

ORDINANCE NO. 881

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
AMENDING CHAPTER 46 – SOLID WASTE OF THE BAYPORT CITY CODE OF
ORDINANCES**

THE CITY COUNCIL OF THE CITY OF BAYPORT DOES HEREBY ORDAIN:

Section 1. Chapter 46 – Solid Waste is hereby amended by deleting the same and substituting the following therefore:

Sec. 46-26. - Residential collectors.

- (b) *Insurance.* All collectors of waste material shall be licensed by the city. The proposed licensee shall make application to the city administrator on a form approved by the City Council. A licensee shall be required to furnish to the city evidence of commercial general liability insurance with a minimum coverage of \$2,000,000.00 per occurrence and \$4,000,000.00 annual aggregate.

Sec. 46-29. - Method of collection.

- (a) *Exclusive collection in certain residential areas.* The city may, by negotiated written contract or bid, provide for exclusive collection of refuse and recyclables for dwellings containing not more than four dwelling units and whereby each unit shall be subject to the refuse and recycling collection and disposal fee.
- (b) *Performance bond.* A hauler having a contract with the city shall furnish to the city a performance bond in the amount of \$50,000.00, conditioned upon fulfillment of its contract with the city.
- (c) *Billing.* Billing for collection by licensed collectors of all residential dwellings, multiple residential units or commercial, industrial or office establishments shall be the responsibility of the collector, and the amount due shall be payable directly to the licensed collector.

All owners of property served by licensed collectors are obligated to pay the proportionate costs of waste hauling service for their respective properties. If a property owner defaults on the owner's obligation to pay for the cost of waste hauling service, the City Council may levy an assessment equal to the unpaid costs that are at least 60 days in arrears as of August 30 of each year, upon proper documentation of such delinquent accounts being submitted to the city by the licensed collector. Such assessment may include a penalty of up to 10% of the outstanding costs and shall bear interest at a rate of up to 6% per annum, as determined by the City Council. Such assessments shall be certified to the Washington County auditor for collection with real estate taxes.

Sec. 46-51. - 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:

Recyclables: materials that are considered to be recyclable and include newspapers, magazines, catalogs, junk mail, envelopes, white or colored office paper, cardboard, cereal/cake/cracker boxes, brown paper bags, aluminum/tin/steel cans, glass jars, glass or plastic bottles, plastics #1-5 and #7, phone books, and any other items specified by the waste hauler.

Sec. 46-53. - Garbage and recyclables.

Residential properties with less than five dwelling units shall separate and place garbage and recyclables in enclosed, sanitary containers issued by the city's designated residential waste hauler for regular collection. Containers shall be placed together at curbside on the city streets and alleys for collection or at a location most convenient to the city's designated waste hauler. Containers may be put out beginning at 4:00 p.m. before the scheduled day of collection and remain at the curb until 10:00 p.m. the night of collection. At all other times, containers shall be securely located either inside of, or abutting a permanent structure, out of public view. No garbage or recyclables generated by residential properties with less than five dwelling units shall be collected, conveyed or disposed of except by the city's designated residential waste hauler.

Residential properties with at least five dwelling units, commercial, and industrial properties shall place garbage and recyclables in enclosed, sanitary containers issued by a city licensed waste hauler for commercial collection. Containers shall be placed in a location accessible to the waste hauler, but within an enclosure and/or screened from public view.

Containers for any property in the city shall not be filled to the extent that garbage, recyclables, or refuse placed therein can drop or spill from them.

Sec. 46-54. - Hazardous waste.

Hazardous waste contains materials and/or chemicals that pose a potential health and/or safety threat to people, animals, and the environment. Hazardous waste must be separated and is not allowed to be disposed of with regular collection of garbage and recyclables.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law. Passed by the Bayport City Council this 7th day of December, 2020.

Susan St. Ores, Mayor

ATTEST:

Adam Bell, City Administrator