

ORDINANCE NO. 21-104
CITY OF COURTLAND
NICOLLET COUNTY, MINNESOTA

**An Ordinance amending Part 6 of Chapter V of the City Code of the
City of Courtland relative to Refuse and Recyclable Materials Collection**

PART 6. REFUSE AND RECYCLABLE MATERIALS COLLECTION

506.01 Definitions.

For the purpose of this Part, the following words and phrases have the meanings given them in this section.

Subdivision 1. "Refuse": Refuse shall mean wastes, garbage and rubbish of all kinds that accumulate in the ordinary operation of a household, or commercial or industrial establishment, including without limitation, grass trimmings, ashes, tin cans and tree branches.

Subdivision 2. "Recyclable materials": Including aluminum beverage and food containers; corrugated paper or other container board; glass containers; magazines; newspaper; office paper; rigid plastic containers/jugs with a neck, and milk cartons. For more specific information regarding which recyclable material meets the requirements, please consult the guidelines provided by the contracted refuse and recyclable provider for these services in the City.

Subdivision 3. "Place or premises": Place or premises shall mean any dwelling house; dwelling unit; apartment house or multiple dwelling building; trailer or mobile home park; retail store; restaurant; rooming house; hotel; motel; office building; department store; manufacturing, processing or assembling shop or plant; warehouse; and every other place or premises where any person resides, or any business is carried on or conducted within the City of Courtland.

Subdivision 4. "Person": Person shall mean and include any natural person, corporation, firm, or association.

Subdivision 5. "Unit service Fee": Unit Service Fee shall mean that monthly charge for each Residential Unit or dwelling unit within a Multiple Residence made by the City for Refuse and Recyclable disposal and shall be composed of the following:

1. The actual cost to the City for Refuse and Recyclable collection, transportations, and disposal including additional cost(s) (agreed upon by the City and its Contractor) that are imposed upon Contractor by reason of state statute and/or governmental regulations;
2. The City's cost of collection of the Unit Service Fee, including bad debts; and
3. Any applicable sales tax.

Subdivision 6. "Multiple Residence": Multiple Residence shall mean any single structure containing two (2) or more dwelling units.

Subdivision 7. "Residential Unit": Residential Unit means a single-family dwelling unit or home or, in the case of a multiple dwelling unit, each separate dwelling unit within such multiple dwelling. Vacant premises or premises where all Person are absent for a period of thirty (30) days, or more are not Residential Units during said vacancy or absence.

506.02 General Regulations.

Subdivision 1. "Unauthorized Accumulation". Any unauthorized accumulation of refuse or Recyclable materials on any premises is a nuisance and prohibited.

Subdivision 2. "Refuse and Recyclable materials in Streets, Etc." No person shall place any refuse or Recyclable materials in any street alley, or public place or upon any private property except in proper containers for collections. No person shall throw or deposit refuse or Recyclable materials in any stream or other body of water.

Subdivision 3. "Scattering of Refuse and Recyclable materials". No person shall deposit anywhere within the City any Refuse or Recyclable materials in such a manner that it may be carried or deposited by the elements upon any public or private premises with the City.

Subdivision 4. "Burying of Refuse and Recyclable materials; Composting". No person shall bury any refuse or recyclable materials in the City except in an approved sanitary landfill, but leaves, grass clippings, and easily biodegradable, non-poisonous garbage may be composted on the premises where such refuse or recyclable materials have been accumulated. Garbage may be composted only in a rodent'-proof structure and in an otherwise sanitary manner and after the City Council gives its approval to such composting after it finds that the composting will be done in accordance with these standards.

506.03 Disposal Required.

Every person shall in a sanitary manner, dispose of Refuse and Recyclable materials that may accumulate upon property owned or occupied by said person. Refuse and recyclable materials shall be collected, or otherwise lawfully disposed of, at least once each week.

506.04 Containers

Subdivision 1. "General Requirement". Every Person who produces or accumulates refuse or recyclable materials shall provide on the premises one or more containers to receive and contain all refuse and recyclable materials which may accumulate between collections. All normal accumulation of refuse and recyclable shall be deposited in such containers. Leaves, trimming from shrubs, grass clippings, shavings, and other rubbish of similar volume and weight may be stored in closed containers not meeting the requirements of Subdivision 2: provided that the branches must be cut into lengths no larger than four (4) feet and shall be tied in bundles that can be easily handled.

Subdivision 2. "General Container Requirements". Except as provided in Subdivision 6, each container shall be water-tight, shall be impervious to insects and rodents shall be fireproof, and shall not exceed 32 gallons in capacity, except that a commercial or business establishment having refuse or recyclable volume exceeding two (2) cubic yards per week shall provide bulk or box-type refuse and recyclable material storage containers of an approved type. Containers shall be maintained in good and sanitary condition. Any container not conforming to the requirements of this part or having ragged or sharp edges or any other defect likely to hamper or injure the persons collecting the contents shall be promptly replaced after notice by the City.

Subdivision 3. "Placement". Where an alley open to traffic is available, each container for the premises abutting the alley shall be placed at the rear of the property next to the alley. Where no alley exists, the container shall be placed near the street providing access to the building, but only on the day preceding or of refuse and recyclable materials collection.

Subdivision 4. "Use of Containers". Refuse and Recyclable materials shall be drained of liquid and household garbage shall be wrapped before being deposited in a container. Highly inflammable or explosive material and hazardous material shall not be placed in containers.

Subdivision 5. "Weekly Disposal". All Refuse and Recyclable materials shall be collected once a week during each and every week of the year. All Refuse and Recyclable material containers shall be placed at the point of the pickup by the resident not later than 8:00 o'clock a.m. on the collection day. The schedule for pickup shall be established by the City.

Subdivision 6. "Residential and Multiple Dwelling Container Requirements". Owners and occupants of all Residential Units and Multiple Residences shall keep and dispose of refuse and recyclable materials only in approved bags or containers purchased or provided for each purpose.

506.05 Contract for Refuse and Recyclable Material Collection.

Subdivision 1. "City Council to Let Contract". Subject to the provisions of this part, the City Council shall grant by contract let to the lowest bidder in accordance with the law the authority to collect and dispose of all Residential Unit and Multiple Residence refuse and recyclable materials originating within the City. The City Council shall prepare specifications for advertising for bids for such contract and it shall see that when let, the contract is executed in accordance with its terms and this part.

Subdivision 2. "Terms". The contract shall be made for a term of one year, subject to extension by mutual consent for additional years and to termination during the period of the contract as provided in the contract.

Subdivision 3. "Liability Insurance". It shall be a condition of the contract that the applicant filed with the City Clerk a current policy of public liability insurance with such terms and limits as the City Council may establish.

Subdivision 4. "Contract Collector". No Person shall collect refuse within the City for a Residential Unit or Multiple Residence except as a Person holding a contract with the City to do so. No Person shall permit refuse to be picked up from such premises except by such contractor.

Subdivision 5. "Additional Recyclable Material event". The City has the authority to establish an additional day each year for residents to dispose of all materials banned from traditional Refuse and Recyclable material pickup as provided by the contracted provider of City services. The City is the only entity, be it business or individual, that will be allowed to provide such an event within the City limits. Such items may include lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; foam polystyrene packaging; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins; steel containers; waste tires; and bi-metal containers. Specific details of what items will be allowed will be defined in the communication of the timing of said event. (Revised by Ord 21-104 05/06/21)

506.06 Rates and Collection

Subdivision 1. "Charges". The owner of each Residential Unit or Multiple Residence shall pay to the City a Unit Service Fee as established from time to time by resolution of the City Council.

Subdivision 2. "Billing". The Unit Service Fee shall be billed to the owner of each Residential Unit or Multiple Residence in the City. If the Residential Unit or Multiple Residence is served by City water or sewer, the unit service fee shall be billed as a separate entry on the water or sewer bill. If the premises are not so served, the Unit Service Fee shall be separately billed by the City Clerk.

1. The owner of a Multiple Residence may request in writing that the Unit Service Fee be billed directly to the occupants of each dwelling within the Multiple Residence. Such request shall be accompanied by the name and address of each such dwelling and shall be supplemented and modified with the same information for any replacement occupants. Upon approval by the City of such request, the Unit Service Fee shall be billed directly to the identified occupants provided, however, that nothing herein shall relieve the owner of such Multiple Residence for responsibility

for payment of the Unit Service Fee, nor shall it restrict the ability of the City to collect any unpaid amount from the property in the manner describe in Subd.3 of this section. Any amount billed to an occupant of a Multiple Residence unit which remains unpaid thirty (30) days after it is due shall be billed directly to the owner of the property.

Subdivision 3. "Payment". Unit Service Fees shall be payable at the same time as bills for water service and subject to the same conditions of payment. If any charge is unpaid on September 1 of any year, the City Council shall levy an assessment against the premises equal to the unpaid charge as of that date plus interest at the rate of six (6) percent from that date and a penalty of ten (10) percent assessed of the value past due. The City Clerk shall certify the assessment to the county auditor for the collection in the same manner as assessments for local improvements. (Revised by Ord. 93-105, Third Series 05/06/93)

(Source Ord. 18, 2nd Series, 1990)

506.07 Effective Date.

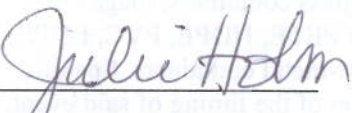
This ordinance shall be in full force effect from the date of its passage and publication according to law, whichever occurs first.

ADOPTED by the City Council of the City of Courtland, Minnesota this 6th day of May, 2021.



Al Poehler, Mayor

ATTEST:



Julie Holm, City Clerk

Julie Holm, City Clerk

