

CHAPTER 5**ENVIRONMENT****503. SOLID WASTE MANAGEMENT**

Section 503.01. Purpose. The city council finds that it is in the best interests of the health and safety of the residents of Medina to mandate that all residential and other generators of waste in the city provide for disposal thereof as set forth in this section. Disposal of waste in accordance with this section will help to ensure that waste is disposed of properly and promptly and will help to avoid the potential health and safety risks to residents and persons in the city caused by improper disposal or lack of disposal of waste.

Section 503.03 Definitions. The terms “construction debris”, “hazardous waste”, “mixed municipal solid waste”, “solid waste” and “yard waste” shall have the meanings given to them in Minnesota Statutes, section 115A.03 and 116.06 unless the context clearly indicates to the contrary.

Section 503.05 Solid Waste Storage and Disposal Requirements.**Subd. 1 Storage.**

a) No residential household shall store solid waste for more than 14 days. Each residential household is responsible for preventing the accumulation of solid waste on property occupied by the household. On the designated day of pickup, all solid waste must be set out in a designated container as described in subd. 2 of this section for collection. Each household shall contain its solid waste in the designated container. Each container shall be placed as instructed by the collector along the street, sidewalk, or roadside for arranged collection.

b) Each commercial, industrial or institutional generator shall store solid waste for no more than seven days, or for a shorter period when collection must be made at more frequent intervals to protect the public health or at the direction of the city. Such storage shall be in containers similar to those used by residential households, except that dumpsters with closefitting covers may be substituted.

Subd. 2 Container Required. All solid waste shall be stored in containers which shall be watertight and shall have tight-fitting lids. All containers shall be maintained in a clean and sanitary manner. Any solid waste which by its size or bulk cannot be stored in a container shall be secured to the ground in such a manner to prevent the scattering of the waste by animals or wind.

Subd. 3 Location of Container. Containers for solid waste shall be kept at or near the back of the building, at the rear of the property, or in an enclosed area or garage. Containers shall not be placed at the curb for more than 12 hours prior to collection and shall be removed from the curb within 12 hours after collection.

Section 503.07 Yard Waste and Other Waste

Subd. 1 Storage of Yard Waste. Yard waste may be stored in biodegradable bags, and tree limbs must be stored in watertight, metal or plastic containers of not less than five gallons with tight-fitting covers or closeable plastic or paper bags. Tree limbs must be bundled weighing no more than 60 pounds and no longer than four feet. The curb-side storage of these materials shall be no longer than seven days prior to scheduled pick-up.

Subd. 2 Private Composting. The private composting of yard wastes and putrescible food wastes is permitted if all of the following conditions are met:

- a) The compost pile shall be screened from view of the public right of way and adjacent properties;
- b) The compost pile shall be managed so as to prevent the scattering of yard wastes or other material;
- c) The compost pile shall be managed in a manner to prevent odor, harborage of animals, and the stockpiling of material which does not readily decompose within a calendar year; and
- d) Only the yard waste and putrescible food wastes which are produced on the premises may be composted on that premise.

Subd. 3 Disposal of Other Waste. No person shall throw or place any solid waste, hazardous waste, construction debris, recyclable material, yard waste or other debris in any ditch, stream, river, or retention basin that regularly or periodically carries surface water runoff. Any person who deposits any of the above shall remove it or cause it to be removed immediately.

Section 503.09. Collection and Removal of Solid Waste and Other Waste.

Subd. 1 Licensing Requirement. It is unlawful for any person to collect solid waste, recyclables, or yard waste from residential, commercial, industrial or institutional properties in the city without first securing the appropriate license from the city.

Subd. 2 Mandatory Organized Collection. In compliance with Minnesota Statutes, section 115A.94, the city has an organized solid waste collection for single family properties and residential buildings containing six or fewer units. Commercial, industrial and institutional establishments must contract for solid waste collection services from a collector licensed by the city.

Subd. 3 Contracted Provisions. The city may enter into contracts for the collection of recyclable materials, organics, or other wastes from residential households or other generators.

Subd. 4 Collection Provisions. The city may make such provisions for the regular collection of solid waste as the city council may direct pursuant to the provisions of this ordinance. Organized collection of solid waste shall be provided for all single-family residential units, and for multi-family dwellings containing six units or fewer. All residential generators included in the city's organized collection program shall collect and dispose of solid waste according to the terms provided for by the city. It is unlawful for any residential household to fail or refuse to subscribe to, receive and pay for the solid waste collection services of the collector under contract with the city to provide such services.

Subd. 5 Disposal of Solid Waste by Other Generators. It shall be the responsibility of generators of solid waste not covered by the city's organized collection to provide for the removal of solid waste through a licensed hauler. No person shall deposit or allow the deposit of solid waste from any source in any place other than a sanitary landfill or other county-designated facility.

Subd. 6 Alternate Disposal. Residential households included within the city's system of organized collection and other commercial, industrial and institutional generators required to contract for removal of solid waste may be exempt from the requirement to enter into a contract and pay for such services from the city's designated collector or other licensed collector only if the generator can demonstrate that it has arranged for and will implement an environmentally sound alternative form of disposal. Such alternative form of disposal must be in compliance with all laws and regulations relating thereto but may not involve burying, burning, accumulation or transportation of solid waste to a facility not licensed for receipt and processing of same. Generators wishing to be allowed to pursue alternatives shall be required to demonstrate to the satisfaction of the city administrator that they have such arrangements in place and that they are permitted by law. Generators failing to demonstrate environmentally acceptable alternatives will be required to contract and pay for organized collection or collection from a licensed collector. Generators wishing to appeal a decision of the city administrator regarding alternative disposal methods may do so within 30 days of notice of the city administrator's decision by giving written notice to the city of the generator's appeal. The appeal shall be made to the city council and shall be accompanied by such additional information as the generator believes will allow the city council to determine whether the alternative disposal method proposed by the generator is environmentally adequate and likely to be implemented. The council may condition its approval of alternative disposal methods in such manner, including requiring the production of written contracts or financial guarantees, as the council may determine to be needed to ensure compliance with this section.

Section 503.11. Non-Compliance.

Subd. 1 Proper Disposal. No person shall deposit or allow the deposit of solid waste from any source in any place other than a sanitary landfill or other county-designated facility. The discarding of solid waste, construction debris, hazardous waste, yard waste or

recyclable materials on any street, alley, drive, park, playground, or other public place or on any vacant lot shall constitute violation of this section whether it is discarded by the individual upon whose premises the material originates or by some other person or collector, licensed or unlicensed.

Subd. 2 Failure to Dispose. It shall be unlawful for any person, firm, or corporation to fail to dispose of solid waste or other waste which may be or which may accumulate upon property owned or occupied by the generator in a sanitary manner.

Section 503.13. Enforcement. Violations of the provisions of this ordinance shall be a misdemeanor. Every day shall constitute a separate offense. The city may also seek enforcement of this ordinance through civil judicial remedy including injunction and mandamus. Any costs incurred by the city in enforcing this provision, including reasonable attorneys' fees, which remain unpaid may be assessed against the property in the same manner as are other unpaid fees.

Amendment History of this Section

Adopted May 20, 2008 (Ord. 444). Establishing Section 503.01, 503.03, 503.05, 503.07, 503.09, 503.11 & 503.13. Deleting Section 605 Waste Disposal in its entirety.