

SECTION 830
REFUSE AND GARBAGE COLLECTION

830.01 **DEFINITIONS**

Subd. 1 Garbage

The term "garbage" means all decomposable wastes, including material resulting from the handling, preparation, cooking and consumption of food, but excluding human excrement, sewage and other water carried wastes.

Subd. 2 Refuse

The term "refuse" means all non-combustible wastes including ashes, crockery, glass, tin cans and all combustible wastes including grass, leaves, paper, boxes, rags and old clothes; but does not include appliances, autos and auto parts, tree limbs or flammable material including gasoline and motor oil.

Subd. 3 Industrial Waste

The term "industrial waste" means all organic and inorganic wastes except garbage, resulting from any manufacturing, building, repairing, demolition, construction, processing, grain cleaning, the operation of garages and service stations and other similar activities.

830.02 **PURPOSE**

The purpose of the Ordinance is to maintain and protect the public health and sanitation by the removal of garbage and refuse from locations within the City of Tonka Bay and to prevent the unregulated and unrestricted hauling of garbage and refuse by other means than through a collection system so as to eliminate the disposal of garbage and refuse along streets and roads in and near the City of Tonka Bay, Minnesota.

830.03 **DEPOSIT OF REFUSE RESTRICTED**

Subd. 1 Restrictions on placement of refuse

No person shall deposit, cause to be deposited or situate garbage, refuse or containers for garbage or refuse upon any street, alley, vacated lot or upon any ground appurtenant to any building in the City, except upon the premises wherein the garbage or refuse originated.

Subd. 2 Restrictions on transportation of refuse

No person except as authorized shall transport garbage or refuse over any street or alley in the City or shall disturb, collect or in any manner interfere with garbage or refuse placed in containers for collection or interfere in any manner with containers for garbage or refuse.

830.04 **STORAGE OF GARBAGE AND REFUSE**

Subd. 1 Container restrictions

Except as otherwise provided all garbage and refuse shall be kept in rust-resistant metal or plastic, water tight, non-absorbent and easily washable containers or shall be sacked and wrapped in plastic bags.

Subd. 2 Time for removal

The property owner or occupant shall control the garbage and refuse on the premises so as to keep the premises in a clean and sanitary condition and shall have the garbage and refuse removed at regular intervals, being at least once each week.

830.05 **CITY COLLECTION**

Subd. 1 City collection of refuse

The City shall provide for on site collection of all garbage and refuse from all residences and apartments at least once each week, accessible to the collector for on site pickup on the days designated for collection.

Subd. 2 Equipment specifications

All garbage and refuse shall be transported on the street and alleys in the City only in vehicles with leakproof bodies of easily cleanable construction and completely covered with metal, preferably a packer truck. Vehicles shall be so operated that contents do not spill or drip upon streets or alleys or otherwise create a nuisance.

830.06 **COLLECTION CONTRACT**

Subd. 1 Bids

The City Council shall contract, after receiving bids for such purposes, for collection of garbage and refuse from residences in the City of Tonka Bay on such terms and for such periods as the Council may determine.

Subd. 2 Unit price contract

The contract with the collector shall be based on unit price.

Subd. 3 Contractor recordkeeping

The collector shall keep accurate records of all his collections and shall report monthly to the City Council on all of his collections.

Subd. 4 Collector's office

The collector shall have at all times a registered office and notify the City Clerk of any change in said address of office.

Subd. 5 Equipment

The collector shall furnish his own equipment and personnel for the collection of garbage and refuse.

Subd. 6 Exclusive contract

The collector shall be the only authorized individual to collect the garbage from any residence within the City of Tonka Bay, and no other person shall make a business or collect a fee for collection of garbage within the City of Tonka Bay.

Subd. 7 Effect of State regulation

The garbage and refuse so collected by the collector shall be disposed of in a manner as provided by Minnesota Statutes and Regulations.

Subd. 8 Certificate of insurance

The independent contractor shall at all times maintain insurance on all of his equipment against liability imposed by law, a certificate of which shall be filed with the City Clerk.

830.07 **SERVICE CHARGE**

Subd. 1 Charges for collection service

The City of Tonka Bay shall charge each person or residence unit a minimum charge as established by council resolution from time to time. Such charge shall be determined by the council, and the bills for such charges shall be sent to the person served at such intervals as the council shall determine.

Subd. 2 Separate fund account

All income from the operation of the refuse collection system and the record of expense and operation shall be accounted for separately from the general city fund.

Subd. 3 Customer statements

Statements for charges for garbage service for the period shall be mailed to each customer on or before the 10th day of January, April, July and October of each year. Such statements shall be due and payable to the City Treasurer on or before the first day of the second month following the quarterly period covered by such statement.

Subd. 4 Late payment penalty

If payment is not made by the first day of the second month following the quarterly period covered by such statement, a penalty of ten (10) percent or \$.50, whichever is greater, shall be added to the amount due on such bill. It shall be the duty of the city to endeavor to collect delinquent accounts as promptly as possible.

Subd. 5 Assessment against property for non-payment

All delinquent accounts may be certified by the clerk who shall prepare an assessment roll each year providing for assessments of delinquent accounts against the respective property served. This assessment roll shall be delivered to the City Council for adoption on or before October 1 of each year and upon approval thereof, the Clerk shall certify to the County Auditor the amount due and the County Auditor shall thereupon enter such amount as part of the tax levy on such premises to be collected during the ensuing year. Such action may be optional or subsequent to taking legal action to collect delinquent accounts.

830.08 **BURNING OF GARBAGE, REFUSE, AND INDUSTRIAL WASTES**

No person shall dispose of garbage, refuse and industrial waste in the city limits at any time by open burning, cause, suffer, allow or permit open burning of garbage, refuse or industrial wastes at any time in any outdoor fire, outdoor incinerator, can receptacle or device.

830.09 **PENALTY**

Any person, firm, or corporation violating any provision of this ordinance shall be guilty of a misdemeanor.