

CHAPTER 7: NUISANCES AND OFFENSES

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ORDINANCE 74 REFUSE

Section 74.01: CONTRACTED SERVICE. The City Council may enter into an exclusive contract, through either negotiation or by bids, to collect and dispose of all refuse generated in single-family and two-family dwellings. A townhome shall be considered a single-family dwelling.

Section 74.02: NON-CONTRACTED SERVICE. The City shall not provide for a contracted refuse collecting service for multi-family dwellings consisting of three (3) or more living units, nor for commercial or industrial users.

Section 74.03: CONTRACT TERM AND INSURANCE. The City Council shall set the term for the exclusive refuse removal contract and shall require the contractor to file with the City Clerk/Administrator proof of insurance with a company satisfactory to the City, naming the City as co-insured and providing coverage for property damage for \$50,000 and for Personal injury in the sum of \$100,000 to an individual and \$300,000 in aggregate.

Section 74.04: INDEMNIFICATION. The contractor shall indemnify and hold the City harmless for and from any claims for damage to people or property which may arise in the performance of its duties in collecting refuse. The contractor shall be solely responsible for all sales taxes, charges and tipping fees incurred or charged in connection with its services.

Section 74.05: ACCESS. Every residential property shall provide an area of easy access for refuse pickup and shall keep the area free of snow or other impediments.

Section 74.06: CONTAINER. The contractor shall provide every residential property served with a 60 gallon rubber container for refuse and appropriate recycling containers. Every residential property served shall have the containers available for pickup at the designated time and place.

Section 74.07: PROHIBITED USES. A Person may not deposit refuse, garbage, or the body of a dead animal into any receptacle or deposit any refuse in a container other than the one provided for his or her residence.

Section 74.08: PENALTY. Any Person who violates the provisions of this Ordinance shall be guilty of a petty misdemeanor upon the first offense and a misdemeanor upon the second and subsequent offenses. Fines for violations are as established by the City Council in Appendix A.

Section 74.08 amended 1/4/06

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Section 74.09: COLLECTION OF CHARGES. Solid waste collector shall be responsible for all billing and receipts for services under contract. However, Minnesota Statute 443.015 entitled “Assessments for garbage collection and disposal in certain cities” is adopted by reference and the City shall utilize the assessment procedure for the collection of unpaid accounts.

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