

ORDINANCE NO. 116

AN ORDINANCE ESTABLISHING AND REGULATING THE MANDATORY COLLECTION AND DISPOSAL OF REFUSE.

The Council of the City of Lamberton, County of Redwood and State of Minnesota does ordain:

Section 1. Definitions.

Subd. 1. Words and phrases. For the purpose of this chapter, the following words and phrases have the meaning given to them in this section.

Subd. 2. Garbage means organic waste resulting from the preparation of food and decayed and spoiled food from any source.

Subd. 3. Refuse includes garbage and rubbish.

Subd. 4. Rubbish means inorganic solid waste such as tin cans, glass, paper, ashes, sweepings, etc.

Section 2. General regulations.

Subd. 1. Unauthorized accumulations. Any unauthorized accumulation of refuse on any premises is a nuisance and prohibited.

Subd. 2. Refuse in streets, etc. No person shall place any refuse in any street, alley, or public place or upon any private property except in proper containers for collection.

Subd. 3. Scattering of refuse. No person shall deposit anywhere within the city any refuse in such manner that it may be carried or deposited by the elements upon any public or private premises within the city.

Subd. 4. Burying of refuse; composting. No person shall bury any refuse in the city but leaves, grass clippings, and easily biodegradable, non-poisonous garbage may be composted on the premises where such refuse has been accumulated.

Section 3. Disposal required. Every householder, occupant, and owner of any residence shall use the garbage and refuse collection service provided by the contractor for the City. Every person shall, in a sanitary manner, dispose of refuse that may accumulate upon property owned or occupied by him. Garbage shall be collected at least once every week the year round.

Section 4. Containers. General requirements. Every owner, or occupant of any residence, shall provide their own plastic bags for all refuse that may accumulate between collections. Leaves, grass clippings, shavings, excelsior and other rubbish must also be contained in plastic disposable bags. Brush shall be bundled in four foot lengths.

Section 5. Contract for refuse collection.

Subd. 1. No person shall collect refuse within the City except a person holding a contract with the City to do so. No person shall permit refuse to be picked up from his premises except by such contractor.

Subd. 2. Council to let contract. The Council may prepare specifications and advertise for bids for such contract between January 1st and March 1st of each year if it deems advisable. If the Council does not prepare specifications and advertise for bids, any parties interested in entering into a contract with the City of Lambertton providing for garbage and refuse collection services shall submit the proposed contract to the City Council between the dates referred to in this provision. At the next Council meeting after the last date for the submission of bids the Council shall determine to what party the contract shall be let. The letting of the contract shall be within the complete discretion of the Council and the Council may let the contract under any terms and conditions it deems most reasonable and advantageous to the City of Lambertton. The contract shall not necessarily be let to the lowest bidder.

Subd. 3. Submission of bids. Any person desiring to contract with the City of Lambertton for providing garbage and refuse collection services, shall provide the City Clerk with a copy of the proposed contract showing:

- a. Complete compliance with the specifications as advertised by the City Council in Subd. 2 of this Section, if specifications and advertisement have been made.
- b. The name and address of the contractor.
- c. A description of each piece of equipment proposed to be used in the collection.
- d. The proposed charges to be made of those who use the service.
- e. A description of the kind of service proposed to be rendered.
- f. The place to which the refuse is to be hauled.
- g. The manner in which the refuse is to be disposed of.

Subd. 4. Insurance. It shall be a condition of the contract that the applicant file with the Clerk a current policy of public liability insurance covering all vehicles to be used by the contractor in the licensed business. The limits of coverage of such insurance are (a) each person injured, at least \$100,000.00, (b) each accident, at least \$300,000.00, (c) property damage, at least \$25,000.00.

Section 6. Rates and charges.

Subd. 1. Schedule. The owner or occupant of any premises served by a City refuse collection contractor shall pay to the City a service charge assessed in accordance with the resolutions passed by the City Council from time to time, as the Council deems necessary.

Subd. 2. Billing. The service charge shall be made to the owner or occupant of each building or housing unit served. If the building is served by City water or sewer, the refuse collection charge shall be billed as a separate entry on the water or sewer bill. If the premises are not so served, the refuse collection charge shall be separately billed by the City Clerk.

Subd. 3. Payment. Service charges 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 1st of any year, the Council may levy an assessment equal to the unpaid charge as of that date plus interest at the rate of 6% per annum from that date and a penalty of 10% per annum. The Clerk shall certify the assessment to the County Auditor for collection in the same manner as assessments for local improvements.

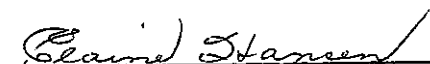
Subd. 4. Fund. All service charges shall be deposited in a separate account in the General Fund.

Section 7. Refuse collection schedule. The contractor shall collect refuse from premises once a week, year round.

Section 8. Collection vehicles. Every refuse collection vehicle shall be covered, leak proof, durable, and of easily cleanable construction. Every vehicle used for hauling refuse shall be sufficiently air tight, and so used as to prevent unreasonable quantities of dust, paper, or other collected materials from escaping. Every vehicle shall be kept clean to prevent nuisances, pollution, or insect breeding, and shall be maintained in good repair.

Passed by the Lambertton City Council this 6th day of March, 1980.

  
Mayor

  
Clerk

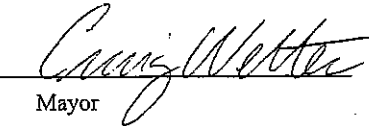
AMENDMENT TO ORDINANCE NO. 116

The City of Lambertton ordains the Ordinance No. 116 entitled "AN ORDINANCE ESTABLISHING AND REGULATING THE MANDATORY COLLECTION AND DISPOSAL OF REFUSE" shall be amended by amending Section 4, Entitled "Containers-General requirements" to read as follows:

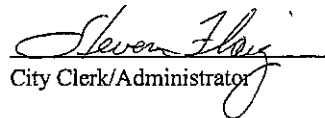
Every owner, or occupant of any residence, shall use the containers or plastic bags provided by a licensed garbage contractor for all refuse that may accumulate between collections. Containers must not be left on any street, sidewalk or alley. Containers must be kept by the house or garage except on days when refuse is collected. Containers must be painted and well maintained and must display the name of the owner. Containers must have covers which are to remain closed. Containers that are overflowing garbage and generate odors are a public nuisance and owners will be cited. Temporary containers for building or remodeling projects are exempt from these regulations.

This amendment becomes effective upon its adoption and publication according to law.

Passed by the Lambertton City Council this 11<sup>th</sup> day of July, 2005 .

  
Mayor

Attest:

  
City Clerk/Administrator