

## 500 - General Regulations

### 501. Collection and Disposal of Solid Waste

**501.01 Policy.** It is the policy of the City of Detroit Lakes to provide its residents with a safe, reliable, and ecologically sound method of Solid Waste disposal at a reasonable cost.

**501.02 Definitions.** For the purpose of this Ordinance, the following definitions shall apply:

Subd. 1. **Bulky Waste.** A large appliance, piece of furniture, or waste material from a source other than construction debris or hazardous waste with a weight or volume greater than appropriate or allowed for in waste containers. Bulky waste does not include tires, batteries, waste oil, or yard waste.

Subd. 2. **City.** Means the City of Detroit Lakes, Minnesota.

Subd. 3. **Commercial.** Any retail business, service establishment, office, wholesale business, and related warehouses and storage and apartment buildings.

Subd. 4. **Construction Debris.** Waste building materials resulting from construction, remodeling, repair, or demolition operations.

Subd. 5. **Garbage.** Any organic wastes normally produced from the handling and preparation of foods and decayed and spoiled food from any source.

Subd. 6. **Hazardous Waste.** Waste designated as hazardous by the United States Environmental Protection Agency or appropriate state agency.

Subd. 7. **Industrial.** Any business involved in manufacturing, assembling, packaging, fabricating, or processing.

Subd. 8. **Recyclables.** Recyclable materials including aluminum cans, brown paper sacks, unbroken glass bottles and jars, news-papers, plastic bottles and jugs (No. 1 PET or No. 2 HDPE), and tin cans. Recyclables shall also include specifically defined items which may from time to time be designated by resolution of the City Council.

Subd. 9. **Recycling Center.** A facility for depositing recyclable materials that complies with Becker County's approved Waste Management Plan.

Subd. 10. **Residential.** All single family and two-family dwellings or buildings used for and as residences or dwelling places on a permanent or seasonal basis.

Subd. 11. **Rubbish.** All inorganic materials such as cans, bottles,

- I. The location of the principal site from which applicant will conduct business, including address and legal description;
- J. Information concerning applicant's experience in the collection, hauling, and disposal of solid waste;
- K. List of date, name, and place, if any, where applicant has ever had a license revoked or rejected by municipal, state, or federal authority;
- L. List date and places, if any, where the applicant has been convicted for the violation of any law of the United States or of any state, or for the violation of any municipal ordinance; and
- M. Names and addresses of at least three business references with brief statement of the nature and extent of the business relations.

Each application shall be submitted to the City Administrator and will be forwarded to the City Council for their review. The Council has the authority to approve or reject any and all applications.

Subd. 2. Insurance. Solid Waste Collectors shall obtain all insurance required herein. All such insurance contracts shall be maintained throughout the life of this license, and shall be so evidenced by insurance certificates filed with the City.

Insurance specified herein shall be minimum requirements, and the solid waste collector is responsible for providing any additional insurance deemed necessary to protect the solid waste collector's interest from other hazards or claims in excess of the minimum coverage. The liability of the solid waste collector to the City is not limited to the solid waste collector's insurance coverage.

The amounts of such insurances are as follows:

| <u>Description of Policy</u>                           | <u>Limits of Liability</u>                        |
|--|---|
| Worker's Compensation                                  | Statutory   |
| Comprehensive General Liability including contractual: |   |
| Bodily Injury  | \$1,000,000 aggregate<br>\$500,000 per occurrence |
| Broad Form Property Damage                             | \$500,000 per occurrence                          |

household or commercial establishment may be exempt from the requirement to have solid waste collection service if the household or commercial establishment ensures that an environmentally safe alternative is used.

**501.07 Containers.**

Subd. 1. Container Requirements. All solid waste must be presented for collection in properly closed refuse bags or refuse bags placed inside covered reusable containers. Containers shall be water tight and impervious to insects and rodents. Any apartment building, business, or commercial/industrial establishment may provide a bulk or box type container provided that such containers are maintained in a safe and sanitary condition.

Subd. 2. Maintenance of Containers. Each container shall have a tight fitting cover and shall have two handles on opposite sides of the container. Whenever a container, from wear, tear, or otherwise, shall leak or if the can or cover is so damaged that the cover does not fit tightly, or if the container or cover has dangerously sharp or jagged edges, a new container shall be provided by the owner.

Subd. 3. Containers for Recyclables. Recyclables shall be set out in recycling containers initially provided to each dwelling by the City of Detroit Lakes. Persons whose recycling container is lost, stolen, or destroyed or who desire additional containers shall be required to purchase said containers.

**501.08 Anti-Scavenging Provision.** All recyclable materials are private property. No person shall collect, carry off, or dispose of recyclable materials which are set out for collection in the recycling containers.

**501.09 Separation of Solid Waste.**

Subd. 1. All persons, businesses, and commercial establishments in the City of Detroit Lakes are encouraged to separate their solid waste into the following categories:

- A. Recyclables
- B. Garbage and rubbish
- C. Construction debris\*\*
- D. Yard waste\*\*
- E. Bulky waste
- F. Tires
- G. Batteries

Subd. 6. To collect and transport bulky wastes and to coordinate such special pickups with the customer.

Subd. 7. To keep all equipment used in the performance of this contract in a clean and sanitary condition.

Subd. 8. To use an enclosed truck or trailer for solid waste collection.

Subd. 9. To dispose of garbage and rubbish at the transfer station and to transport recyclable materials to a recycling center.

Subd. 10. Solid waste collectors shall not landfill or incinerate any recyclable materials or deliver such materials to any person or business for the purposes of landfilling or incinerating said material.

Subd. 11. To comply with all environmental, hazardous waste, and waste disposal laws of the local, state, and federal governments and shall hold the City harmless from any and all claims and actions arising out of the violation of any of those rules and regulations and from any costs involved in the defense of any civil or criminal claims.

Subd. 12. To notify each customer in writing at least once per year of the proper placement of refuse, recyclables, and yard waste for collection.

Subd. 13. To notify customers in writing of any rate changes.

Subd. 14. To submit an annual report to the City that identifies separately the weight, in tons, of refuse, recyclables, yard waste, and special pick-up materials that were collected by the licensee from Detroit Lakes sources. The report shall also identify the weight of each type of collected recyclable derived via actual weighing of each individual material or through the application of recyclable waste stream percentages acceptable to Becker County. The report shall distinguish residential collection tonnage from commercial/industrial tonnage and shall also include a brief description of the methodology used in computing the reported weights. The City reserves the right to request additional relevant information from the licensee as deemed necessary in order to plan for and evaluate its waste disposal system.

Subd. 15. To report fee schedule to the City annually in January and at any time there is a rate change.

**501.11 Dates and Times of Solid Waste Recyclable Collection.** All solid waste, and recyclables shall be set at curbside or other location agreed to between customer and the solid waste collector on the times and dates agreed to between the customer and solid waste collector. All reusable containers must be removed from the