



CITY OF ALBERT LEA ORDINANCE GARBAGE AND REFUSE HAULERS

Sec. 46-36. – 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:

Garbage means putrescible animal and vegetable wastes resulting from the manufacture, handling, preparation and consumption of foods and similar substances.

Recyclable material means solid wastes normal to a society of persons that can be processed for reuse in society including certain plastics, glass, metal, newsprint and corrugated cardboard.

Refuse means all solid wastes normal to a society of persons and a byproduct of residential, commercial and industrial operations including garbage, rubbish, ashes, animals, animal offal and agricultural waste.

Solid waste means garbage, refuse and other discarded solid materials, except animal wastes used as fertilizer, including solid waste materials resulting from industrial, commercial and agricultural operations and from community activities. Solid waste does not include earthen fill, boulders, rock and other materials normally handled in construction operations; solids or dissolved material in domestic sewage or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows, or other common water pollutants; or bulky refuse such as cuttings from trees, brush, papers, large cardboard boxes and like materials, insofar as practical, which exceed four feet in length or 75 pounds in weight.

Sec. 46-37. - Exceptions

Nothing in this article shall prevent persons from hauling garbage, refuse or solid wastes from their own residences or business properties, provided the following rules are observed:

- (1) All garbage shall be hauled in containers that are watertight on all sides and the bottom and with tightfitting covers on top;
- (2) All refuse and solid wastes shall be hauled in vehicles with leakproof bodies and completely covered or enclosed by canvas or other means or material so as to completely eliminate the possibility of loss of cargo; and
- (3) All garbage, refuse or solid wastes shall be dumped or unloaded only at an approved solid waste facility and strictly in accordance with regulations relating thereto.

Sec. 46-38. - License required

It is unlawful for any person to haul garbage, refuse or solid wastes for hire without a license from the city or to haul garbage, refuse or solid wastes from his own residence or business property other than as excepted in section 46-37.

Sec. 46-39. - Requirements

- (a) Garbage and refuse hauler licenses shall be granted only upon the condition that:
 - (1) The licensee shall have watertight, packer-type vehicles in good condition to prevent loss in transit of liquid or solid cargo;

- (2) The vehicle shall be kept clean and as free of offensive odors as possible and shall not be allowed to stand in any street longer than reasonably necessary to collect garbage, refuse or solid wastes; and
 - (3) The garbage, refuse or solid wastes shall be dumped or unloaded only at an approved solid waste facility and strictly in accordance with regulations relating thereto.
- (b) Before a garbage and refuse hauler's license shall be issued, the applicant shall file with the city clerk evidence that he has the currently required public liability insurance on all vehicles. The policy shall carry an endorsement that the policy will not be cancelled or terminated without first giving notice to the city, in writing, at least ten days prior to the proposed cancellation.
 - (c) The council, in the interest of maintaining healthful and sanitary conditions in the city, reserves the right to specify and assign certain areas to all licensees and to limit the number of licenses issued.
 - (d) The council shall establish, by resolution, minimum levels of service to be provided by each licensee, and each licensee shall provide such service and quote a rate to be approved by the council for providing such service.
 - (e) Each applicant shall file with the city clerk, before a garbage and refuse hauler's license is issued or renewed, a schedule of proposed rates to be charged by him during the license period for which the application is made. The schedule of proposed rates or a compromise schedule thereof shall be approved by the council before granting the license. Nothing in this subsection shall prevent a licensee from petitioning the council for review of such rates during the license period, and the council may likewise consider such petition and make new rates effective at any time. No licensee shall charge rates in excess of the rates approved by the council.
 - (1) In accordance with M.S.A. § 115A.93, all fees for the collection of mixed municipal solid waste assessed by collectors operating within the city shall be based on either a volume or a weight based system. For volume or weight based fees, the fee shall increase with the volume or weight of the waste collected.
 - (2) A pricing system based on volume instead of weight shall have a base unit size of 30 to 33 gallons for mixed municipal solid waste collected from households; mixed municipal solid waste collected from commercial/industrial collection may have a larger base unit size. The licensee shall establish a multiple unit pricing system that ensures the amounts of waste generated in excess of the base unit amount are priced higher than the base unit price.
 - (f) No hauler operating on a route in a residential district shall operate a truck on any city street when the weight of the vehicle exceeds eight tons per axle.
 - (g) No hauler shall operate in a residential district after 8:30 p.m. or before 6:00 a.m. of any day, and no hauler shall operate in a residential district on Sunday.
 - (h) Each vehicle for which a hauler's license is issued shall exhibit such license in a prominent position on the vehicle.
 - (i) Licensed haulers for recyclables are authorized to take recyclable materials from the city to the designated processing site. Further, the licensed recyclable hauler's pickup vehicles are not required to be compactors.