



## RENEWAL – TRANSFER AND RECYCLING CENTER LICENSE APPLICATION CHECKLIST

Licensing period year is June 1 through May 31

Return documents and payment to:

City of Maple Grove  
Administration Department  
12800 Arbor Lakes Parkway  
Maple Grove, MN 55369  
763-494-6000

**When applying for a transfer and recycling center license, the following items must be included with the application materials:**

1. Transfer and recycling center license application
2. Certificate of liability Insurance – sample certificate is included
3. \$25,000 performance bond
4. License fee- \$400 - fee is not pro-rated and is non-refundable

**Information attached for your reference:**

1. Maple Grove city code

**Review and approval process**

Upon City Council approval, a license will be prepared and mailed to you.



**TRANSFER AND RECYCLING CENTER  
LICENSE APPLICATION**

**Part I: Business information**

Legal corporate name of business	Trade name (DBA)		
Address	City	State	Zip
Mailing address (if different than above)	City	State	Zip
Business phone number	Customer service phone number (if different than business phone number)		
MN tax ID number (per state statute 270C.72 subd. 4)	Federal tax ID number (per state statute 270C.72 subd. 4)		
Contact person's name (for questions regarding application)			
Contact person's phone number	Contact person's email address		

**Part II: Applicant information - person signing application (owner, lessee, or operator of the premises)**

Name	Social security number (per state statute 270C.72 subd. 4)	E-mail address
Home address	City, state & zip	

**Part III: Insurance – enclose with this application:**

A certificate of workers' comp insurance or company name and policy # \_\_\_\_\_  
 A certificate of liability insurance with the City of Maple Grove named as an additional insured, and  
 A certificate of vehicle liability coverage

Have you ever held a license in Maple Grove?     Yes     No

Have you ever had a license revoked in Maple Grove?     Yes     No  
 If yes, what year? \_\_\_\_\_ And for what reason?

***I hereby certify that information provided on this application is true and correct and I understand that any misrepresentation made herein may be grounds for denial of this application.***

<b>Applicant signature and title</b>	<b>Date</b>
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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
02/03/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER <b>Agency Name</b> <b>Agency Address</b>	CONTACT NAME: <b>Agent Name</b>	PHONE (A/C, No, Ext): <b>Agent Phone</b>	FAX (A/C, No):
	E-MAIL ADDRESS: <b>Agent Email</b>		
INSURED  <b>Licensee Name and Trade Name must appear here exactly as on the MN State Form including spelling and punctuation</b>	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : <b>AM Best Rating of A-VII required</b>		
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

**COVERAGES**      **CERTIFICATE NUMBER:**      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADJL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
X	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			<b>Current Policy Number</b>	<b>Current</b>	<b>Dates</b>	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>50,000</b> MED EXP (Any one person) \$ <b>1,000</b> PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>1,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>1,000,000</b> \$
X	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			<b>Current Policy Number</b>	<b>Current</b>	<b>Dates</b>	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
X	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			<b>AS NEEDED</b>	<b>Current</b>	<b>Dates</b>	EACH OCCURRENCE \$ <b>1,000,000</b> AGGREGATE \$ \$
X	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y / <input type="checkbox"/> N / A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			<b>Current Policy Number</b>	<b>Current</b>	<b>Dates</b>	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ <b>100,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>100,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>500,000</b>

ITEMS REQUIRED ON ALL RECYCLING/TRANSFER STATION INSURANCE CERTIFICATES

MINIMUM LIMITS REQUIRED

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

<b>CERTIFICATE HOLDER</b>  <b>City of Maple Grove</b> <b>Attn: City Clerk</b> <b>12800 Arbor Lakes Pkwy N</b> <b>Maple Grove, MN 55369</b>	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  <b>Signature of Agent</b>
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## Chapter 26 SOLID WASTE MANAGEMENT<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 26-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Approved* means acceptable to the health authority following its determination as to compliance with established public health practices and standards.

*Garbage* means all animal, vegetable, or other matter that attends 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.

*Owner* means any person who alone, jointly or severally with others shall be in ownership of, or have charge, care, or control of, any premises or business within the city as owner, employee or agent of the owner, or as trustee or guardian of the estate or person of the title holder.

*Premises* means any dwelling, house, building or other structure or parcel of property.

*Public place* means any and all streets, sidewalks, boulevards, alleys, parks, public buildings or other structures or parcels of property.

*Refuse* means all waste matter or 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 partly 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 any kitchen, dining room, market, food establishment, or place dealing in or handling meat, fowl, fruit, grain, or vegetables; offal, animal excreta, or the carcasses 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; and accumulated waste materials, cans, containers, junk vehicles, ashes, tires, junk, or other such substance which may become a nuisance. The term "refuse" does not include recyclable materials as defined in section 26-31 or recyclable waste as defined in section 26-61.

*Rubbish* means 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."

*Solid waste* means all refuse, rubbish, garbage, and swill other than recyclable materials as defined in section 26-31 or recyclable waste as defined in section 26-61.

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<sup>1</sup>Cross reference(s)—Buildings and building regulations, ch. 8; storage and disposal of garbage and rubbish, § 10-364; environment, ch. 14; utilities, ch. 34.

State law reference(s)—Solid waste generally, Minn. Stats. § 115A.01 et seq.; littering, Minn. Stats. § 169.42.

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*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.

*Yard waste* means any compostable material generated from routine or regular maintenance of a yard or garden. Such material includes such things as grass clippings, leaves, weeds, garden wastes, prunings, evergreen cones and needles, wood chips, herbaceous garden debris, and other such soft organic or vegetable materials, but does not include trees, brush, shrubs, twigs or branches having a diameter of more than one-fourth inch, rocks, concrete, and other similar materials.

(Code 1984, § 1005:00)

Cross reference(s)—Definitions generally, § 1-2.

## **Sec. 26-2. Refuse storage and disposal.**

(a) *Containers required.*

- (1) The owner of any premises, whether commercial or residential, and any other person having refuse, shall provide and keep on such premises sufficient containers for storage of refuse accumulated on the premises between disposal or collection. Each such container shall be watertight, shall have a tightfitting lid, shall be impervious to insects, rodents, vermin, and absorption of moisture, shall be fireproof, and shall be of a size and capacity acceptable to the refuse collector licensed to empty the container, unless otherwise specifically authorized in writing by the city. Refuse on any premises shall be stored in the containers required in this section, except if the refuse is immediately consumed or disposed of on such premises in an approved incinerator.
- (2) Commercial, business, industrial or other such establishments having a refuse volume in excess of two cubic yards per week, and all multifamily and larger dwellings, shall provide approved bulk or box type refuse storage containers or approved equivalent.
- (3) Refuse storage and disposal containers shall be located so as to be accessible to collection equipment and yet located and screened to be out of the public view and to conform with aesthetics required pursuant to chapter 36, pertaining to zoning.
- (4) No person shall place or deposit without permission any recyclable waste or material, as defined in sections 26-31 and 26-61, or any solid waste, into any container located on the premises of another.

(b) *Disposal of solid waste.*

- (1) No person shall dispose of solid waste in the city except through a city licensed refuse hauler at a transfer station licensed pursuant to article III of this chapter.
- (2) No person shall dispose of recyclable waste or material in the city except as required in articles II and III of this chapter, or as required by state or federal law.
- (3) Pursuant to state statutes, no person may place a lead acid battery in solid waste or dispose of a lead acid battery.
- (4) Pursuant to state statutes, no person may place used oil in solid waste or place used oil in or on the land.
- (5) For purposes of this subsection, placement of solid waste in containers for collection shall not be considered disposal.
- (6) This subsection does not limit the disposal of solid waste or recyclable waste or material to sites within the city or within the county.

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(c) *Collection.* The owner or other person referred to in subsection (a) of this section shall cause the contents of containers to be collected by a collector licensed under article IV of this chapter once every week, and more frequently if necessary, or as required by the city. However, collection shall not be required if the owner or other person ensures to the satisfaction of the city that a sanitary and environmentally sound alternative is used to dispose of the contents of containers.

(d) *Placement of containers.*

- (1) No more than two refuse and recycling containers may be stored in the open in a side or rear yard behind the front plane of the primary structure and directly adjacent to the primary structure or detached garage on a paved or finished surface. Any additional containers or overflow refuse material must be stored within a garage or in such a way as to be completely screened from view from public rights-of-way and all other properties using permanent landscaping or fencing.
- (2) Any containers stored outside must remain completely closed at all times and shall be placed in such a manner as not to permit entry of or harborage for animals, insects or other vermin and so maintained as not to be tipped over.
- (3) Containers shall be maintained in a reasonably clean condition at all times.
- (4) Refuse, recycling and refuse and recycling containers shall not be moved or placed for collection sooner than the day prior to scheduled collection, nor shall the containers be permitted to remain there or in a manner contrary to the placement requirements set forth in this subsection (4) for more than 24 hours.

(e) *Defective containers.*

- (1) Whenever a container is in poor repair, is corroded or otherwise defective so as to permit insects, vermin or rodents to enter, or does not meet any other requirements of this article, the collector shall notify the owner or occupant in writing on forms furnished by the city for such purpose. A copy of the notice shall be furnished to the city administrator's office.
- (2) The collector shall affix the owner's or occupant's notice to the container. The notice shall state the deficiency and shall require repair or replacement on or before the next collection date. If the deficiency is not corrected by such compliance date, the city shall condemn the deficient container and affix a tag so stating such condemnation.
- (3) It is unlawful for any person to place or deposit refuse in a container which has been condemned.

(Code 1984, § 1005:05; Ord. No. 08-15, § 2, 12-1-2008; Ord. No. 09-06, § 1, 2-17-2009; Ord. No. 22-03, § 1, 2-7-2022)

### **Sec. 26-3. Littering.**

Except as otherwise provided by ordinance, it is unlawful to throw, scatter or deposit, or cause or permit to be thrown, scattered or deposited, any refuse, handbill, or other material (such as recyclables as defined in sections 26-31 and 26-61, or yard waste) upon or in any public or private place, land, body of water, vehicle or structure within the city. Every person shall maintain his premises and abutting sidewalks and boulevard areas free of refuse litter.

(Code 1984, § 1005:15)

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**Sec. 26-4. Abatement of nuisances.**

On any premises, any accumulation of refuse not stored in containers which comply with this article, or any accumulation of refuse 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, and the cost of abatement, together with a certification processing fee in the amount set forth in section 16-32, may be assessed on the property where the nuisance was found as provided by Minn. Stats. § 145A.08. This remedy shall be available both in addition to and as an alternative to the criminal penalties provided in section 1-13.

(Code 1984, § 1005:20)

Cross reference(s)—Nuisances, § 14-31 et seq.

**Sec. 26-5. Regulations of state pollution control agency adopted.**

- (a) *Adoption by reference.* Minnesota Regulations APC 7 and 8 of the state pollution control agency are adopted by reference and are as much a part of this Code as if fully set forth in this section. A violation of the regulations so adopted is a violation of this Code.
- (b) *Modifications and exceptions.* It is hereby determined that adequate refuse collection service is available to the city, and open burning is prohibited. Exceptions to APC 8 shall require written approval of the fire chief.
- (c) *Incinerators.* No person shall operate an incinerator within the city for the burning of garbage or other refuse unless such incinerator complies with the requirements of the state pollution control agency. No incinerator, except for an incinerator for a residential dwelling unit, shall be operated within the city unless the operation of such incinerator has been approved by the city pursuant to this Code.

(Code 1984, § 1005:25)

**Secs. 26-6—26-30. Reserved.**

***ARTICLE II. RECYCLING, COMPOSTING AND LANDSPREADING***

**Sec. 26-31. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Aluminum recyclables* includes such things as disposable containers fabricated primarily of aluminum and commonly used for soda, beer, or other beverages, aluminum foil, and aluminum pie and dinner trays.

*Collection* means the aggregation of waste from the place at which it is generated and includes all activities up to the time when the waste is delivered to a waste facility.

*Collector* means any person who owns, operates or leases vehicles for the purposes of collection and transportation of any type of mixed municipal solid waste, recyclables and/or yard waste.

*Compostable material* means a humus (organic portion of soil) made from yard waste and used as a soil conditioner.

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*Disposal facility* means a waste facility permitted by the state pollution control agency that is designed or operated for the purpose of disposing of waste on or in the land, together with any appurtenant facilities needed to process waste for disposal or transfer to another waste facility.

*Donation collection bin* means a receptacle designed to allow the general public to donate unwanted but reusable items including, but not limited to, clothing and household goods for purposes of recycling or resale.

*Garbage* means animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

*Generation* means the act or process of producing waste.

*Generator* means any person who creates or produces waste.

*Glass recyclables* includes jars, bottles and containers which are clear or colored but not plastic and primarily used for packaging and bottling of various matter.

*Hauler* means one who collects or transports for consideration mixed municipal solid waste, recyclable materials, and/or yard waste.

*Landspreading* means the application and incorporation of yard waste on and into land used for agriculture for the purpose of improving the fertility of the soil or reducing soil erosion.

*Metal recyclables* includes all disposable containers fabricated primarily of metal or tin, such as food and beverage cans, but not including such things as paint cans.

*Mixed municipal solid waste* means garbage, refuse and other solid waste from residential, commercial, industrial and community activities which is generated and collected in aggregate, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, used oil and other materials collected, processed and disposed of as separate waste streams.

*Organic material management facility* means a facility where organic recyclables are received and processed. This includes a transfer station where organic recyclables are delivered, temporarily stored, and sent to a facility where it is processed.

*Organic recyclables* means the portion of refuse that is source separated that includes food, food scraps, and other materials as designated by the city or county in collaboration with local organic material management facilities. Organic recyclables excludes yard waste.

*Paper recyclables* includes general office paper and paper of the type commonly referred to as newsprint. Expressly excluded, however, is paper with a sticky backing.

*Person* means any human being, any municipality or other public agency, any public or private corporation, any partnership, any firm, association, or other organization, any receiver, trustee, assignee, agent or other legal representative of any of such persons or entities, or any other legal entity.

*Plastic* means polyethylene terephthalate (PET) and high-density polyethylene (HDPE) type plastics. Included in this definition are such things as beverage bottles, milk jugs, laundry detergent bottles, and so forth. This definition does not include plastic wrappings and plastic bags.

*Recyclable materials* means any and all items which may be reduced, reused, or reprocessed into another usable product. Recyclable material includes, but is not limited to, glass, paper products, metal, aluminum, tin, bi-metal, and steel beverage and food containers, tires, automotive batteries, clothing, textiles and plastics. This definition also includes items that are separated from mixed municipal solid waste by the generator or collector for the purpose of recycling and includes all items of refuse designated by the county Department of Environmental Services to be part of an authorized recycling program and which are intended for transportation, processing and remanufacturing or reuse.



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*Recyclable materials processing facility* means a facility established and used for the receiving, storage, preparing and/or processing of recyclable materials for sale or reuse.

*Recycling* means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

*Refuse* shall have the same meaning as section 26-91.

*Resource recovery facility* means a waste facility established and used primarily for the reclamation for sale, use, or reuse of materials, substances, energy, or other products contained within or derived from waste, including related and appurtenant facilities such as transmission facilities and transfer stations primarily serving the resource recovery facility.

*Solid waste* has the meaning given it in Minn. Stats. § 116.06, subd. 10.

*Source separation* means the setting aside of recyclable materials and yard waste from mixed municipal solid waste where the waste is generated.

*Waste tire* means a pneumatic tire or solid tire for motor vehicles as defined in Minn. Stats. § 169.01, and included in the solid waste management plan pursuant to Minn. Stats. § 115A.46.

*Yard waste* means any compostable material generated and collected from routine or regular maintenance of a yard or garden. Such material includes such things as grass clippings, leaves, weeds, garden wastes, prunings, evergreen cones and needles, wood chips, herbaceous garden debris, and other such soft organic or vegetable materials, but does not include trees, brush, shrubs, twigs or branches having a diameter of more than one-quarter inch, rocks, concrete, and other similar materials.

(Code 1984, § 1007:00; Ord. No. 08-15, § 3, 12-1-2008; Ord. No. 21-03, § 1, 3-1-2021; Ord. No. 23-02, § 1, 1-3-2023)

Cross reference(s)—Definitions generally, § 1-2.

### **Sec. 26-32. Provisions of article cumulative.**

This article is in addition to all other laws, ordinances and regulations passed, or which may be passed hereafter, and covering any subject matter in this article.

(Code 1984, § 1007:20)

### **Sec. 26-33. Precollection requirements for recyclable materials and yard waste.**

- (a) Any person who owns, leases or occupies any building, whether commercial or residential, within the city and who generates mixed municipal solid waste and wishes to participate in the city's recycling efforts shall separate from all solid waste the following designated recyclable materials and yard waste before disposal, removal or collection, and separate such materials and waste in the manner provided in this section:
- (1) Paper recyclables shall be placed within the recycling container provided by the city, maintained in a dry condition free of any other substance, and shall not be placed in plastic bags.
  - (2) Aluminum recyclables shall be clean of all contents, placed within the recycling container provided by the city, and shall not be placed in plastic bags.
  - (3) Glass recyclables shall be clean of all contents, placed within the recycling container provided by the city, and shall not be placed in plastic bags.

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- (4) Metal recyclables shall be clean of all contents, placed within the recycling container provided by the city, and shall not be placed in plastic bags.
  - (5) Yard waste compostables shall be placed in separate containers from refuse and recyclables. This is a mandatory requirement of all persons pursuant to state law, whether or not they elect to participate in the city's other recycling efforts.
  - (6) Corrugated cardboard shall be broken down and placed within the recycling container provided by the city.
  - (7) Organic recyclables shall be placed within a compostable bag provided by a refuse hauler that shall be placed within the refuse container provided by the refuse hauler or within an approved reusable collection container designated for organic recyclables provided by the refuse hauler or in a different method approved by the city.
- (b) All yard waste, and all aluminum, glass, metal, and other recyclable materials, shall be separated and not mixed with other forms of solid waste or mixed municipal solid waste in a manner consistent with the rules, regulations and procedures adopted by the city. When left at a city recycling center, all cans, glass, newspaper, corrugated cardboard, and other items deposited for recycling shall be placed in the appropriate recycling bin, or next to the recycling bins provided.
  - (c) Containers will be provided by the city for curbside pickup of recyclable materials and are the property of the city. All containers, whether supplied by the city or the person identified in subsection (a) of this section, shall meet the following conditions:
    - (1) Be maintained in a clean and sanitary condition in accordance with all pertinent health statutes, ordinances, rules and regulations;
    - (2) Be located in such a manner so as to prevent them from being overturned or obstructing pedestrian or motor vehicle traffic or being in violation of any statute, ordinance, rule or regulation;
    - (3) Be adequate and substantial enough to contain the recyclables therein. Containers provided by the city are deemed to meet the requirement of this subsection (3); and
    - (4) Be allowed to be stored outside on at all times so long as such containers are screened from view from public rights-of-way and neighboring properties on non-collection days.
  - (d) All material which is not recyclable or is not recycled shall be accumulated and disposed of pursuant to the provisions of article I of this chapter, article IV of this chapter, or this article or as otherwise required by the county or the state.

(Code 1984, § 1007:05; Ord. No. 08-15, § 4, 12-1-2008; Ord. No. 21-03, § 1, 3-1-2021; Ord. No. 21-19, § 1, 11-15-2021)

### **Sec. 26-34. Collection and disposal of recyclables and yard waste.**

- (a) *Generally.* The collection, removal and disposal of recyclables and yard waste shall be supervised by the city, which shall have the power to establish the time, method and routes of service and to make recycling mandatory. Special times for large item pickup may also be established.
- (b) *Notice of collection schedule.* Notice of dates and times of collection will be published or otherwise made available to persons affected by this article.
- (c) *Drop-off sites.* The city may establish one or more drop-off or collection sites where any person may deposit recyclables and/or yard waste at such times and locations as the city determines to be appropriate.

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- (d) *Removal of materials by unauthorized persons.* It shall be unlawful for any person, other than employees of the city, or authorized persons, collectors or haulers, to distribute, collect, remove or dispose of recyclable materials after such materials and/or yard waste have been placed or deposited for collection.
- (e) *Right to give or sell materials to other programs.* Nothing in this article shall abridge the right of any person to give or sell his recyclable materials and/or yard waste to any recycling and composting program lawfully operated for profit, nonprofit or charitable purposes.
- (f) *Donation collection bins.* The location and placement of donation collection bins shall be limited to industrial zoned properties as an accessory use and shall adhere to the conditions as specified.
- (g) *Licensing of haulers.* It is unlawful to collect, haul, or convey recyclable materials, organic recyclables, or yard waste from any premises in the city, other than from one's own domicile or place of business, without a valid license therefor, and each vehicle so used and each hauler shall be licensed for such activity. The provisions of article IV of this chapter shall apply to licenses and licensees regulated by this subsection and to recyclables.
- (h) *Requirements for multifamily dwellings.*
- (1) Owners of multifamily dwellings containing more than eight dwelling units shall provide recycling collection service to all residents of the building by contracting directly with a recycling hauler under contract with the city or with a private hauler licensed under the provisions of article IV of this chapter.
  - (2) If the owner contracts with a hauler other than a hauler under contract with the city, the dwelling owner or hauler shall submit to the city recycling coordinator a written description of the specific recycling collection plan for the building as verification of the existence of the services to the residents and a report which indicates the type and quantity of recycled material collected, if requested by the city.
  - (3) The recycling services provided under this subsection must comply with the requirements of this Code and all applicable county ordinances for recycling.
- (i) *Yard waste.* The owner of any premises, whether commercial or residential, and any other person having yard waste shall cause the yard waste to be collected by a collector licensed under article IV of this chapter once every week, or more frequently if necessary, or as required by the city. However, collection shall not be required if the owner or other person is composting the yard waste pursuant to section 26-35 or ensures to the satisfaction of the city that a sanitary and environmentally sound alternative is used to dispose of the yard waste. No person may dispose of yard waste in a resource recovery facility (except for the purposes of composting or co-composting) or in mixed municipal solid waste.
- (j) ***Organic recyclables.***
- (1) Refuse haulers shall provide weekly curbside organic recyclables collection for residential customers.
  - (2) Refuse haulers shall provide compostable bags or other reusable collection containers for the weekly curbside organic recyclables collection. The method for organic recyclables collection shall be as set forth in subsection 26-33(a)(7) and sent to an organic material management facility to be processed.
  - (3) Refuse haulers shall provide the following at the time of license application and upon request of the city:
    - a. A description of how recyclable materials will be collected.
    - b. A communications plan that includes the method(s) and frequency of communications that notify residents of the availability of curbside collection of organic recyclables.
    - c. Instructions on how residents sign up for the curbside collection of organic recyclables.
    - d. A curbside collection schedule or calendar.

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- e. Instructions on how residents should prepare curbside collection of organic recyclables.
  - f. The number of participants and tonnage collected.
  - g. The organic material management facility where organic recyclables are delivered.
  - h. The contact information of a representative who works for the hauler who can respond to inquiries related to the organic recyclables requirements.

(Code 1984, § 1007:10; Ord. No. 08-15, § 5, 12-1-2008; Ord. No. 21-03, § 1, 3-1-2021; Ord. No. 21-19, § 1, 11-15-2021; Ord. No. 23-02, § 1, 1-3-2023)

### **Sec. 26-35. Composting of yard waste.**

- (a) Composting shall be done in an environmentally sound manner, and shall meet the standards set forth in this article. Composting shall only be allowed to be conducted by the owner and/or occupant of properties containing single-family detached dwellings, on properties within the single-family agricultural district (R-A), or on property operated by the city as an essential service.
- (b) All composting materials shall be contained in a structure constructed of durable material such as rot-resistant wood, cement block, or sturdy metal fencing, or in commercially fabricated compost bins designed to contain composting material. Unless the composting structure is a commercial product particularly manufactured for composting purposes, the composting structure shall not exceed five feet in width, 12 feet in length, and five feet in height.
- (c) Composting containment structures shall be a least 40 feet from any inhabited building not owned or occupied by the generator of the compost material, shall be six feet from any city park or trail and shall otherwise be located in compliance with zoning requirements for accessory structures, but in no instance shall a composting containment structure be located in the front yard.
- (d) Only yard waste and commercial ingredients (mixed into the composting material and specifically designed to speed or enhance decomposition) shall be allowed into the containment structure.
- (e) Standard compost management techniques such as, but not limited to, aeration, adding moisture, and providing a balance of composting materials shall be employed to enhance rapid biological degradation of the material without producing objectionable odors.

(Code 1984, § 1007:11)

### **Sec. 26-36. Landspreading.**

Landspreading shall be allowed only in those zoning districts in which it is a specifically permitted use and only under the following conditions:

- (1) Yard waste shall be deposited at the application site in its natural containerless bulk form and not contained in any bag, box, or other container.
- (2) Yard waste may be applied at a rate not to exceed three inches in depth per application or such lesser amounts as may be necessary to allow complete incorporation.
- (3) Yard waste may not be delivered, transferred or stored within 300 feet, or spread within 100 feet, of any residential building, except the dwelling used by the occupant of the land.
- (4) No yard waste may be stored or spread in any area designated as floodplain pursuant to chapter 36, or within any shoreland district setback area.

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- (5) From April 1 to September 30, weather permitting, yard waste must be spread within five days and incorporated (tilled into the soil) within 15 days of the date the waste is received. From October 1 to the time the ground becomes frozen to a depth of one inch, weather permitting, yard waste must be spread within 15 days and incorporated within 45 days of the date of receipt. Yard waste received after the ground has frozen to a depth of one inch must be incorporated by the following May 1.
  - (6) All vehicles delivering yard waste must be compliance with weight limits on the roads utilized.
  - (7) Extraneous material (anything other than yard waste) deposited with yard waste must be removed from the landspreading field within 72 hours of being exposed thereon.
  - (8) The landspreading operation, including delivery, storage, spreading and incorporation, shall not generate off-site nuisances of a greater amount or different type than is typically associated with farming. Such off-site nuisances include, but are not limited to, dust, odor and windblown debris or yard waste. The operation shall be free of litter and vermin.
  - (9) Landspreading shall be accomplished in accordance with the regulations and requirements of all other agencies, organizations or entities having jurisdiction over such activity.
  - (10) Landspreading operations shall be suspended or terminated if at any time it is deemed by the city that conditions exist constituting a fire hazard or if there is a threat to surface water or groundwater from runoff or leachate. The city may inspect the site at any reasonable time without prior notice to ensure compliance with this section.
  - (11) Landspreading shall be accompanied by a program of active land management designed to enhance fertility and reduce soil erosion.
  - (12) On rented or leased sites, landspreading may occur only with the permission of the landowner.
  - (13) Landspreading may occur only after the landspreader has posted financial security with the city in a form and amount satisfactory to the city to ensure compliance with this section.

(Code 1984, § 1007:12)

### **Sec. 26-37. Participation in other recycling and composting programs.**

Nothing in this article shall abridge the right of any authorized recycling or composting program to lawfully operate within the city, subject to such other licenses or other regulations as may be required by law.

(Code 1984, § 1007:15)

### **Sec. 26-38. Assessment of costs of collection and disposal.**

- (a) Pursuant to the provisions of Minn. Stats. § 443.015, the city hereby obligates the owners of all properties to which regular collection and disposal of recyclable refuse service is available to pay the proportionate cost of such service to their respective properties. The amount of the assessment, or the formula for determining the amount of the assessment, shall be as set forth in chapter 16, article VIII.
- (b) In default of payment, the city council may annually levy an assessment equal to such unpaid cost as of September 1 of each year against each lot or parcel of land so served for which the service charge is unpaid.
- (c) Any such assessment shall include a penalty equal to ten percent of the amount of the assessment and shall bear interest at the rate of six percent per annum.
- (d) Such levied assessment shall be certified to the county auditor and shall be collected and remitted to the city treasurer in the same manner as assessments for local improvements.

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(Code 1984, § 1007:25)

**Secs. 26-39—26-60. Reserved.**

### **ARTICLE III. TRANSFER AND RECYCLING CENTERS**

#### **Sec. 26-61. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Dump* means a location used for the purpose of discharging refuse, garbage, junk or waste, or any one or a combination thereof, having little or no reusable quality or value.

*Landfill* means a location where refuse, garbage, junk or waste, or any one or a combination thereof, is discharged and covered with dirt, clay, sand or any combination thereof.

*Recyclable waste* means any material which can be reprocessed, reused, or reduced into some other reusable material or product. These materials include, but are not limited to, yard waste and other organic material, paper products, glass, aluminum, tin, steel, bi-metal products, tires, plastic, waste oil, and automotive batteries. The phrase shall also have the same meaning as the term "recyclable materials" as defined in section 26-31.

*Transfer station* means a building which is constructed to facilitate the moving of garbage, junk, waste, or recyclable material from smaller trucks to larger trucks for transfer to a processing plant, mass burn facility, RDF plant, compost site, landfill or any one or a combination thereof.

(Code 1984, § 435:00)

Cross reference(s)—Definitions generally, § 1-2.

#### **Sec. 26-62. Penalty.**

Whoever in any way violates or fails to comply with any of the terms of this article, or with the conditions imposed by the city council in connection with a license, or allows such violation or noncompliance to continue, shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-13. Each day during which the violation continues shall be deemed a separate offense.

(Code 1984, § 435:30)

#### **Sec. 26-63. Exemptions.**

Not-for-profit organizations conducting recycling drives and voluntary drop-off centers will not be required to be licensed under this article if they receive prior approval of their operation from the city. Donation collection bins as defined herein do not require a license.

(Code 1984, § 435:25; Ord. No. 23-02, § 1, 1-3-2023)

#### **Sec. 26-64. Dumps and landfills prohibited.**

No dump or landfill shall be constructed, operated, or maintained within the corporate limits of the city.

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(Supp. No. 55, Update 1)

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(Code 1984, § 435:05)

**Sec. 26-65. Licensing generally; bond and insurance requirements.**

- (a) *License required; application; term; bond and insurance requirements.*
- (1) All transfer stations and recycling centers must be licensed by the city in order to be built, operated or maintained.
  - (2) Written application for such licenses shall be submitted to the city clerk's office.
  - (3) The applicant must provide with the application each of the following in a form acceptable to the city:
    - a. A license fee as established in section 16-81.
    - b. A \$25,000.00 performance bond.
    - c. Proof of insurance as provided in chapter 16, article XII.
  - (4) A license issued under this section shall expire May 31.
- (b) *Compliance with other regulations.* Any transfer station or recycling center must meet all building and zoning codes and all ordinances and all other requirements set forth by the city council.
- (c) *Violations; suspension or revocation of license.* The following shall subject the licensee to penalties and/or suspension or loss of license:
- (1) Violation of any condition in or established pursuant to this article.
  - (2) A finding that the facility is a nuisance as defined in chapter 14, article II, division 1.

(Code 1984, § 435:10)

**Sec. 26-66. License conditions.**

When the city council grants a license under this article, it may include such conditions in the license as the council deems necessary and proper to ensure that the licensed facility will not become a nuisance and to protect the health, safety and welfare of the public.

(Code 1984, § 435:15)

**Sec. 26-67. Operation; reports.**

- (a) All transfer stations and recycling facilities shall be operated and maintained in a lawful manner and in compliance with all the regulations and statutes of the state and the county and the ordinances of the city, and shall be kept in as neat, clean and healthful a condition as possible.
- (b) All tonnages of recyclable waste must be itemized and reported to the city on a monthly basis on forms provided by the city.

(Code 1984, § 435:20)

**Secs. 26-68—26-90. Reserved.**

## **ARTICLE IV. REFUSE COLLECTORS**

### **Sec. 26-91. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Garbage* means all animal, vegetable, or other matter that attends 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.

*Owner* means any person or other legal entity who, jointly or severally with others, shall be in ownership of, or have charge, care, or control of, any premises or business within the city as owner, employee or agent of the owner, or as trustee or guardian of the estate or person of the title holder.

*Premises* means any dwelling, house, building or other structure or parcel of property.

*Refuse* means all waste matter or 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 partly 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 any kitchen, dining room, market, food establishment, or place dealing in or handling meat, fowl, fruit, grain, or vegetables; offal, animal excreta, or the carcasses 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; and accumulated waste materials, cans, containers, junk vehicles, ashes, tires, junk, or other such substance which may become a nuisance. The term "refuse" shall also include recyclable materials as defined in article II of this chapter and governed thereby, and recyclable waste as defined in article III of this chapter and governed thereby.

*Rubbish* means 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."

*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.

*Vehicle* means every device in, upon or by which any person or property is or may be transported or drawn upon a thoroughfare, including, but not limited to, devices used exclusively upon stationary rails or tracks.

*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.

(Code 1984, § 436:00; Ord. No. 06-09, § 1, 4-17-2006)

Cross reference(s)—Definitions generally, § 1-2.



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### **Sec. 26-92. License required.**

It is unlawful to collect, haul or convey refuse from any premises in the city, other than from one's own domicile, without a valid license therefor. Each such vehicle so used must be licensed for such activity.

(Code 1984, § 436:05(1))

### **Sec. 26-93. Application for license.**

The applicant for a refuse collector's license or renewal of such license shall provide the following:

- (1) A description of the types of motor vehicles used for collection.
- (2) A schedule of services to be made to the customer, including, but not limited to, proposed days of collection in different areas of the city.
- (3) The frequency of service to be rendered.
- (4) Full information where and how material collected will be disposed of.
- (5) Proof of insurance as required in chapter 16, article XII.
- (6) Any other information the city may require, including, but not limited to, a list of all residential and business addresses which are the subject of a contract with the applicant for refuse collection service.
- (7) A license fee as set forth in section 16-81.

(Code 1984, § 436:05(2); Ord. No. 06-09, § 1, 4-17-2006)

### **Sec. 26-94. Issuance of license; term.**

Applications for a license under this article shall be submitted to the city for review and recommendation. The city may require vehicle inspection before processing the license application. If the council is satisfied that the public need, convenience and good order will be served thereby, it may grant a license to any such applicant meeting the requirements of this article. Failure to comply with terms of the license and the requirements of this section may result in early termination of the license or other penalties being imposed by council. All licenses shall expire May 31.

(Code 1984, § 436:05(3); Ord. No. 21-18, § 1, 11-1-2021)

### **Sec. 26-95. License classifications.**

Licenses shall be issued under this article for the following classes of operation:

- (1) Class I: Residential refuse collection vehicle.
- (2) Class II: Commercial and business refuse collection vehicle.
- (3) Class III: Residential and commercial refuse collection vehicle.
- (4) Class IV: Rubbish and waste matter collection vehicle.
- (5) Class V: Rendering collection vehicle.
- (6) Class VI: Recycling vehicle (see section 26-34(f)).

(Code 1984, § 436:05(4))

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### **Sec. 26-96. Insurance requirements.**

Insurance requirements under this article shall be as provided in chapter 16, article XII.

(Code 1984, § 436:05(5))

### **Sec. 26-97. Collection standards; condemnation of containers.**

- (a) Each licensee under this article shall provide routine weekly collection and removal of refuse from residences within the city and complete collection of all refuse which normally results from day-to-day use of the type of property, except furnishings, appliances, building or construction waste and similar bulky waste, for which individuals must make special arrangements.
- (b) The licensee shall transfer the contents of the containers to his vehicle without spilling them, or, if any spilling occurs, he shall clean it immediately and completely.
- (c) Collection shall be conducted in such a manner as to not create a nuisance.
- (d) Collection in residential zones shall be between the hours of 6:30 a.m. and 8:30 p.m. on the designated day, and there shall be no garbage or refuse collection from residential dwelling units on Sundays. Licensees shall have in place a system to notify customers by telephone or text and make such notifications at least 24 hours prior to scheduled service if collection will not occur as scheduled.
- (e) Upon each collection, the containers shall be completely empty and returned to the racks or stands where they are kept and the lids of the containers shall be replaced.
- (f) Whenever a container is in poor repair, is corroded or is otherwise defective so as to permit insects, vermin or rodents to enter, or does not meet any other requirements of article I of this chapter, the collector shall notify the owner or occupant in writing on forms furnished by the city for such purpose. A copy of the notice shall be furnished to the city administrator's office. The collector shall affix the owner's or occupant's notice to the container. The notice shall state the deficiency and shall require repair or replacement on or before the next collection date. If the deficiency is not corrected by the compliance date, the city shall condemn the deficient container and affix a tag so stating such condemnation. It is unlawful for any person to place or deposit refuse in a container which has been condemned.

(Code 1984, § 436:05(6); Ord. No. 21-18, § 1, 11-1-2021)

### **Sec. 26-98. Cancellation of service.**

A licensee under this article shall cancel service to any premises when the only containers thereon have been condemned and may cancel service for cause or when the party charged for the collection service is two months or more overdue in paying for such services. When a refuse hauler cancels service to any premises, written notice thereof shall be served upon or mailed to the occupant, manager, or owner of the premises and a copy of the notice shall be mailed to the city at the city offices.

(Code 1984, § 436:05(12))

### **Sec. 26-99. Vehicle license decals.**

Whenever a license or renewal has been granted under this chapter, the city shall furnish to the licensee a decal for each approved collection vehicle. The decal shall be so worded as to signify that the vehicle is licensed by

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the city. The licensee shall apply the decal to the left forward side of the body of the appropriate licensed vehicle as indicated by the city. Old, expired, or otherwise invalid decals shall be removed from the vehicle.

(Code 1984, § 436:05(7))

### **Sec. 26-100. Identification of vehicles.**

Every vehicle used to collect refuse shall have the name of the licensee on the body or placed on a durable metal or wood plaque attached to the body. The lettering shall be at least three inches in height and the color of the lettering and of the background shall be contrasting.

(Code 1984, § 436:05(8))

### **Sec. 26-101. Vehicle construction; cleaning of vehicles.**

- (a) All persons hauling or conveying garbage or refuse over the streets of the city shall use a vehicle that complies with the requirements of this article and which shall be operated and maintained in such a manner as to prevent offensive odors, garbage or refuse from escaping.
- (b) Any such vehicle shall be kept clean and as free from offensive odors as possible and shall be thoroughly disinfected at least once each week unless the vehicle has not been used since the last disinfection thereof. Every such vehicle shall be cleaned every week or oftener as necessary to prevent persistent odors and shall be cleaned before being used for any other purpose.
- (c) The body of every such vehicle shall be constructed entirely of metal or, in the alternative, the space in the vehicle in which the 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.
- (d) The loading space shall be provided with a tight metal hood having an opening fit 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. Every vehicle used for collection of garbage or swill shall have a permanent metal cover.
- (e) Every such vehicle shall be equipped with the necessary hand tools for cleaning up of spills.
- (f) Each such vehicle shall be equipped with a reverse signal alarm in operable condition so as to be audible above the surrounding noise level when the reverse gear of the transmission is engaged or when the vehicle is backing. If such a vehicle is not so equipped, it shall be backed up only when an observer standing away from the vehicle signals that it is safe to do so or when the operator is able to see the area immediately behind the vehicle unaided by a mirror or other device.

(Code 1984, § 436:05(9))

### **Sec. 26-102. Vehicle maintenance.**

Every collection vehicle licensed under this article shall be kept well painted, clean and in good order.

(Code 1984, § 436:05(10))

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**Sec. 26-103. Loading of vehicles.**

Garbage, refuse, rubbish or other waste matter shall be so loaded that none of such materials can jar loose, and 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 this article.

(Code 1984, § 436:05(11))

**Sec. 26-104. Vehicle storage and parking.**

It is unlawful to park or store any refuse collection vehicle within 300 feet of any premises zoned for use as a single- or multiple-residence dwelling, or within 200 feet of any food establishment, unless for the purpose of, and for periods consistent with, providing refuse collection at that parcel of property.

(Code 1984, § 436:05(13))