

CITY OF ROYALTON

ORDINANCE ON MANDATORY SEPARATION, COLLECTION AND DISPOSAL OF RECYCLABLE MATERIALS AND SOLID WASTE

An Ordinance authorizing and providing for the City of ROYALTON solid waste and recycling management, establishing powers and duties in the connection therewith, establishing standards for and regulating the collection of solid waste and recyclables with the City of ROYALTON; embodying minimum standards and requirements established by the regulation of the Minnesota Pollution Control Agency and Morrison County; providing for enforcement of said requirements; requiring the separation, collection of recyclable materials and solid waste disposal; requiring the control of litter; and imposing penalties for failure to comply with these provisions; in the purpose and object to promote the health, welfare and safety of the public and protect resources of water, air and land pursuant to Minnesota Statutes, Chapters 115, 116, and 400, and the Morrison County Solid Waste Ordinance.

SECTION I: DEFINITIONS

Subdivision 1: Household Hazardous Waste includes household chemicals that have the potential to pollute the environment. The characteristics of the substances will be considered hazardous if one or more of the following could occur: Catch fire; become acidic or caustic; toxic, long and short term, from exposure; produces toxic leachate; explosive or reactive; potential to initiate fires.

Subdivision 2: "Industrial Waste" Waste that is generated by business or industry.

Subdivision 3: "Littering" is defined as the placing of refuse, debris, waste or similar material, hereafter referred to as litter materials, on properties, roadways and right-of-ways other than that owned by the owner or carrier of said litter, either by deliberate act or by being dropped or blown from a vehicle while being transported due to failure to take proper safeguards to prevent the same.

Subdivision 4: "Putrescible Material or Garbage" means solid waste which is capable of becoming rotten or which may reach foul state of decay or decomposition.

Subdivision 5: "Recyclables" Those materials named by resolution and accepted by the recycling collection service to be separated from the solid waste stream.

Subdivision 6: "Recycling Collection Service" means any commercial or business established to collect, transport, process, store, redeem, or dispose of recyclables.

Subdivision 7: "Refuse" means putrescible and non-putrescible solid wastes, including, but not limited to garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, market and industrial solid wastes, and sewage treatment wastes which are in a dry form.

Subdivision 8: "Residential Property" All occupied single family residence, multiple residential unit apartments, and mobile home parks.

Subdivision 9: "Solid Waste" means garbage, refuse, and other discarded solid materials, including solid waste materials resulting from industrial, commercial, agricultural operations, residential uses, and community activities, but does not include earthen fill, boulders, rock and other materials normally handled in construction operations, animal waste used as fertilizer, any permitted material disposed of as soil amendment, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, wastewater effluent, dissolved materials, suspended solids in irrigation return flows, or other water pollutants.

Subdivision 10: "Solid Waste Collection Service" means the collection and transporting of solid waste generated in Royalton by a Morrison County licensed hauling service contracted by the City.

Subdivision 11: "Toxic or Hazardous Wastes" means substances, whether in liquid, gaseous or solid form, which when collected, stored, transported, or disposed of, may be acutely toxic to humans, or other animals, or plant life, or be directly damaging to property including, but not limited to, pesticides, acids, caustics, pathological wastes, radioactive materials, flammable or explosive materials, and similar noxious substances.

Subdivision 12: "White Goods" includes such household items as stoves, refrigerators, washers, dryers, hot water heaters, furnaces, air conditioners, dishwashers, and freezers.

Subdivision 13: "Yard Waste" includes leaves, trees (branches, twigs, stumps, roots, trunks), garden waste and grass clippings.

SECTION 2: MANDATORY COLLECTION OF RECYCLABLES AND GARBAGE:

Mandatory separation of recyclable material from garbage and refuse and the mandatory collection of the same.

Commencing October 1, 1991 the occupants of each residence and residential unit to include but not limited to: single family residence, multiple residence unit apartments, and mobile home parks shall participate in mandatory collection of garbage, refuse and those recyclable materials designated by Council Resolution to be included as a part of this Ordinance.

Subdivision 1: All recyclable material shall be separated from other garbage and refuse and handled in the manner described in the Resolution on mandatory recycling.

Subdivision 2: All non-recyclable material (i.e. mixed municipal solid waste) shall be grouped together and placed in one or more containers provided by each residential unit, for mandatory collection by a Morrison County permitted and licensed solid waste collection service. Non-recyclable

material shall be distinguished as being identical to the Minnesota Pollution Control Agency's definition of solid waste refuse, putrescibles and garbage.

Subdivision 3: The power to establish levy's and assessment fees to procure services for the City of ROYALTON to ensure the proper management of solid waste and recyclables through mandatory collection, is authorized through this Ordinance.

a) The City of ROYALTON will bill the residential property tenant. In the event that the tenant fails to pay for services the property owner will be assessed on the yearly property tax statement.

b) A variable rate of household service fees will be described by Resolution.

Subdivision 4: The solid waste collection service contracted by the City of ROYALTON will be responsible for the collecting of solid waste and will transport the waste to the Greater Morrison Sanitary Landfill or to another Minnesota Pollution Control Agency permitted disposal site as directed by the Morrison County Solid Waste Management Plan.

Subdivision 5: The recycling material collection service contracted by the City of ROYALTON will be responsible for the collection of the recyclable material and for the disposal of the recyclable material.

Subdivision 6: Mixed municipal solid waste excludes tires, oil, batteries, white goods, yard waste, household hazardous waste, infectious waste, hazardous waste and industrial waste, as defined by the Minnesota Pollution Control Agency (MPCA). It shall be illegal for any person to put the above items in containers used for collection of mixed municipal solid waste.

Subdivision 7: Materials Ownership: All recyclable materials and solid waste placed for collection shall be owned by, and be the responsibility of, the occupants of the residential properties (residents) until they are collected by the Contractor. The recyclable materials become the property and responsibility of the Contractor upon the Contractor's acceptance and collection of said items. Theft of this property will be considered a misdemeanor.

Subdivision 8: The City has the power to name a party responsible for enforcement of this Ordinance by Resolution.

SECTION 3: LITTERING

In order to promote public safety, health, peace, and welfare by regulating the hauling and transportation of garbage and other waste material, the City Council of ROYALTON, Minnesota do ordain:

Subdivision 1: It shall be unlawful for anyone to litter within the city limits of ROYALTON and vehicles used to transport shall be loaded and moved in such a manner that said litter will not fall, leak or spill therefrom, and shall be covered to prevent the blowing of material. Where spillage does occur, the material shall be picked up immediately by the transporter and returned to the vehicle

and/or container, and the area properly cleaned.

Subdivision 2: All vehicles and containers used for the collection and transportation of toxic or hazardous wastes shall be durable, enclosed and leakproof and shall be constructed, loaded, moved and unloaded in a safe manner and in compliance with the applicable regulations of Federal, State and local governments and their regulatory agencies.

SECTION 4: VIOLATIONS:

Subdivision 1: Violations of the Ordinance shall be considered a misdemeanor.

SECTION 5: MINIMUM STANDARDS:

Where the conditions imposed by any provisions of this Ordinance are either more restrictive or less restrictive, than comparable conditions imposed by any other provision of this Ordinance or any other applicable law, ordinance, rule and regulation, the provision which establishes the higher standards for the promotion and protection of the public health, safety and general welfare shall prevail.

SECTION 6: EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its passage and publication according to law.

ADOPTED: 9-3, 1991

Eugene E. Keske
Mayor, City of ROYALTON

ATTEST:

Carol Madsen
Clerk, City of ROYALTON