

ORDINANCE NO. 2011-16
AN ORDINANCE AMENDING CHAPTER 13
OF THE EDINA CITY CODE CONCERNING COLLECTION
AND DISPOSAL OF REFUSE AND RECYCABLES

THE CITY COUNCIL OF EDINA ORDAINS:

SECTION 1. Chapter 13, Section 1300 of the Edina City Code is amended to provide:

1300.01 Haulers to be Licensed. No person shall engage in hauling, conveying or collecting refuse, as defined in Section 705 of this Code, or recyclables, as defined in Section 715 of this Code unless that person holds a valid license issued under this Section. No license shall be issued to haul, convey or collect refuse or recyclables in any district established pursuant to Subsection 705.09 or Subsection 705.10, except an exclusive license shall be applied for and issued pursuant to this Section to the person authorized by the City to haul, convey, or collect refuse or recyclables in a district so established.

1300.02 License Procedure and Fee; Insurance; Bond.

Subd. 1 **Procedure and Fee.** Section 160 of this Code, including the penalty provisions, shall apply to all licenses required by this Section and to the holders of such licenses, except that licenses shall be granted or denied by the Sanitarian. In addition to the information required by Section 160, the application for license or renewal of license shall be accompanied by a description of the types and makes of vehicles used for collection, a schedule of the charges to be made in accordance with the requirements of Subd. 4 of this Subsection, the frequency of service to be rendered and full information as to where and how the material collected will be disposed of. The application shall be accompanied by the fee set forth in Section 185 of this Code.

Subd. 2 **Insurance.** Applicants for licenses or renewals of licenses shall file with each application a certificate of insurance under which there is coverage as to each vehicle to be used, for the entire term of the license applied for, for loss or damage to persons in the amount of \$~~1,000,000~~^{100,000} for each person and \$~~1,000,000~~^{300,000} for each ~~occurrence~~^{accident}, and for loss or damage to property in the amount of \$~~1,000,000~~^{50,000}. Each policy shall provide that it shall not be canceled, or terminated or modified without first giving notice to the City.

Subd. 3 **Bond.** Before obtaining any license under this Section, except an exclusive license issued in a district established by Subsection 705.09 or 705.10 of this Code, the applicant shall file with the Clerk a bond naming the City as obligee in the penal sum of \$1,000 for each vehicle the applicant uses to collect refuse or recyclables in the City. The Bond shall be conditioned that the applicant shall save the City harmless for all actions, damages and expenses arising from the applicant's failure to comply with any provisions of this Code. Before granting any exclusive license for a district established by Subsection 705.09 or Subsection 705.10 of this Code, the exclusive licensee shall have on file with the Clerk a bond naming the City as obligee in the penal sum of not less than \$25,000 for each district, or in the penal sum of not less than \$100,000 if the district covers the whole of the City. The bond shall be conditioned that the applicant shall save the City harmless for all action, damages and expenses arising from failure to comply with any provisions of this Section or exclusive license.

The bond shall be submitted on forms provided by the Clerk. The surety shall be a corporation duly authorized to act as such under laws of the State. The term of the bond shall be continuing and shall not terminate until 30 days after the date when the Clerk receives written notice of the termination by registered mail.

Subd. 4 **Volume Based Fees.** The applicant shall submit a schedule of refuse collection charges, [exclusive of Source Separated Compostable Materials \(SSCM\), to the City Sanitarian. The -schedule](#) shall be in direct relationship to the volume or weight of refuse collected from each customer, [exclusive of the SSCM collection process.](#)

1300.03 Decals to be Placed on Vehicles. Whenever a license or renewal has been issued, the Sanitarian shall furnish the licensee a decal for each vehicle. The decal shall be worded as to signify that the vehicle is licensed by the City. The licensee shall apply the decal to the forward left side of the body of each vehicle licensed.

1300.04 Vehicles.

Subd. 1 **Specifications.** The body of every vehicle licensed under this Section shall be constructed entirely of metal, or the space in the vehicle in which refuse or recyclables is kept shall be completely lined with metal. All joints shall be closed so that no dripping or leaking or drain off of water, liquid or any substance can occur. The loading space shall be provided with a tight metal hood having an opening fitted with metal doors, or shall be provided with a heavy tarpaulin or equivalent cover fitted with eyes, grommets, tie ropes or hooks so that the cover can be held securely over the loaded refuse. Refuse and recyclables shall be loaded so that none of the materials can jar loose and fall from the vehicle. Loose paper and other materials shall be secured so they cannot be dispersed by wind or fall from the vehicle.

Subd. 2 **Cleanliness.** Every licensed vehicle used for collecting refuse shall be steam cleaned at least every week to prevent persistent odors, and shall be steam cleaned before being used for any other purpose.

Subd. 3 **Marking of Vehicles.** Every vehicle used to collect refuse shall have the name of the owner or operator on the body, or placed on a durable metal or wood plaque which shall be fastened to the body when the vehicle is used for collecting refuse or recyclables.

Subd. 4 **Containers Used in Vehicle.** Containers used to store or carry refuse in any licensed vehicle shall comply with the requirements of Subsection 705.02.

1300.05 Collection of Compostable Materials. Haulers shall collect from residential customers and segregate from other refuse, all grass clippings and leaves which have been separated from other refuse and placed in bags designed for compostable materials. Haulers shall report to the Sanitarian the amount, by weight, of the leaves and grass clippings delivered to compost disposal sites approved by the County for the four-month periods ending April 30, August 31 and December 31. The reports shall be submitted within 15 days following the end of each four month period. [Licensed haulers shall provide to customers, upon a customer's request, a yard waste container with close-fitting top for grass clippings, leaves and Source Separated Compostable Materials \(SSCM\). The containers shall be constructed of non-combustible materials including the cover. The containers shall be at least thirty \(30\) gallons in size, and provided to customers at a charge, if any, determined by the licensed hauler.](#)

1300.06 Recyclable Collections Service. All persons licensed under this Section who haul, convey or collect refuse from residential buildings containing three or more dwelling units shall offer recyclable collection service to such buildings.

1300.07 Recycling Reports. Within 30 days after the end of each calendar quarter and upon request made by the Sanitarian, each licensed hauler shall provide the City such information as is then requested by the Sanitarian on forms prescribed by the Sanitarian, relative to the recyclables collected during the period subsequent to the prior report to the City. The report shall include the amounts and kinds of recyclables and the markets used for the sale of, and primary purchaser of, recyclables.

1300.08 Service to Residential Properties. Containers kept outside shall be placed and kept in such a manner as not to permit entry of or harborage for animals, insects or other vermin. Haulers providing service to single dwelling unit, double dwelling unit and townhouse properties shall offer to their customers the option of collecting refuse from containers placed for collection at locations on the property other than at the curb. If the customer chooses such an option, the hauler shall collect refuse from the containers and return the empty containers to the location on the property specified by the customer. The hauler may not charge a different rate for collecting refuse at locations on the property other than the curb.

[1300.09 Refuse Reports. Within thirty \(30\) days after the end of each calendar quarter, each licensed hauler shall provide the City Sanitarian on forms prescribed by the City Sanitarian, the total weight of refuse collected during the quarter.](#)

SECTION 2. This ordinance shall be effective immediately upon its passage and publication.

First Reading: November 16, 2011
Second Reading: Waived
Published: November 23, 2011

Attest: Debra A. Mangen, City Clerk

James B. Hovland, Mayor

Please publish in the Edina Sun Current on Wednesday November 23, 2011
Send two Affidavits of Publication.
Bill to Edina City Clerk