

CITY OF ROCKVILLE

ORDINANCE NO. 2019-98

**AN ORDINANCE AMENDING THE MINNESOTA BASIC CODE, TITLE XI, SECTION
114 REGULATING REFUSE HAULER IN THE CITY OF ROCKVILLE**

CHAPTER 114: REFUSE HAULERS

Section 114

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114.01 DEFINITIONS.

For the purpose of this Section, the follow definitions shall apply.

GARBAGE. Organic refuse resulting from the preparation of food, and decayed and spoiled food from any source.

REFUSE. Includes garbage and rubbish.

RUBBISH. All inorganic refuse matter such as tin cans, glass, paper, ashes and the like. Rubbish shall include garbage.

114.02 LICENSE REQUIRED.

- (A) Refuse haulers are required to obtain an annual Refuse Hauling license from the City offices. The license shall be issued each January 1 at a fee as set by the Ordinance Establishing Fees and Charges. Licenses shall expire on December 31 of each year. Unless otherwise specified, the full annual fee will be required of licensees irrespective of the date of issuance of the license.
- (B) The number of refuse hauler licenses issued by the City shall be reduced by attrition to no more than two (2) refuse hauling licenses.
- (C) Refuse Haulers must have a minimum of 100 existing/committed refuse customers in the City limits of the City of Rockville to be eligible to apply for a Refuse Hauling License.
- (D) Application Requirements.
 - (1) Applications shall be on a form approved by the City and include:
 - (a) The name and address of the Applicant,
 - (b) A description of each piece of equipment proposed to be used in collection,
 - (c) The proposed fee for service to customers,
 - (d) A description of the service provided,
 - (e) The place to which the refuse is to be hauled,

- (f) The manner in which refuse is to be disposed.
- (2) The City Council shall investigate each application and after due consideration approve or deny the license.
- (3) Approved licensees shall provide the following:
 - (i) A current certificate of public liability insurance covering all vehicles to be used by the Applicant in the licensed business with the following minimum coverages:
 - (1) General liability coverage in an amount not less than \$1,000,000 for injury to any one or more persons resulting from any one accident and not less than \$500,000 for property damage resulting from any one accident.
 - (2) Automobile liability insurance with a combined single limit of \$1,000,000, covering all owned, hired, and non-owned vehicles.
 - (ii) Worker's Compensation Insurance covering all employees of the Licensee.
 - (iii) Any insurance policy required from the Licensee under this Section shall remain in full force and effect at all times that the hauler is licensed in the City. All insurance policies shall contain a provision requiring the City to be notified at least 30 days prior to the expiration or cancellation of any insurance policy.
 - (iv) A current list of vehicles used in Rockville, that includes the license plate number, make and year.
- (E) No transfer of licenses between refuse hauling companies or entities shall be allowed.
- (F) No person shall collect or remove garbage or refuse in any residential district except between the hours of 6:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday.

114.03 REFUSE HAULING SCHEDULE.

- (A) Refuse hauling shall be limited to hauling one day per week as designated by the City Council annually.

114.04 COMPOSTING.

- (A) No person shall bury any refuse in the City except in a sanitary landfill, but leaves, grass clippings, and easily biodegradable, non-poisonous garbage may be composted on the premises where such refuse has been accumulated. Garbage may only be composted in a rodent-proof container or structure approved by the City.
- (B) Licensed refuse haulers may provide collection of compost items at a fair and equitable cost to residential customers.

114.05 DISPOSAL REQUIRED.

Every person shall, in a sanitary manner, dispose of refuse that may accumulate upon property owned or occupied by such person. Refuse shall be collected, or otherwise lawfully disposed of on a regular basis.

114.06 COLLECTION VEHICLES.

- (A) Every refuse collection vehicle operating within the City of Rockville shall be lettered on the outside so as to identify the owner thereof. Every vehicle used for hauling garbage shall be covered, leak-proof, durable and of easily cleanable construction. Every vehicle used for hauling refuse shall be sufficiently air-tight, and so used as to prevent unreasonable quantities of dust, paper, or other collected materials to escape. Every vehicle shall be kept clean to prevent nuisances, pollution or insect breeding and shall be maintained in good repair.
- (B) An empty weight of five (5) tons per axle will be the maximum refuse/recycling truck weight allowed during weight restriction periods.

114.07 RECYCLING.

Removal and hauling of recyclables shall occur every other week. Pickup of recycling will coincide with the same schedule as the refuse hauling schedule.

114.08 CONTAINERS.

- (A) Every householder, occupant or owner of any residence and any restaurant, industrial establishment or commercial establishment shall provide, on the premises, one or more nuisance-free containers to receive and contain all refuse which may accumulate between collections. All normal accumulations of refuse shall be deposited in such containers.
- (B) It shall be the duty of the property owner or occupant to place their garbage containers where the refuse is to be collected, but in no event shall containers be placed in the street or on the sidewalk or in any manner placed where the containers will interfere with vehicular or pedestrian traffic. Refuse/recycling containers shall be stored inside or in side or rear yards.

114.09 DEMOLITION – NEW CONSTRUCTION – REMODEL

- (A) Demolition of an existing structure, construction of a new structure or major structure remodel is not regulated by this section.

114.10 PENALTY, LICENSE REVOCATION.

- (A) The violation of any provision or condition of this Section shall be grounds for revocation or suspension of the license.
- (B) Any person, firm, or corporation who violates any provision of this Section shall, upon conviction, be guilty of a misdemeanor. The penalty which may be imposed for any crime which is a misdemeanor under this section, including Minnesota Statutes specifically adopted by reference, shall be a sentence of not more than 90 days or a fine of not more than \$1,000, or both.
- (C) Upon conviction of a misdemeanor, the costs of prosecution may be added.
- (D) A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

114.11 EFFECTIVE DATE: This Ordinance, adopted by the City Council on July 10, 2019, becomes effective January 1, 2020 following the publication of the ordinance, or summary thereof, in the City's legal newspaper.

Attest:

Duane Willenbring, Mayor

Martin M. Bode, City Administrator/Clerk