

**52.00 REFUSE COLLECTION AND DISPOSAL SYSTEM
FOR THE CITY OF KERKHOVEN**

52.01 Definitions.

- 1) Words and Phrases. For the purpose of this chapter, the following words and phrases have the meaning given them in this section.
- 2) Garbage means organic waste resulting from the preparation of food and decayed and spoiled food from any source.
- 3) Refuse includes garbage and rubbish.
- 4) Rubbish means inorganic solid waste such as tin cans, glass, paper, ashes, sweepings, etc., but excludes stone, sod, earth, concrete, contractors' buildings materials, large automobile parts, large appliances, inflammable liquids, tree trunk sections, articles so heavy or bulky that they cannot be handled by one person.
- 5) Recycling is the collection of glass, metal, plastic, paper, etc. in order to regain material for human use. (Amended by Ordinance adopted August 10, 2009)

52.02 General Regulations.

- 1) Unauthorized Accumulation. Any unauthorized accumulation of refuse on any premises is a nuisance and prohibited.
- 2) Refuse in Streets, Etc. No person shall place any refuse in any street, alley, or public place or upon any private property except in property containers for collection. No person shall throw or deposit any refuse in any stream or any other body of water.

52.03 Disposal Required (Amended by Ordinance adopted August 10, 2009).

- 1) Every person owning, managing, operating, leasing or renting any premises shall use the garbage and refuse collection service provided by the City.
- 2) Every person owning, managing, operating, leasing or renting any premises shall use the recycling collection service provided by the City/County.

52.04 Containers.

- 1) General Requirement. Every householder, occupant or owner of any residence and any restaurant, industrial establishment or commercial establishment shall provide on the premises one or more containers to receive and contain all refuse which may accumulate between collections. All normal accumulations of refuse shall be deposited in such containers. Leaves, trimmings from shrubs, grass clippings, shavings, excelsior, and other rubbish of similar volume and weight may be stored in closed containers not meeting the requirements in subdivision 2.
- 2) Containers Requirements. Each container shall be water-tight and shall be impervious to insects and rodents, shall be fireproof and shall not exceed 32 gallons in capacity, except that any commercial or business establishment having refuse volume exceeding one cubic yard per week shall provide bulk or box-type refuse storage container of a type approved by the City Council. Containers shall be maintained in good and sanitary condition. Any

container not conforming to the requirements of this chapter or having ragged or sharp edges or any other defect likely to hamper or injure the person collecting the contents shall be promptly replaced after notice by the City.

- 3) Placement. Where an alley open to traffic is available, each container for premises abutting the alley shall be placed at the rear of the property next to the alley. Where no alley exists, the container shall be placed near the rear door of the building to which it relates. In that case the container shall be placed at the front line for collection. Bulk type containers used by any commercial or business establishment must be placed on a concrete pad to facilitate collections and must be placed as to be easily accessible to the loading device on the garbage truck.
- 4) Use of Containers. Refuse shall be drained of liquid and household garbage shall be bagged in plastic bags before being deposited in a container. Highly flammable or explosive material shall not be placed in containers.
- 5) Recyclables. Shall be placed in the blue or green container provided by the County, or in a box or adequate container clearly marked RECYCLABLES. (Amended by Ordinance adopted August 10, 2009)

52.05 **Municipal Collection.**

- 1) City System Established. There is hereby established a municipal system for the collection and disposal of refuse accumulated within the City. Any person may transport recyclables to a recycling center, but otherwise no person except an authorized City employee shall collect, convey over any street or alley of the City, or dispose of any refuse accumulated in the City except as provided in Section 52.02, subdivision 4.
- 2) Responsibility for City System. The City Council shall supervise and control the collection and disposal of refuse. It shall employ necessary personnel and acquire necessary equipment to provide for the collection and disposal of refuse accumulated within the City.

52.06 **Meddling With Trash Receptacles Prohibited (Amended by Ordinance adopted August 10, 2009).**

- 1) It shall be unlawful to meddle with garbage cans, trash or rubbish receptacles or in any way pilfer, search or scatter contents of garbage cans or rubbish receptacles in or upon any street or alley within the City limits.
- 2) This section shall not apply to persons authorized by the City or persons authorized by state or federal law to search or otherwise meddle with trash receptacles.

52.07 **Removal of Building Materials Prohibited (Amended by Ordinance adopted August 10, 2009).**

Waste from building operations, rock waste, building materials or other refuse resulting from building or remodeling operations or resulting from a general clean up of vacant or improved property shall be removed by the building contractor, owner or occupant of the building at his or her own expense. It shall be unlawful for any person to place those materials in any dumpster or other trash receptacle for disposal by the City or any agent or contractor of the City.

52.08 Prohibited Acts (Amended by Ordinance adopted August 10, 2009).

- 1) It shall be unlawful for any person to sweep, throw or deposit any garbage, trash, debris, stagnant water or dead animal into, upon or along any public property or private property of another, except as may be specifically provided by this chapter.
- 2) It shall be unlawful for any person owning or otherwise in control of any premises within the City to permit any of the conditions described in division (A) to exist upon property owned or controlled by him or her after having actual or constructive notice thereof.
- 3) It shall be unlawful for any person to place in any container any material other than as specifically provided in this chapter.
- 4) It shall be unlawful for any person to deposit or maintain garbage or trash except as provided for by this chapter.
- 5) It shall be unlawful for any person to deposit any burning match, charcoal, ember, or other material in any container used for the disposal of garbage.

52.09 Collection of Leaves, Trees or Tree Limbs. Nothing in this chapter shall be construed to prevent the collection for hire by other persons of leaves, trees or tree limbs. (Amended by Ordinance adopted August 10, 2009)

52.10 Rates and Charges (Amended by Ordinance adopted August 10, 2009).

- 1) Schedule. The Council shall by resolution establish a system of service charges for refuse collection. In such resolution it shall fix the maximum charges, including any special charges for extra hauling.
- 2) Billing. The service charge shall be made to the owner of each building or housing unit served. If the building is served by City water or sewer, the refuse collection charge shall be billed as a separate entry on the water or sewer bill. If the premises are not so served, the refuse collection charge shall be separately billed by the City Clerk.
- 3) Payment. Service charges shall be payable at the same time as bills for water service and subject to the same conditions of payment. If any charge is unpaid on September 1 of any year, the Clerk shall certify the assessment to the County Auditor for collection in the same manner as assessments for local improvements.
- 4) Fund. All service charges shall be deposited in a separate fund designated as the garbage fund. All the expenses of providing refuse collection service shall be paid from this fund.

Passed and adopted by the City Council of the City of Kerkhoven on the 10th day of January, 1984
Published in the *Kerkhoven Banner* on the 2nd day of February, 1984

52.11 Refuse Collection Schedule. The City shall collect refuse from property in the City in accordance with the following schedule: household twice per week; commercial or business once per week, with additional pick-up scheduled as needed. Swift County shall collect recycling from the property with the following schedule: household recycling once per week. (Amended by Ordinance adopted August 10, 2009)

52.12 Effective Date. This Ordinance shall be in full force and in effect from and after its passage, approval and recording and publication as provided by law. (Amended by Ordinance adopted August 10, 2009)