil soaked, or treated with paint, glue, or preservatives.

Sect. 2. Open Burning

Open burning shall be prohibited within the City of Vernon Center. Recreational fires are allowed and also fires contained in charcoal grills, camp stoves, or other devices designed for the purpose of cooking or heating. Recreational fires may not be used for the burning of waste, leaves, large tree branches or limbs, Christmas trees, furniture, paper, tires, or hazardous materials. Starter fuel and wood as defined by this ordinance may be used for a recreational fire. Also allowed is the Vernon Center Fire Department to conduct a controlled building burn within the City upon approval of the City of Vernon Center, State, and other applicable government department units and other controlled burns approved by the City.

Sect. 3. Refuse Restrictions. No waste shall be deposited or disposed of within the City of Vernon Center. Waste disposal is limited to sanitary landfills operated under current and valid license issued by Blue Earth County.

Sect. 4. Compulsory Disposal List

This ordinance establishes a compulsory disposal list that shall include every residential dwelling or commercial business that accumulates waste or recyclable items and is included in the City agreement with its contractor. Commercial businesses not covered by the agreement are responsible for the removal of their waste or recyclables to an approved site. Fees for disposal of waste and recycling will be included on the monthly utility billing. Waste and recycling fees for rental property will be billed to the property owner unless the owner notifies the City (either by letter or direct contact with City Hall personnel) to have the renter be billed. Rental property owners are ultimately responsible for the waste and recycling removal fee at any rental unit. Any unpaid charges are subject to being made a lien upon the property. Waste and recycling fees will be waived if a residence or business is vacant for the entire month and the City is notified in advance (either by letter or direct contact with City Hall personnel.)

Sect. 5. Unit Service Fee & Billing for Waste

All persons or businesses included in the compulsory disposal list shall be charged a monthly unit service fee for the collection, transportation, and disposal of waste. This monthly unit service fee shall be set by resolution of the City Council and kept on file at City Hall. The monthly unit service fee is based on the size of garbage cart used (either 35 gallon or 64 gallon size). Only one garbage cart is allowed per resident or business address. Any person or business needing to set out additional garbage bags (that do not fit into the garbage cart) shall be required to purchase a bag tag to be placed on each additional bag set out for collection. Bag tags are available for purchase at City Hall and

the cost for tags is set by resolution of the City Council and based upon the contract price. The monthly unit service fee will be the same for all, with the following exception:

- a. **Businesses and Multiple Residences.** A business or multiple residence has two options available to them: (1) they may use the City contractor if permitted by the contractor agreement, or (2) they may provide for their own waste removal to an approved landfill or rent a dumpster through a contractor. A business owner who also lives within the City corporate limits may combine their residential and business waste. The business or multiple residence should contact City Hall of the option they choose and which shall become effective the next billing period. If they provide for their own waste removal to an approved landfill or rent a dumpster through a contractor, they must provide their business ID number with the contractor at the City's request.

Sect. 6. Recycling.

All residential housing units (single and multiple units) and those businesses approved by the contractor shall participate in the curbside recycling program. This includes those whose business and residence occupy the same structure. Residences and the approved businesses shall be charged a recycling fee set by resolution of the City Council and be included in the monthly City utility billing. Multiple unit structures shall be charged by the number of household units times the regular single unit rate for recycling. Recycling fees for rental property will be billed to the property owner unless the owner notifies the City (either by mail or direct contact with City Hall personnel) to have the renter be billed. The rental property owner is ultimately responsible for payment of the recycling fees. Any unpaid charges are subject to being made a lien upon the property. The monthly recycling fee will be waived if the residence or business is vacant for entire month and the City is notified in advance (either by letter or direct contact with City Hall personnel).

Sect. 7. Collection and Restrictions.

All wastes meant for removal shall be placed in a weather tight plastic bag with the top secured with a suitable tie and placed in a City provided garbage cart (either 35 gallon or 64 gallon size). Only one garbage cart is allowed per service pickup address. The garbage cart shall be placed adjacent to a traveled street and no more than 6 feet from the curb or edge of the street or alley by 7 a.m. on scheduled pickup day.

All recyclable items meant for removal shall be placed curbside in a City provided recycling bin by 7 a.m. on scheduled pickup day. The City will provide each resident and those businesses approved for recycle pickup one free recycling bin. Additional recycle bins can be purchased for \$5 each from the City.

The schedule for pickup days is subject to change with holidays and contract with the contractor and is available by contacting City Hall.

Sect. 8. Penalty.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor.

Sect. 9. Recessions and Effective Date. Ordinance # 62, an ordinance providing for the collection, transportation, & disposal of waste and recyclable materials and the burning of waste within the City corporate limits is repealed when this ordinance takes effect from and after its passage and publication of its summary as provided by law.

Dated this 6th day of November, 2008.



Robert Peterson, Mayor



Patricia Krosch, City Clerk-Treas.