

SECTION 405 GARBAGE AND REFUSE

405.01 DEFINITIONS.

For the purposes of this Section, the terms defined herein have the meaning given to them.

- Subd. 1. "Approved" means acceptable to the Health Officer following his/her determination as to the compliance with established public health practices and standards.
- Subd. 2. "Garbage" means all putrescible animal, vegetable, or other matter that attends to the preparation, consumption, display, dealing in or storage of meat, fish, fowl, birds, fruit or vegetables, including the cans, containers or wrappers wasted along with such materials.
- Subd. 3. "Health Authority" means the Public Health Officer or his/her authorized representative.
- Subd. 4. "Mayor" means the City Mayor.
- Subd. 5. "Open Burning" means the burning of any matter whereby the resultant combustion products are emitted directly to the open atmosphere without passing through an adequate stack, duct or chimney.
- Subd. 6. "Owner" means any person, firm, corporation, or other partnership or organization who along, jointly, or severally with others shall be in ownership of, or have charge, care, or control of, any premises or business within the municipality as owner, employee or agent of the owner, or as trustee or guardian of the estate or person of the title holder.
- Subd. 7. "Premises" means any dwelling, house, building or other structure or parcel of property.
- Subd. 8. "Public Place" means any and all streets, sidewalks, boulevards, alleys, parks, public buildings, and other public ways.
- Subd. 9. "Refuse" means all solid waste products or those wastes having the character of solids rather than liquids in that they will not flow readily without additional liquid and which are composed wholly or partially of such materials as garbage, sweepings, swill, cleanings, trash, rubbish, litter, industrial solid wastes or domestic solid wastes; organic wastes or residue of animals sold as meat, fruit or other vegetable or animal matter from kitchen, dining room, market, food

establishment or any place dealing in or handling meat, fowl, fruit, grain, or vegetables; offal, animal excreta, or the carcass of animals; tree or shrub trimmings, or grass clippings; brick, plaster, wood, metal or other waste matter resulting from the demolition, alteration or construction of buildings or structures; accumulated waste materials, cans, containers, junk vehicles, ashes, tires, junk, or other such substance which may become a nuisance.

Subd. 10. "Rubbish" means non-putrescible solid wastes such as wood, leaves, trimmings from shrubs, dead trees or branches thereof, shavings, sawdust, excelsior, wooden waste, printed matter, paper, paper board, paste board, grass, rags, straw, boots, shoes, hats and all other combustibles not included under the term "garbage".

Subd. 11. "Swill" means garbage which is wholly or nearly edible and usable as a food and has food value for animals or fowl, accumulating from animal, vegetable, or other matter wasted from clubs, hotels, hospitals, restaurants, and public eating places.

Subd. 12. "Vehicle" means every device in , upon or by which any person or property is or may be transported or drawn upon a thoroughfare, including devices used exclusively upon stationary rails or tracks.

Subd. 13. "Waste Matter" means non-putrescible solid waste such as soil, earth, sand, clay, gravel, loam, stone, brick, plaster, crockery, glass, glassware, ashes, cinders, shells, metal and all other noncombustible material which has been or is to be discarded.

405.03 SANITARY DISPOSAL.

Refuse shall be disposed of in a sanitary manner as approved by the Health Authority and shall not constitute a nuisance. Refuse shall not be composted or buried except that composting in an approved rodent and fly-proof device or filling operations using approved fill materials and methods may be permitted. In no case can garbage be composted or buried.

Subd. 1. It shall be unlawful for any person, firm or corporation to fail to dispose of garbage and rubbish which may be or may accumulate upon property owned or occupied by him/her or them, in a sanitary manner at least as often as provided in Subsection 405.11 hereof.

Subd. 2. Every householder or occupant of any dwelling house, boarding house, restaurant or any place of business, having garbage to dispose of, who does not, otherwise provide for the disposal of such garbage in a sanitary manner, shall provide himself/herself with one or more fly-tight cans sufficient to receive all garbage which may accumulate between the times of collection. Each can shall be provided with a bail or handles and a tight fitting cover.

- Subd. 3. All garbage accumulating between the times of collection shall be placed in the cans provided for in Subsection 403.03 Subd. 2 hereof.
- Subd. 4. Garbage cans shall be kept at or near the back door of the building using the same, or at the rear of the property if there is an alley, and shall be accessible to collectors at all reasonable times.
- Subd. 5. It shall be unlawful for any person, firm or corporation to collect garbage without having first secured from the City Council a license to do so.
- Subd. 6. Any person, firm or corporation desiring a license to collect garbage and/or rubbish, shall make application for the same to the City Clerk upon a form prescribed by the City Council. The application shall set forth (1) the name and address of the applicants; (2) a list of equipment which he/she possess to use in such collection. Said application shall be submitted to the Health Officer for his/her investigation and report. If the Health Officer finds that the applicant is responsible and has proper equipment for such collection and that no nuisance is liable to be created by the granting of said license, he/she shall endorse his/her approval upon the application. If such application is approved by the City Council, the City Clerk shall issue and deliver the license. The fee for such license is provided for in Chapter VIII.

405.05 VEHICLE CONSTRUCTION.

The body of every vehicle licensed hereunder shall be constructed entirely of metal or the space in the vehicle in which refuse shall be kept shall be completely lined with metal. All joints shall be effectively closed so that no dripping or leaking or drain off of water, liquids 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 metal tarpaulin or equivalent cover fitted with eaves, grommets, tie ropes, or hooks so that the cover can be held securely over the loaded refuse. Every vehicle used for collection of garbage or swill shall have a permanent metal cover. Every vehicle shall be equipped with the necessary hand tools for cleaning up spills.

405.07 VEHICLE MAINTENANCE.

Every vehicle licensed hereunder shall be kept well painted, clean and in good repair. Every such vehicle used for collecting garbage or swill shall be cleaned every week or oftener as necessary to prevent persistent odors and shall be cleaned before being used for any other purpose.

405.09 VEHICLE LOADING.

Garbage, refuse, rubbish or other waste matter shall be so loaded that none of such materials can jar loose and fall to the ground or street when the vehicle is in motion. Loose paper, trash and similar materials shall be so secured that they cannot be displaced by the wind or fall out of the vehicle. Containers used to carry refuse in or on any vehicle shall comply with the requirements of Subsection 405.03.

405.11 TIME OF DISPOSAL.

All garbage must be disposed of in a sanitary manner at least once a week between the 1st day of May and the 1st day of November of each year, and at least bi-monthly between the 1st day of November and the 1st day of May of each year, and all rubbish must be disposed of at least monthly between the 1st day of May and the 1st day of November of each year.

405.13 NUISANCE ABATEMENT.

Any accumulation of refuse on any premises not stored in containers which comply with this Section, or any accumulation of refuse on any premises which has remained thereon for more than one week is hereby declared to be a nuisance and may be abated by order of the City Health Authority, as provided by Minnesota Statutes, Sections 145.22 and 145.23, and the cost of abatement may be assessed on the property where the nuisance was found as provided by law.

405.15 MINNESOTA POLLUTION CONTROL AGENCY REGULATIONS ADOPTED.

Minnesota Regulations APC 7 and 8 of the Minnesota Pollution Control Agency are adopted by reference and are as much a part of this Code as if fully set forth herein. A violation of the regulations so adopted is a violation of this Code.

405.17 MODIFICATIONS TO APC REGULATIONS.

Is hereby determined that adequate refuse collection service is available to the municipality, and open burning is prohibited. Exceptions to APC 8 shall require written approval of the Fire Chief.

405.19 REFUSE BURNING DEVICES.

No device for the combustion of refuse shall be constructed, installed, altered, repaired or operated after the effective date of this Section unless it is of approved design, construction and/or operation. No device shall be installed, altered, or repaired, nor permit issued for such work, unless and until said installation or work shall have been approved by the Health Authority. No device or container for open burning shall be maintained on any premises.