

ORDINANCE NO.

**AN ORDINANCE REVISING WASTE COLLECTION AND RECYCLING
AND THEREBY AMENDING REVISED
CITY CODE - 1982 CHAPTER 8-200**

The City of Coon Rapids does ordain:

Section 1. Revised City Code - 1982 Chapter 8-200, Waste Collection and Recycling is hereby amended as follows: (deletions in brackets, additions double underlined)

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 8-200

WASTE COLLECTION AND RECYCLING

8-202 Definitions. For the purposes of this chapter, the following definitions will apply:

(1) “Authorized Recycling Program” means a program for the collection and recycling of recyclable materials which is instituted, sponsored, authorized, or controlled by the City of Coon Rapids.

(2) “Business” means any commercial, industrial, or institutional enterprise, except residential uses, including, but not limited to, offices, retail sales, wholesale sales, warehousing, restaurants, clubs, churches, and establishments of non-profit organizations where food is prepared or served or goods are sold.

(3) “Commercial Container” means any container intended for the collection of waste or recycling materials that exceeds 95 gallons in volume.

(4) “Director” means the City’s Public [~~Services~~] Works Director or the Director’s duly authorized representative.

(5) “Garbage” means any organic refuse, animal or vegetable, resulting from the preparation, consumption, display, dealing in or storage of meat, fish, fowl, fruit, or vegetables, including the cans, containers or wrappers wasted along with such materials, but not including recyclable materials.

(6) “Licensed Hauler” means any person licensed by the City of Coon Rapids to perform the services of collecting and disposing of waste, recycling materials, or yard waste, and any person providing any such services as a subcontractor thereto.

(7) “Mixed Municipal Solid Waste” means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include automobile hulks, street sweepings, ash, construction debris, mining waste, sledges, tree and agricultural waste, tires, lead acid batteries, motor and vehicle fuels and filters, and other materials collected, processed, and disposed of as separate waste streams, but does include source-separated compostable materials.

(8) “Multi-unit Residential Use” means a residential structure, or group of residential structures under a single management, with five or more residential units.

(9) “Person” means an individual, firm, association, partnership, or corporation.

(10) “Recyclable Materials” means materials that are separated from mixed municipal solid waste for the purpose of recycling, including paper, glass, plastics, metals, automobile oil,

and batteries. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

(11) "Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

(12) "Residential Container" means any container intended for the collection of waste or recycling materials that has a volume of 95 gallons or less.

(13) "Residential Household" means any attached or detached single, double, triple, or four unit dwellings and mobile homes.

(14) "Rubbish" means any solid wastes that are not garbage or recyclable materials.

(15) "Scavenging" means the unauthorized collection of recyclable materials that have been set out by the residents of the City specifically for participating in an authorized recycling program.

(16) "Source-separated compostable materials" means mixed municipal solid waste that is separated at the source by waste generators for the purpose of preparing it for use as compost, is collected separately from other mixed municipal solid waste, is comprised of food waste, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable because the Director of the Office of Environmental Assistance has determined that no other person is willing to accept the paper for recycling, and is delivered to a facility to undergo controlled microbial degradation to yield a human-like product meeting the pollution control agencies' Class I or Class II or equivalent compost standards and where process residues do not exceed 15 percent by weight of the total materials delivered to the facility.

(17) "Waste" means any discarded material including, but not limited to, garbage, rubbish, and recycling materials.

(18) "Yard Waste" means garden waste, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings.

8-205 Containers.

(1) Mixed municipal solid waste generated by residential households must be stored in residential containers that are water tight, have a tight fitting lid, are impervious to insects, rodents, birds, and other pests, and are not capable of absorbing moisture. Such containers must be provided by the Licensed Hauler, and may be inspected by the City to ensure compliance.

(2) Mixed municipal solid waste generated by businesses and multi-unit residential uses must be stored in commercial containers approved by the Director and which are water tight, have a tight fitting lid, are impervious to insects, rodents, birds, and other pests, and are not capable of absorbing moisture.

(3) Recyclable materials for all uses must be stored in containers approved by the Director, and provided by and collected by a Licensed Hauler. Containers for recyclable materials must be kept in good repair as to be able to adequately perform this intended purpose.

(4) Yard waste ~~may~~ must be ~~stored~~ placed in ~~plastic~~ State approved compostable bags~~;~~ or containers provided by a licensed hauler, tied in bundles, or stacked in a neat orderly manner. [Yard waste must be prepared for collection in a manner required by the person's licensed hauler.]

(5) If, upon inspections, the Director determines that a container is in poor repair, corroded, or otherwise defective condition so as to not comply with requirements of this Section, the Director will notify the provider or user in writing to repair or replace the container. The notice must include the specific defect or deficiency and provide a compliance date. If the defect or deficiency is not corrected by the compliance date, the Director will condemn the container and affix thereto a tag indicating such condemnation. It is unlawful for any person to use a

condemned container for the storage and collection of mixed municipal solid waste.

8-206 Location of Containers and Yard Waste.

(1) The outside location of residential containers for the storage of mixed municipal solid waste, yard waste and recycling materials ~~[may]~~ must be placed no closer to the street than the existing front yard setback of the residence.

(2) The location and screening of any commercial containers for the storage of mixed municipal solid waste and recycling materials must be approved in advance by the City and in accordance with land use regulations of Title 11.

(3) ~~[Yard waste must be stored in bags or containers, tied in bundles or stacked in a neat, orderly manner behind the existing front yard setback of any principle structure on the property.]~~ Yard waste must be prepared for collection in a manner required by the person's licensed hauler. No yard waste may be stored on the property except as allowed in Chapter 8-1600 (Composting).

(4) Yard waste, [Residential] residential containers for mixed municipal solid waste and recycling materials that are prepared for collection ~~[may]~~ must be placed in one location at ground level and off the traveled roadway (such as in the driveway, or in the boulevard behind the curb) ~~[at the curb]~~ no sooner than ~~[8:00]~~ 5:00 p.m. the day prior to collection. Such containers must be returned to their ~~[regular]~~ outside storage location no later than ~~[10:00 p.m.]~~ midnight on the day of collection. Upon pick up licensed haulers will be required to place empty containers off the traveled roadway.

(5) Hours for the placement of [Yard] yard waste generated by a residential household for collection purposes may be extended by the Director in event of emergency situations. ~~[may be placed at the curb in an orderly manner no sooner than the day prior to collection unless otherwise authorized by the City in emergency situations.]~~

Introduced this 15th day of October, 2013.

Adopted this 6th day of November, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk