

AGENDA
MAPLEWOOD CITY COUNCIL
MANAGER WORKSHOP
5:15 P.M. Monday, May 7, 2012
Council Chambers, City Hall

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. UNFINISHED BUSINESS

1. Commissioner Interviews
 - a. Community Design Review Board
 - b. Planning Commission
 - c. Human Rights Commission
2. Maplewood Trash Plan – Update on Solid Waste Management Ordinance and Standards
3. Discussion on Listening Forum

E. NEW BUSINESS

F. ADJOURNMENT

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AGENDA REPORT

TO: James Antonen, City Manager
FROM: Charles Ahl, Assistant City Manager
Sarah Burlingame, Senior Administrative Assistant
DATE: **May 1, 2012**
SUBJECT: **Commission Interviews**
a. **Community Design Review Board**
b. **Planning Commission**
c. **Human Rights Commission**

INTRODUCTION

The City Council will be conducting a continuation of interviews of candidates for the Human Rights Commission and the Parks & Recreation Commission. There are a total of thirteen (13) openings; one (1) on the Business & Economic Development Commission; one (1) on the Community Design Review Board, two (2) on the Heritage Preservation Commission, four (4) on the Human Rights Commission, two (2) on the Parks & Recreation Commission and three (3) on the Planning Commission. These are vacancies due to terms expiring and some resignations. Over the next few workshops, the City Council will interview twelve (12) applicants. Applicants are given 15 minutes to interview. However, there are two applicants that are interested in 2 commissions; they are given 20 minutes to interview for both commissions.

Due to limited available Workshop times, interviews will occur during 3 Workshops on April 9, April 23, and May 7.

RECOMMENDATION

Staff recommends that the Council interview the candidates as indicated in the schedule below. The suggested questions will be submitted under separate cover to the Council. During the interview process, Council Members should fill out their ballots. Once the Interviews have concluded, Council Members should submit their ballots to staff, which will be tallied with the results brought back to the Council during a regular meeting at a later date with recommendations for appointments.

Time	Candidate	Commission
5:15	Question Selection	
5:20	*Jason Lamers	Community Design Review Board
5:35	Larry Durand	Community Design Review Board/Planning Commission
5:55	Paul Arbuckle	Community Design Review Board/Planning Commission
6:15	Maurice Fortin	Human Rights Commission

** Indicates Candidate is Seeking Reappointment*

Attachments:

1. Candidate Applications in order of interview schedule
2. Human Rights Commission Candidate Applications (Interviewed 4-9-12 and 4-23-12)



CITY OF MAPLEWOOD BOARDS AND COMMISSIONS APPLICANT INFORMATION FORM

Name: Jason Lamers Date: 2-12-2012

Personal Information

Minnesota State Statute §13.601 states that once an individual is appointed to a public body, the following additional items of data are public:

- (1) residential address; and
- (2) either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee.

ADDRESS: _____

PHONE: Home _____ Work _____ Cell _____

You may attach a resume or other summary of your background and experience for appointment to this Commission

1. On which board are you interested in serving? (please check)
- | | |
|--|--|
| <input type="checkbox"/> Business & Economic Development Commission | <input type="checkbox"/> Housing & Redevelopment Authority |
| <input type="checkbox"/> Business Representative <input type="checkbox"/> Resident | <input type="checkbox"/> Human Rights Commission |
| <input checked="" type="checkbox"/> Community Design Review Board | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Environmental & Natural Resources Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Heritage Preservation Commission | <input type="checkbox"/> Police & Civil Service Commission |

2. How long have you lived in Maplewood? 4 years

3. Will other commitments make regular attendance at meetings difficult? Yes No

4. Please list specific reasons why you would like to serve on this Board or Commission?
Continuation of term. To Make Maplewood a better place to live. To ensure current Best Management Practices are implemented.

5. Do you have any specific areas of interest within the Board's or Commission's scope of responsibilities?
Porous Paving, Green building Practices, sustainable landscape Architecture
Enhanced greening of Maplewood in conjunction with Architecturally Appealing Building

6. List any community organizations or activities in which you have recently or are now an active participant.
Current Board Member - Community Design Review Board
Living Streets Task force

Please share any additional comments on why you should be selected by the City Council.
I would like an extended term so I can continue to contribute to the city of Maplewood

THE INFORMATION CONTAINED IN THIS APPLICATION SHALL BE CLASSIFIED AS PUBLIC EXCEPT FOR HOME AND WORK TELEPHONE NUMBERS, HOME ADDRESS AND E-MAIL ADDRESS.

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**CITY OF MAPLEWOOD
BOARDS AND COMMISSIONS
APPLICANT INFORMATION FORM**

MAR 12 2012 Workshop Agenda Item D1
City of Maplewood
Attachment

Name: LAWRENCE C. DURAND Date: 3-7-12

Personal Information

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- (1) residential address; and
- (2) either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee.

ADDRESS: _____ Zip _____

PHONE: Home _____ Work _____ Cell _____

You may attach a resume or other summary of your background and experience for appointment to this Commission

1. On which board are you interested in serving? (please check)
- | | |
|--|--|
| <input type="checkbox"/> Business & Economic Development Commission | <input type="checkbox"/> Housing & Redevelopment Authority |
| <input type="checkbox"/> Business Representative <input type="checkbox"/> Resident | <input type="checkbox"/> Human Rights Commission |
| <input checked="" type="checkbox"/> Community Design Review Board | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Environmental & Natural Resources Commission | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Heritage Preservation Commission | <input type="checkbox"/> Police & Civil Service Commission |

2. How long have you lived in Maplewood? 35+ YEARS

3. Will other commitments make regular attendance at meetings difficult? Yes No

4. Please list specific reasons why you would like to serve on this Board or Commission?
RECENTLY RETIRED AND HAVE TIME & DESIRE TO BECOME INVOLVED IN THE FUTURE DEVELOPMENT AND GOALS FOR THE CITY'S RESIDENTS.

5. Do you have any specific areas of interest within the Board's or Commission's scope of responsibilities?
INTEREST ENSURING THAT NEW AND EXISTING DEVELOPMENTS ADD TO THE INTEGRITY AND ENJOYMENT OF THE CITY'S POPULATION

6. List any community organizations or activities in which you have recently or are now an active participant.
NONE

Please share any additional comments on why you should be selected by the City Council.

BACKGROUND IN PLANNING AND LANDSCAPE ARCHITECTURE AND A UNDERSTANDING OF ORGANIZATION IN DEVELOPMENT - STATE REGISTERED LANDSCAPE ARCHITECT

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CITY OF MAPLEWOOD BOARDS AND COMMISSIONS APPLICANT INFORMATION FORM

Name: PAUL ARBUCKLE Date: 3/15/12

Personal Information

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- (2) either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee.

ADDRESS: _____ Zip _____

PHONE: Home _____ Work _____ Cell _____

You may attach a resume or other summary of your background and experience for appointment to this Commission

1. On which board are you interested in serving? (please check)
- | | |
|---|--|
| <input type="checkbox"/> Business & Economic Development Commission | <input type="checkbox"/> Housing & Redevelopment Authority |
| <input type="checkbox"/> Business Representative | <input type="checkbox"/> Resident |
| <input checked="" type="checkbox"/> Community Design Review Board | <input type="checkbox"/> Human Rights Commission |
| <input type="checkbox"/> Environmental & Natural Resources Commission | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Heritage Preservation Commission | <input checked="" type="checkbox"/> Planning Commission |
| | <input type="checkbox"/> Police & Civil Service Commission |

2. How long have you lived in Maplewood? ENTIRE LIFE (49 YEARS)

3. Will other commitments make regular attendance at meetings difficult? Yes No

4. Please list specific reasons why you would like to serve on this Board or Commission?
BORN & RAISED IN MAPLEWOOD, MY PRIDE FOR MAPLEWOOD IS SINCERE & STRONG. I OWN A SMALL CONCRETE & MASONRY BUSINESS & I HAVE BEEN IN THE BUILDING TRADES FOR OVER 30 YEARS.

5. Do you have any specific areas of interest within the Board's or Commission's scope of responsibilities?
I LIKE TO MEET WITH PEOPLE. I ENJOY LEARNING & OBTAINING THE FACTS & I THINK IT WOULD BE GOOD TO PARTICIPATE IN DOING ANY REQUIRED RESEARCH.

6. List any community organizations or activities in which you have recently or are now an active participant.
NO. ST PAUL LIONS CLUB PAST PRESIDENT (AND OTHER POSITIONS)
NO. ST PAUL'S MAPLEWOOD HISTORICAL SOCIETIES MEMBER
ST. PAUL WINTER CARNIVAL PAST ROYAL FAMILY CAPTAIN (1990) GUARDS!
FIRST EVANGELICAL FREE CHURCH YOUTH WORKER
SERVED 6 YEARS IN ARMY/NATIONAL GUARD

Please share any additional comments on why you should be selected by the City Council.
IM A GOOD LISTENER, GREAT JUDGE OF PEOPLE'S CHARACTER
GOOD AT HELPING & BEING INVOLVED WITHIN MY COMMUNITY
VERY DETAILED HANDS ON WORKER (PERFECTIONIST) & I WORK WELL WITH PEOPLE.

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CITY OF MAPLEWOOD BOARDS AND COMMISSIONS APPLICANT INFORMATION FORM



Name: Maurice Fortin Date: March 1, 2012

Personal Information

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- (1) residential address; and
- (2) either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee.

ADDRESS: _____ Zip _____

PHONE: Home _____ Work _____ Cell _____

You may attach a resume or other summary of your background and experience for appointment to this Commission

1. On which board are you interested in serving? (please check)
- | | |
|--|---|
| <input type="checkbox"/> Business & Economic Development Commission | <input type="checkbox"/> Housing & Redevelopment Authority |
| <input type="checkbox"/> Business Representative <input type="checkbox"/> Resident | <input checked="" type="checkbox"/> Human Rights Commission |
| <input type="checkbox"/> Community Design Review Board | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Environmental & Natural Resources Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Heritage Preservation Commission | <input type="checkbox"/> Police & Civil Service Commission |

2. How long have you lived in Maplewood? 4 years

3. Will other commitments make regular attendance at meetings difficult? Yes No

4. Please list specific reasons why you would like to serve on this Board or Commission?

I currently work as a Human Resource professional, and this commission interests me. I believe that people from diverse backgrounds should be judged on their merit, and not the protected class that they belong to (i.e. race, gender, religion, etc...) Being part of this commission will help me become more involved in the Maplewood community.

5. Do you have any specific areas of interest within the Board's or Commission's scope of responsibilities?
Unsure at this point.

6. List any community organizations or activities in which you have recently or are now an active participant.
None

Please share any additional comments on why you should be selected by the City Council.

I work in HR and want to use my skills to help out the community I live in. I just watched the February 14 meeting and I would love to be a part of the discussion.

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CITY OF MAPLEWOOD BOARDS AND COMMISSIONS APPLICANT INFORMATION FORM



Name: Teresa Ryan Manzella Date: 3-5-12

Personal Information

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- (2) either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee.

ADDRESS: _____ Zip _____

PHONE: Home _____ Work _____ Cell _____

You may attach a resume or other summary of your background and experience for appointment to this Commission

1. On which board are you interested in serving? (please check)

- | | |
|--|---|
| <input type="checkbox"/> Business & Economic Development Commission | <input type="checkbox"/> Housing & Redevelopment Authority |
| <input type="checkbox"/> Business Representative <input type="checkbox"/> Resident | <input checked="" type="checkbox"/> Human Rights Commission |
| <input type="checkbox"/> Community Design Review Board | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Environmental & Natural Resources Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Heritage Preservation Commission | <input type="checkbox"/> Police & Civil Service Commission |

2. How long have you lived in Maplewood? Sixteen years

3. Will other commitments make regular attendance at meetings difficult? Yes No - after April 24, 2012

4. Please list specific reasons why you would like to serve on this Board or Commission?

I feel that I can contribute expertise and passion to the goal of equal rights advocacy. I have years of experience as an advocate for Gifted Youth, and I would like to apply my master's-level research in Gender Studies to efforts that benefit my community.

5. Do you have any specific areas of interest within the Board's or Commission's scope of responsibilities?

I am particularly interested in ensuring equal opportunities for GLBT youth - in education and in all areas of their lives as community members.

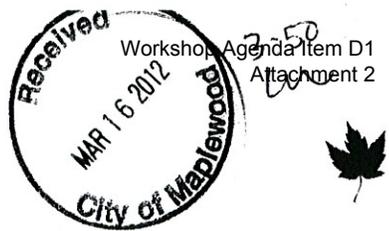
6. List any community organizations or activities in which you have recently or are now an active participant.

MN Mensa - Board member and Gifted Children's Coordinator; National Assoc. for Gifted Children - Advocacy Liaison for GLBT Special Interest Group; MN Council for the Gifted and Talented - Advocacy Project member; Metropolitan State University - past Treasurer of GLBT Student Organization (all volunteer)
Please share any additional comments on why you should be selected by the City Council.

I also have several years' experience working for the State of MN, so I am able to interpret policies and statutes. I also write and edit professionally, so I am able to construct effective written communications for groups of which I am a member.

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CITY OF MAPLEWOOD
BOARDS AND COMMISSIONS
APPLICANT INFORMATION FORM

Name: Timothy C. Kinley Date: 3-16-12

Personal Information

Minnesota State Statute §13.601 states that once an individual is appointed to a public body, the following additional items of data are public:

- (1) residential address; and
- (2) either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee.

ADDRESS: _____ Zip _____

PHONE: Home _____ Work _____ Cell _____

You may attach a resume or other summary of your background and experience for appointment to this Commission

1. On which board are you interested in serving? (please check)
- | | |
|--|---|
| <input type="checkbox"/> Business & Economic Development Commission | <input type="checkbox"/> Housing & Redevelopment Authority |
| <input type="checkbox"/> Business Representative <input type="checkbox"/> Resident | <input checked="" type="checkbox"/> Human Rights Commission |
| <input type="checkbox"/> Community Design Review Board | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Environmental & Natural Resources Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Heritage Preservation Commission | <input type="checkbox"/> Police & Civil Service Commission |

2. How long have you lived in Maplewood? 10+ years

3. Will other commitments make regular attendance at meetings difficult? Yes No

4. Please list specific reasons why you would like to serve on this Board or Commission?
The primary purpose of Gov't is to protect individual's constitutional rights. THIS IS NOT HAPPENING FOR MANY PEOPLE. This is a passion of mine because I have many friends and myself whom the gov't has trampled their rights.

5. Do you have any specific areas of interest within the Board's or Commission's scope of responsibilities?
Setting up panel discussions or speakers to come before the commission and the community on various issues related to human rights.

6. List any community organizations or activities in which you have recently or are now an active participant.
R-KIDS of Minnesota - Remember Kids in Divorce Settlements TO HELP GOOD PARENTS REMAIN in the lives of their children
NCFM - NATIONAL COALITION FOR MEN: END BIAS + Sexism against men and boys
Host "speechless" a local cable TV show dealing with Family Law & Judicial reform.

Please share any additional comments on why you should be selected by the City Council.
I HAVE organized panel discussions and hearings. Some at the CAPITOL, CHURCHES, Civic organizations.
I have organized press conferences
I have advocated for individuals who's liberties are or have been taken away.
I have many resources (people) who would love to debate human rights issues.

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MEMORANDUM

TO: Jim Antonen, City Manager
FROM: Shann Finwall, AICP, Environmental Planner
SUBJECT: Maplewood Trash Plan – Update on Solid Waste Management Ordinance and Standards
DATE: May 2, 2012 for the May 7 City Council Workshop

INTRODUCTION

The City's new residential trash collection service will begin on October 1, 2012. The new trash plan was authorized by the City Council on November 28, 2011, when the contract with Allied Waste Services was approved.

The City's Solid Waste Management Ordinance (SWMO) allows for a subscription trash hauling system within the City. A subscription system allows residents to hire any City-licensed trash hauler to pick up their trash. The City currently has nine residentially licensed trash haulers.

The Maplewood Trash Plan organizes the City's residential trash collection into a City-wide contracted system. The five-year contract with Allied Waste Services includes trash pickup for single family residential homes, with townhome and manufactured home developments able to opt into the plan if they choose.

The City's SWMO should be revised to reflect the new trash plan and the City's waste reduction goals. This workshop is scheduled to update the City Council on the amendments proposed to the ordinance prior to the first reading, currently scheduled for May 14.

BACKGROUND

February 16 and March 19, 2012, the Environmental and Natural Resources (ENR) Commission reviewed amendments to the City's SWMO.

April 16, 2012, the ENR Commission recommended approval of the SWMO and Standards (Attachments 1 and 2).

DISCUSSION

Existing Solid Waste Management Ordinance

The SWMO was adopted on June 6, 1997. Following are highlights of the ordinance and trash hauling licensing requirements:

Ordinance

- Residents must have trash collected from their property at least once a week from a licensed trash hauler.
- Trash must be stored in a rodent-proof container.
- Recyclables must be placed on the curb for collection.

- Trash collection is limited to the hours of 6 a.m. to 6 p.m., Monday through Saturday.
- Trash is picked up according to the City's day-certain trash and recycling pick up days (Monday through Friday).

Licensing

- All trash haulers are required to be licensed by the City.
- The yearly license fee is set by the City Council. The fee is currently \$129 per year.
- The license runs from September to August of each year.
- The license application must include the following:
 - Name and address
 - A statement that the trash hauler will follow a long-range plan of disposal in conformity with state pollution control agency regulations.
 - Provide maps of service routes configured so that customers on load-sensitive streets are among the first served on such routes.
- Haulers must comply with the following:
 - Carry general and auto liability insurance.
 - Pick up trash on day-certain trash pick-up routes.
 - Use tandem axels or flotation tires to reduce the per-axle weight of all trucks used for collection.
 - Provide collection carts or bins.
 - Volume-based rates (30 gallon being the minimum).
 - Provide collection of yard waste to customers upon their request.
 - Provide special collection services within 24 hours of customer's request.
 - Provide special service collection for physical concerns.
 - File all residential customer rates effective for the following year with the City.
 - Amended rates must be filed within two weeks of any change.
- Penalty for noncompliance of ordinance and licensing requirements are as follows:
 - Failure to comply with the ordinance and licensing requirements is grounds for revocation of the license by the City Council.

New Regulations to Include Ordinance and Standards

Solid waste and recycling regulations are currently addressed in two separate ordinances – SWMO (adopted in 1997) and the Multiple-Family Recycling Ordinance (adopted in 2006). During this revision of the regulations, staff is recommending that a separate Solid Waste Management Standards document be adopted in addition to a combined solid waste and recycling ordinance.

The ordinance will serve as an authoritative rule which property owners and trash and recycling haulers must comply. Amendments to ordinances must go through the City's public hearing process, with review and recommendation by various commissions and first and second reading by the City Council.

The proposed Standards will be designed similar to the City's Engineering Standards, and will serve as guidelines for the City's solid waste and recycling programs. The Standards will include specific requirements for the storage, collection and transportation of residential solid waste and recycling. Changes to standards do not require public hearings, allowing Standards to be modified at a staff level, which will be important when addressing operation changes needed to the City's trash or recycling programs.

New Solid Waste Management Ordinance

The new ordinance includes solid waste and recycling regulations for single family, multiple-family, and commercial properties. The pertinent sections of the existing Multiple-Family Recycling Ordinance are included. It also includes licensing requirements for all haulers including requirements for the City's residential trash and recycling haulers and the multiple-family and commercial haulers. Following are highlights of the new ordinance:

1. All residential, multiple-family, and commercial properties must source separate recyclables, yard waste, household hazardous waste, hazardous waste and other items from garbage.
2. Hours of trash pick-up are consistent with the City's trash collection contract, 6 a.m. to 6 p.m. Hours of recyclable pick up are consistent with the City's recycling contract, 7 a.m. to 7 p.m.
3. City-provided trash carts may be placed on the alley line or curb line for collection no earlier than 5:00 p.m. on the day before collection and removed by 6:00 a.m. on the day after collection.
4. Multiple-family properties that do not participate in the City's recycling program are required to provide recycling education to their tenants as well as submit an annual recycling report to the City.
5. The city's contract hauler for residential trash collection shall propose new rates each year by September 1 for the upcoming calendar year based on the price indicators and adjustment formulas specified in the contract.
6. The city and the city's contract hauler shall develop a five-year plan for implementing increased increments with the volume-based rates (pay as you throw).
7. Reserved sections for expanded commercial trash collection regulations and new organics collection.

New Solid Waste Management Standards

The Standards address eligible items to be included in the trash; trash cart set out instructions; resident's trash storage requirements; payment of charges and delinquent fees; and other collection system details that are part of the City's trash and recycling programs. Pertinent sections of the existing Multiple-Family Recycling Ordinance are included in the standards. Following are highlights of the new standards:

1. Residential and Multiple-Family Recycling and Garbage Standards
2. Residential Garbage Cart Standards
 - a. Storage of Carts
 - b. Maintenance of Carts
3. Yard Waste and Source Separated Organics Collection and Composting
4. Bulky Waste Collection
5. Home Owner Associations Opting Into the Maplewood Trash Plan
 - a. Home owner associations that utilize trash carts and that have existing garbage collection contracts that meet the minimum requirements of the standards are not required to have city-contracted garbage collection services.
 - b. Home owner associations may apply to the city to opt in to the city-contracted trash collection service by submitting an application to the City.
 - c. Home owner associations that have city-contracted trash service must continue to have city-contracted trash service (can't opt out once they opt in).

6. Commercial Solid Waste Standards
7. Delinquent Accounts
8. Resolution of Disputes
9. Special Exemptions (Forms and Fees)
 - a. Opt Out – Permanent (environmentally responsible method of disposal such as self haul or business with trash service - \$35)
 - b. Opt Out – Temporary (vacant property - Free)
 - c. Every Other Week Garbage Removal (\$15)
 - d. Walk Up Service (Free)
 - e. Shared Trash Service (Free)
 - f. Opt In - Homeowner's Associations (Free)

Schedule

The first reading of the SWMO and Standards is scheduled for May 14, 2012. The second reading is scheduled for June 11, 2012.

RECOMMENDATION

Review the Solid Waste Management Ordinance (Attachment 1) and Standards (Attachment 2) and offer comment and feedback.

Attachment:

1. Solid Waste Management Ordinance
2. Solid Waste Management Standards

Section 30

SOLID WASTE MANAGEMENT*

Article I - In General (Residential, Multiple-Family, Commercial)

Sec. 30-1	Purpose.
Sec. 30-2	Definitions.
Sec. 30-3	Source separation required.
Sec. 30-4	City recycling program generally.
Sec. 30-5	Collection and disposal generally.
Sec. 30-6	Collection requirements generally.
Sec. 30-7	Hours of collection.
Sec. 30-8	Unauthorized collections.
Sec. 30-9	Disposal required.
Sec. 30-10	Unlawful disposal; location of containers for collection; disposal of flammable or explosive materials.
Sec. 30-11	Manner of transporting materials.
Sec. 30-12	Obstruction, delay or interference with contractor.
Sec. 30-13	Penalty for violation of ordinance.
Secs. 30-14 – 30-20	Reserved.

Article II - Recycling Requirements (Residential, Multiple-Family, Commercial)

Sec. 30-21	Collection and processing of residential recyclables.
Sec. 30-22	Collection and processing of multiple-family recyclables.
Sec. 30-23	Collection and composting or disposal of yard waste.
Sec. 30-24	Collection of source-separated organic materials. (Reserved)
Sec. 30-25 – 30-40	Reserved.

Article III - Solid Waste Requirements (Residential)

Sec. 30-41	Collection and disposal of residential garbage by city-contracted hauler.
Sec. 30-42	Requirements to dispose of residential appliances, bulky waste and large items.

- Sec. 30-43 Collection and disposal of garbage for multiple-family properties without curbside collection.
- Sec. 30-44 Requirements to dispose of multiple-family bulky waste and other large items.
- Sec. 30-45 Requirements to dispose of household hazardous waste.
- Secs. 30-46 – 30-50 Reserved.

Article IV - Solid Waste Requirements (Commercial)

- Sec. 30-51 Collection and disposal of commercial garbage.
- Secs. 30-52 – 30-59 Reserved.

Article V - Collection Licenses (Residential, Multiple-Family, and Commercial)

- Sec. 30-60 Collection licenses required.
- Sec. 30-61 Application; fee; duration.
- Sec. 30-62 Insurance.
- Sec. 30-63 Vehicle requirements.
- Sec. 30-64 Pickup schedules.
- Sec. 30-65 Duty of licensees to report accumulations of garbage.
- Sec. 30-66 Prohibited mailings.
- Sec. 30-67 Suspension or revocation.
- Sec. 30-68 Volume-based rates.
- Secs. 30-69 – 30-75 Reserved.

Article VI - Disposal Sites

- Sec. 30-76 Unlawful deposit of garbage and other substances.
- Secs. 30-77 – 30-105 Reserved.

* **Statutory Authority:** Authority for city council to provide for or regulate the disposal of garbage and other solid waste, Minn. Stats. § 412.221, subd. 22.

SOLID WASTE MANAGEMENT § 30

Article I - In General (Residential, Multiple-Family, Commercial)

Sec. 30-1 - Purpose.

The city's goal is to improve solid waste management and to serve the following purposes:

- (a) Achieve a reduction in waste generated.
- (b) Encourage the separation and recovery of materials and energy from waste.
- (c) Ensure the protection of public health and safety and promote city cleanliness and livability.
- (d) Promote best management practices in solid waste management to protect air quality, water quality, and natural resources.
- (e) Comply with statutory requirements of the State of Minnesota, policies of the County of Ramsey, and the planning guidelines of the Solid Waste Management Coordinating Board.
- (f) Provide high quality solid waste and recycling services in the most cost-effective manner possible.
- (g) Coordinate solid waste management among political subdivisions.

The city has authority to enact ordinances for these purposes under Minn. Stats. § 412.221, subd. 22., which requires the city council to provide for or regulate the disposal of garbage and other solid waste. The city has enacted Standards for the implementation of these Ordinances as specific requirements for the storage, collection and transportation of solid waste.

Sec. 30-2 - Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this ordinance, except where the context clearly indicates a different meaning:

Additional/overflow garbage means garbage in excess of the capacity of the city-provided garbage cart with the lid in the fully closed position.

Appliances include washers, dryers, refrigerators, freezers, air conditioners, dehumidifiers, humidifiers, stoves, ranges, hot water heaters, water softeners and other, similar large household items that require electricity and/or special processing under Minnesota laws, but do not include "electronic waste."

Bulky Items means all large, bulky household items which are too large for one person to pick up and/or do not fit within the city-provided garbage cart, and include (but are not limited to) carpeting and padding, mattresses, chairs, couches, tables, appliances and car parts including wheels, rims and tires.

City-contracted garbage hauler is the company that the city contracts with in accordance with Minnesota Statutes 115A.94 to provide residential garbage collection and disposal services in the city. The city-contracted garbage hauler is the sole garbage hauler for residential properties in the city, and for other properties that the city has allowed to opt-in to the city-contracted garbage hauler service.

City-provided garbage carts are the wheeled containers for residential garbage that are owned by the city and provided to garbage customers for their use; the containers are of various sizes and ownership is retained by the city.

Collection means the aggregation and transportation of solid waste from the place at which it is generated and includes all activities up to the time when it is delivered to a designated disposal facility.

Collection Service is the process of collection and transportation of garbage, yard waste, recyclables, bulky items or source-separated organic materials by a licensed hauler.

Commercial Property means properties in the city that are classified generally as commercial or business in the City zoning code which generates garbage and recyclables and are typically serviced by a dumpster form of garbage container.

Compost means lawn and garden waste, such as leaves and grass clippings, which have been allowed to decompose naturally.

Composting has the meaning set forth in Minnesota Statutes, section 115A.03, and means the controlled microbial degradation of organic waste to yield a humus-like product.

Contractor's garbage bill is the Contractor's bill for services, from either the city-contracted garbage hauler or a commercial hauler, which is directly submitted to customers.

Construction debris means building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings, roads or other facilities.

Day-certain collection is a city-approved plan for weekly collection services by an established day-certain schedule which requires garbage, yard waste, recyclables, and organic waste collections on the same day of the week, and which is based on a five (5) day work week (Monday through Friday).

Designated recyclables shall mean those materials designated as recyclable in the city recycling program in the City of Maplewood Solid Waste Management Standards.

Dumpster has the meaning of a commercial garbage container made of metal or durable plastic with a lid that can be serviced by a front-end loading automated or rear-loading semi-automated garbage truck.

Electronic Waste (electronic items) has the meaning set forth in Minnesota Statutes, section 115A.1310, subdivision 7 as "covered electronic device" and includes items such as television and computer monitors, computers, computer peripheral devices, fax machines, DVD players, video cassette recorders, other video display devices, cell phones and other small appliances with an electric cord.

Every other week collection garbage service means garbage collection on the same day of the week as day-certain service but on specified every other week dates. Residents must apply to the city to receive approval for this every other week service.

Food waste (see also Organic Waste) means residential food waste and includes meal preparation and left over food scraps from households intentionally separated at the source by residents for the purpose of backyard composting or separate collection for centralized recovery.

Garbage has the meaning set forth in Minnesota Statutes, section 115A.03, subdivision 21, mixed municipal solid waste, and means solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural waste, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams.

Hazardous/toxic waste includes materials as defined by the Minnesota Statutes, the Minnesota Pollution Control Agency regulations, and Ramsey County policies such as liquid paint, motor oils, batteries, poisons, pesticides, herbicides, acids, caustics, pathological waste, radioactive waste, flammable or explosive materials and similar harmful chemicals and waste.

Household garbage means garbage from residential properties.

Household hazardous waste has the meaning set forth in Minnesota Statutes, section 115A.96, subdivision 1, paragraph (b), and/or Minnesota Pollution Control Agency regulations and means waste generated from household activities that exhibits the characteristics of or that is listed as hazardous waste under agency rules, but does not include waste from commercial activities that is generated, stored, or present in a household and includes items such as paint, fluorescent light bulbs, mercury thermometers, cleaning fluids, herbicides, pesticides, fertilizers and other waste as defined in Minnesota statutes or regulations in that paragraph.

Load Sensitive Streets are those streets identified by the Public Works Director of the City of Maplewood as being at risk of accelerated deterioration due to excessive or high axle weight loads

Major appliances include clothes washers and dryers, dishwashers, hot water heaters, heat pumps, furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, freezers and similar items.

Manufactured home means a dwelling unit that is consistent with Section 44-6 of the Maplewood Zoning Code; such properties may be subject to the Maplewood city-contracted garbage service.

Mixed municipal solid waste has the meaning set forth in Minnesota Statutes, section 115A.03, subdivision 21, and includes garbage and other solid waste from residential, commercial, industrial, and community activities that the generator of the garbage aggregates for collection, but does not include auto hulks, street sweepings, ash, construction debris, tree and agricultural waste and other materials collected, processed and disposed of a separate waste streams.

Multiple-family dwelling or unit for purposes of this ordinance means a building or a portion thereof containing five (5) or more residential dwelling units.

Organic waste includes food waste and other non-recyclable organic waste such as soiled paper, non-recyclable cardboard, and houseplants.

Recyclable materials (recyclables) has the meaning set forth in Minnesota Statutes, section 115A.03 and means materials that are separated from mixed municipal solid waste for the purpose of recycling or including items such as paper, glass, plastics, metals, textiles, automobile oil, batteries, and other recyclable items as designated in the City of Maplewood Solid Waste Management Standards.

Residential dwelling unit is a separate dwelling place with a kitchen in buildings with up to four (4) units per structure.

Residential property means a property containing between one (1) and up to four (4) units per structure.

Self-haul is the city-approved method for a resident to contain and transport garbage from their own household to a city-approved, environmentally secure facility in accordance with state law and county policies. Self-haul requires the specific approval of the city.

Single-family dwelling unit means a building, including a manufactured home, containing up to four (4) residential units whose occupants and owner are required to participate in the city-contracted garbage service.

Solid waste has the meaning set forth in Minnesota Statutes, section 116.06, subdivision 22.1.9 and includes garbage, recyclables, appliances, bulky waste, yard waste, household hazardous waste, and all other items in the Statute.

Source-separated compostable materials has the meaning set forth in Minnesota Statutes 115A.03, subdivision 32a and means materials that: (a) are separated at the source by waste generators for the purpose of preparing them for use as compost; (b) are collected separately from mixed municipal solid waste, and (c) are comprised of food waste, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable.

Townhouse means a residence for one family that is attached either horizontally or vertically to at least two other residences as defined in Section 44-6 of the Maplewood Zoning Code, each with a private outside entrance; such properties may be subject to the Maplewood city-contracted garbage program.

Vectors of disease are animals including, but not limited, to insects, mice, rats, squirrels, crows, flies and other vermin that are capable of carrying, transmitting and/or infecting humans with disease.

Walk-up service means special garbage or recycling service that is provided from the side of the house or garage, for which the contractor walks the cart or recycling container to and from the side of the house or garage and the collection vehicle, and which is applied for on a case by case basis.

Yard waste has the meaning set forth in Minnesota Statutes 115A.03, subdivision 38 and means garden waste, leaves, lawn cuttings, weeds, shrub and small tree branches as defined by City of Maplewood Solid Waste Standards and prunings generated at residential or commercial properties.

Sec. 30-3 – Source separation required.

All residents and commercial establishments shall separate recyclables, yard waste, household hazardous waste, hazardous waste and other items designated by City of Maplewood Solid Waste Management Standards from garbage. These source separated items shall be collected for separate recycling, recovery or treatment as per state law and county policies.

Sec. 30-4 - City recycling program generally.

The city has established and developed, or encouraged, recycling programs throughout the city, including residential, multiple-family and commercial programs. The city's goal is to promote solid waste reduction and recycling through education and incentives.

Sec. 30-5 - Collection and disposal generally.

- (a) All garbage and other waste material accumulated in the city shall be collected and conveyed under the supervision of the city manager. The city manager or their designee shall have the authority to develop Solid Waste Management Standards concerning days of collection, type and location of waste containers and other matters as they deem necessary to provide for the safe, orderly and cost-efficient preparation, storage, collection and disposal of all waste materials covered in this ordinance. These standards shall not be contrary to this ordinance.
- (b) Except on days of collection when garbage may be put on the curb for collection in residential areas, every person as a householder, occupant or owner of any dwelling, boardinghouse, apartment building or any other structure utilized for dwelling purposes and any restaurant, firm, corporation or establishment that accumulates garbage in the city shall provide and use one or more fly tight, watertight, rodent proof garbage containers that is

removed from the public right of way until lawful collection and disposal is made.

(State law reference: Unlawful deposit of garbage, litter, etc., Minn. Stats. § 609.68.)

- (c) Fees for hauling garbage, yard waste, bulky items, etc., under this ordinance shall be paid directly to the garbage hauler by the owner, agent, occupant or tenant of the premises at which the garbage is collected, and such fees shall be paid in full.
- (d) The city has the authority to charge residents for recycling programs and services and such fees shall be paid in full.

Sec. 30-6 - Collection requirements generally.

It shall be the duty of every garbage hauler, contractor, subcontractor, and person, including their agents and employees, who has contracted or undertaken to remove any garbage, or any other waste material or who is engaged in the removal, loading or unloading of any such substance in the city to do such with dispatch, in a clean manner and with as little danger and prejudice to life and health as possible.

Sec. 30-7 - Hours of collection.

The collection of garbage shall be made only between the hours of 6:00 a.m. and 6:00 p.m., Monday through Saturday. Collection of residential and multiple-family recyclables shall be in accordance with the city's contract for recyclables collection. All other collections related to solid waste shall occur between the hours of 6 a.m. and 6 p.m. Collection outside these hours shall be grounds for suspension or revocation of a hauler's license to operate in the city.

Sec. 30-8 - Unauthorized collections.

Any person who permits garbage to be picked up from their premises in the city by an unauthorized or unlicensed collector under this ordinance shall be guilty of a violation of this ordinance.

Sec. 30-9 - Disposal required.

- (a) Every person shall legally dispose of garbage that accumulates upon his property in the city at least once a week or more often as directed by the city manager unless given special permission as per Sec. 30-41 (d) or Sec. 30-41(e). Every firm, corporation, occupant or owner of any dwelling, boardinghouse, apartment building, manufactured home, or any other structure in the city, including churches and halls, shall have garbage collected by haulers licensed by the city and shall comply with this ordinance and with the dates of collection and requirements therefore as established by the city manager.
- (b) Garbage not disposed of through the city's contract garbage hauler shall be taken to a disposal site, such as a resource recovery facility, or other facility in compliance with county policies if a resource recovery facility is not available, approved by the state and local units of government in which the waste is delivered.
- (c) All garbage shall be disposed of in compliance with state law and county policies regarding required processing of waste.

Sec. 30-10 - Unlawful disposal; location of containers for collection; disposal of flammable or explosive materials.

- (a) No person or commercial establishment in the city shall place any garbage or any other waste material in a street, alley or other public place or upon any private property, whether owned by such person or not, except as provided by this ordinance, except that the city

- shall place street sweepings in a location that it deems appropriate.
- (b) No person shall throw or place any garbage in any stream, wetland or other body of water in the city.
 - (c) No person in the city shall store, sweep or deposit any garbage, or any other waste in such a manner that it may be carried by elements off their property.
 - (d) No person shall bury or burn any garbage, or any other waste in the city.
 - (e) Highly flammable or explosive materials shall not be placed in city-provided garbage carts for regular collection, but shall be disposed of in accordance with state law and Minnesota Pollution Control Agency regulations.

Sec. 30-11 - Manner of transporting materials.

All persons engaged in the business of recycling or hauling garbage in the city shall transport the materials in enclosed vehicles, carts, dumpsters, bins, or other secure containers so as to prevent any loss of these materials and to prevent litter. Care shall be taken to ensure no blowing or escape of garbage or liquids from truck operations occurs during the collection and transportation of garbage, recycling, bulky waste or compostables.

Sec. 30-12 - Obstruction, delay or interference with contractor.

- (a) No person shall obstruct, delay or interfere with any contractor or person engaged in the city in removing any offal, garbage, dirt, dead animals, sewage or other like substances or with the proper performance of their contract.
- (b) Scavenging of any waste or material is prohibited.

Sec. 30-13 - Penalty for violation of ordinance.

Any person violating any of the sections of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be punished in accordance with Section 1-15. The city may also handle violations of this ordinance through the administrative offenses procedures in Section 1-17.

Secs. 30-14 – 30-20 Reserved.

Article II – Recycling Requirements (Residential, Multiple-Family, Commercial)

Sec. 30-21 - Collection and processing of residential recyclables.

- (a) Recyclable materials from residential dwellings that are placed on the curb or alley for collection must be in curbside recycling bins, carts, boxes or paper bags as prescribed by City of Maplewood Solid Waste Management Standards such that blowing of recyclables does not occur, and recyclables remain as dry and clean as practicable.
- (b) When recyclable materials are placed at the curb or alley line they are the sole property of the city, and shall be removed only by the city-contracted recyclables collector.
- (c) Only the city-contracted recyclables collector or their city-approved sub-contractor may collect and process recyclables set out for recyclables collection at the curb or alley line.

Sec. 30-22 - Collection of recyclables from multiple-family dwellings.

The city requires all the owners and managers of multiple-family dwellings to provide recycling services to all their residents.

- (a) Collection Service Required. The owner of a multiple-family dwelling shall make available to the occupants of all dwelling units on the premise services for the collection of designated recyclables.
- (b) Recycling Information Required. The owner of a multiple-family dwelling shall provide recycling information to the occupants of each dwelling unit on the property consistent with City of Maplewood Standards.
- (c) Responsibility for Providing and Maintaining Recycling Containers.
 - (1) If the owner of a multiple-family dwelling uses the city's recycling contractor, then the contractor shall provide and maintain adequate recycling containers for the needs of the property and its occupants; or
 - (2) If the owner uses an independent recycling contractor, the owner shall assure adequate recycling containers are provided and maintained by the independent contractor.
- (d) Transportation and Disposal. Upon collection by the city's recycling contractor or the owner's independent hauler, that person shall deliver the designated recyclables to a recyclable material processing center, an end market for sale or reuse, or to an intermediate collection center for later delivery to a processing center or end market. It is unlawful for any person to transport for disposal or to dispose of designated recyclables in a mixed municipal solid waste disposal facility.
- (e) Annual Report. Each owner or manager of a multiple-family dwelling that does not employ the city's recycling contractor shall file an annual report with the city by January 31 of each year on a form detailed in the City of Maplewood Solid Waste Management Standards.
- (f) Administrative Penalties. Violation of this ordinance shall be charged as an administrative fine as follows: a fine of \$200.00 for the first offense; a fine of \$300.00 for the second offense at the same location within a 12 month period; a fine of \$500.00 for the third offense or additional offenses within a 24 month period at the same location. The owner shall be notified in writing of the violation and if the owner fails to take action within 15 days of receiving the notice of violation, the owner shall be cited for violation in accordance with the fine schedule.

Sec. 30-23 - Collection and composting or disposal of yard waste. (Residential, Multiple-Family, Commercial)

- (a) Yard waste to be collected by the city's contract garbage hauler shall be placed on the curb or alley line for collection in carts or bags subject to special arrangements with the city-contracted garbage hauler.
- (b) Home lawn, garden waste, and kitchen food scraps may be composted in small quantities on a residential lot as long as the compost pile does not create a nuisance for neighbors due to objectionable odor, vectors of disease or unsightliness. Compost piles must be placed at least five feet from rear- and side-yard property lines and shall not be placed in a front yard. Residents must follow composting operation guidelines as published by the MN Extension Service and referenced by City of Maplewood Solid Waste Management Standards.
- (c) Yard waste not collected by the city-contracted garbage hauler, or not composted by the resident or tree limbs, stumps and roots must be transported to a properly permitted and licensed yard waste transfer or composting facility.

Sec 30-24 - Collection of source-separated organic materials.

Secs. 30-25 – 30-40 Reserved

Article III - Solid Waste Requirements (Residential)

Sec. 30-41 - Collection and disposal of residential garbage by city-contracted hauler.

- (a) Occupants of residential properties shall store all garbage in city-provided garbage carts between collections. On the designated day of collection in their area they may place the city-provided garbage cart on the curb or alley line for collection by the city-contracted garbage hauler.
- (b) Instead of the requirement to place the city-provided garbage cart at the curb or alley line, residents with physical challenges may apply to the city for walk-in service as provided by City of Maplewood Solid Waste Management Standards.
- (c) Every person occupying a residential property shall utilize city-provided garbage carts for the disposal of garbage. The carts are the property of the city, and shall be used solely for disposal of garbage. Only city-provided garbage carts, or approved plastic garbage bags for overflow garbage, in addition to the cart shall be used for the disposal of garbage.
- (d) Persons who wish to self-haul their own garbage may apply to the city to do so. Permission may be granted to self-haul if proof is submitted of an environmentally responsible means of disposal that complies with state laws and regulations and county policies and in conformance with City of Maplewood Solid Waste Management Standards. Residents that are approved by the city for self-haul must remove their garbage at least once per week. Self-haul can only be accomplished with the specific approval of the city using an application form provided in the City of Maplewood Solid Waste Management Standards.
- (e) Persons may apply to the city for less than weekly service on a form provided by City of Maplewood Solid Waste Management Standards. Permission may be granted for less than once per week garbage removal provided that sufficient removal is accomplished to prevent nuisance or unhealthful accumulations of garbage. Such permission will be withdrawn, and weekly garbage removal required, if nuisance or unhealthful conditions exist.
- (f) Except on specified collection days as provided in Section 30-41(g) below, all city-provided garbage carts shall be located behind the front line of the dwelling, in the garage or screened from view from the street, and at least ten feet from any abutting dwelling or sufficiently distant so as not to be a nuisance to those properties.
- (g) City-provided garbage carts and any additional bagged overflow garbage may be placed on the alley line or curb line for collection no earlier than 5:00 p.m. on the day before collection. City-provided garbage carts must be removed from the curb line no later than 6:00 a.m. on the day after collection.

Sec. 30-42 - Requirements to dispose of residential appliances, bulky waste and large items.

- (a) Residents shall dispose of appliances or any other bulky waste such as furniture, mattresses or large household or garage waste as specified by City of Maplewood Solid Waste Management Standards.

- (b) Upon resident request, the city-contracted garbage hauler must collect and properly dispose of appliances or bulky waste in accordance with Sec. 30-62.

Sec. 30-43 - Collection and disposal of garbage for multiple-family properties without curbside collection.

- (a) The owner, operator or manager of any multiple-family property with more than four (4) units that do not have curbside collection shall have dumpster or equivalent service from a commercial hauler licensed to do business in the city. The dumpsters shall be of a minimum capacity of one cubic yard, covered, and of a city-approved sanitary type with the proper attachments for lifting onto garbage trucks.
- (b) Garbage shall be removed at least once weekly, and more often if garbage carts or dumpsters become full. Garbage shall be transported and disposed of in accordance with state laws and rules and county policies regarding licensed disposal and processing.

Sec. 30-44 – Requirements to dispose of multiple-family bulky waste and other large items.

The owner, operator or manager of any building containing more than four (4) dwelling units shall provide on-site disposal of large or bulky items for all occupants. Disposal of these items shall be in compliance with all state laws and regulations and county policies.

Sec. 30-45 - Requirements to dispose of household hazardous waste.

Each resident shall properly dispose of all household hazardous waste and each owner, operator or manager of any multiple-family building shall properly dispose of all household hazardous waste and hazardous waste. No household hazardous waste shall be placed in garbage, recycling or yard waste containers, nor shall any household hazardous waste be illegally dumped or placed on public or private property.

Secs. 30-46 – 30-50 Reserved.

Article IV - Solid Waste Requirements (Commercial)

Sec. 30-51 - Collection and disposal of commercial garbage.

- (a) The owner, operator or manager of any firm or corporation shall have dumpster or equivalent service from a commercial hauler licensed to do business in the city. The dumpsters shall be of a minimum capacity of one cubic yard, covered, and of a city-approved sanitary type with the proper attachments for lifting onto garbage trucks.
- (b) Garbage shall be removed at least once weekly, and more often if garbage carts or dumpsters become full. Garbage shall be transported and disposed of in accordance with state laws and rules and county policies regarding licensed disposal and processing.

Secs. 30-52 – 30-59 Reserved.

Article V - Collection Licenses (Residential, Multiple-Family, and Commercial)

Sec. 30-60 - Collection licenses required.

It shall be unlawful for any person to collect any garbage, yard waste, recycling or other solid waste in the city from any residential, multifamily, or commercial property without having first secured from the city a license to do so.

Sec. 30-61 - Application; fee; duration.

- (a) Any person desiring a license to collect garbage, yard waste, recyclables, or other solid waste in the city shall apply for a license to the city clerk. The application shall set forth and require:
 - (1) The name and address of the applicant.
 - (2) Signed certification that the applicant will follow a long-range plan of disposal in conformity with Minnesota statutes, regulations and county policies.
- (b) The application described in subsection (a) of this section shall be submitted to the city manager. Upon finding that the applicant is responsible, has proper equipment for such collection and that no nuisance is liable to be created by the granting of the license, the city manager shall endorse and approve the application.
- (c) Before any license may be issued, the applicant shall pay to the city clerk a license fee imposed, set, established and fixed by the city council, by resolution, from time to time, which fee shall accompany the application.
- (d) No license issued under this article shall be for a longer period than one year, and all licenses shall expire on December 31 of each year.

Sec. 30-62 – Licensee Operating Requirements.

The applicant shall:

- (a) Use tandem axles or flotation tires to reduce the per-axle weight of all trucks used for collection of solid waste.
- (b) Provide maps of service routes configured so that customers on load-sensitive streets will be among the first served on such routes to minimize damage to load-sensitive streets and alleys.
- (c) Provide collection carts or dumpsters to customers upon their request.
- (d) Provide collection of yard waste to customers upon their request.
- (e) Provide special or extraordinary collection services within 24 hours of a customer's request.
- (f) Provide special service collection arrangements for customers to accommodate their physical health concerns.
- (g) Properly contain all garbage or recyclables such that no blowing or escape from trucks of solid or liquid waste or recyclables occurs.
- (h) Provide information to all customers that may be required of the city by county, metropolitan, state, or federal governments.

Sec. 30-63 - Insurance.

The applicant for the license required under this article shall provide a certificate of public liability insurance in the amounts specified in this section for collecting garbage. Such insurance policy shall be subject to the approval of the city manager. The applicant must also provide a comprehensive general policy of liability insurance with minimum coverages as stated. At a minimum, the insurance shall conform to the following requirements:

- (a) General liability in the following amounts:
 - (1) Bodily injury, per occurrence, or combined single limit, \$1,500,000.00.
 - (2) Property damage, \$500,000.00.
- (b) Auto liability in the following amounts:
 - (1) Property damage or combined single limit, \$500,000.00.
 - (2) Bodily injury in the following amounts:
 - a) Per person, \$1,000,000.00.
 - b) Per occurrence, \$5,000,000.00.
- (c) Workers Compensation Insurance as specified by the Minnesota Department of Occupational Health and Safety and federal law.

Sec. 30-64 - Vehicle requirements.

Each garbage collector licensed under this article shall provide a covered or enclosed truck, tank or trailer so constructed that the contents will not leak or spill from it, in which all garbage collected shall be conveyed to an approved disposal facility. The truck or conveyance used shall be kept clean and as free from offensive odors as possible and shall not be allowed to stand in any street, alley or public place longer than is reasonably necessary to collect garbage. Any litter or truck fluid leaks shall be immediately cleaned up. Significant release of any truck fluid leaks shall be immediately noticed to the appropriate authorities. Each truck used under a city license shall remain in compliance with all federal and Minnesota Department of Transportation rules and regulations.

Sec. 30-65 - Pickup schedules. (Residential)

Each residential licensee under this article shall consent to and follow a schedule of pickups, setting the day and area of pickups, as established by City of Maplewood Solid Waste Management Standards, to limit area pickups for residential collections to the same day per week each week.

Sec. 30-66 - Duty of licensees to report accumulations of garbage.

Each licensee under this article shall report any accumulations of garbage that violates this ordinance or other city ordinances to the city as per City of Maplewood Solid Waste Management Standards.

Sec. 30-67 - Prohibited mailings.

No notices shall be sent from licensees or other persons to dwelling units within the City of Maplewood or dwelling unit owners that are subject to or participating in the city-contracted garbage service. These prohibited mailings shall include those for advertising rates or services not available under the city's contract for garbage collection services or any other services covered under the city contract for garbage service. No notices shall be sent to any residential dwelling in the City of Maplewood by licensees without prior written approval by the City of Maplewood.

Sec. 30-68 - Suspension or revocation.

- (a) Failure by a licensee under this article to comply with this ordinance shall be grounds for revocation of the license by the city council after a hearing for the purpose.
- (b) If the city finds a violation of this ordinance by a licensee under this article and the city orders correction of the violation which the licensee fails to make, the city may suspend the licensee's right to operate under the terms of the license and order his appearance at the next regular meeting of the city council for a hearing on whether the suspension should continue in effect.
- (c) Continued willful or egregious violations of this ordinance by any licensed or unlicensed hauler of solid waste shall result in fines and/or liquidated damages as deemed reasonable by the city council.

Sec. 30-69 - Volume-based rates. (Residential)

- (a) The city's contract hauler for residential garbage shall provide to its residential customers a system of volume-based rates. A volume-based rate includes a solid waste collection charge and a disposal charge based on the volume of the solid waste generated by the customer.
- (b) The city shall determine the increments upon which the volume-based rate will depend and the difference between the rates for each increment.
- (c) The city's contract hauler for residential garbage collection shall propose new rates each year by September 1 for the upcoming calendar year based on the price indicators and adjustment formulas specified in the contract. The city shall review and may approve or disapprove these new rates by November 1 each year. If the city disapproves the rates, the rates for the next year shall be the same as the previous year. The city shall not frivolously or maliciously disapprove a rate increase. The city and the city's contract hauler shall develop a five-year plan for implementing increased increments with the volume-based rates.

Secs. 30-70 – 30-75. Reserved.

Article VI – Disposal Sites

Sec. 30-76 - Unlawful deposit of garbage and other substances.

- (a) No manure, garbage, or other waste which may be detrimental to health, shall be dumped at any place within the city limits, except in accordance with Sec.30-23 relating to composting.
(Code 1982, § 16-46)
- (b) No dump for garbage materials and other solid waste shall be operated within the city by any person or as a public dump operated by the city.
(Code 1982, § 16-47)

Secs. 30-77 – 30-105 Reserved.

**ORDINANCE AMENDMENT EXECUTION:
SIGNATURES OF CITY OFFICERS**

The city council approved the first reading of this ordinance on _____, 2012.

The city council approved the second reading of this ordinance on _____, 2012

Signed:

Will Rossbach, Mayor

Date

Attest:

Karen Guilfoile, City Clerk

City of Maplewood Solid Waste Management Standards *

*** As Authorized by the 2012 Amendments to the
City Solid Waste Management Ordinance**

May 2, 2012

Draft

City of Maplewood
Community Development Department
1830 County Road B East
Maplewood, MN 55109



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Introduction

The City of Maplewood has developed these standards as specific requirements for the storage, collection and transportation of residential solid waste. The goals of these standards are to:

- ❖ Protect public health / safety;
- ❖ Comply with Minnesota Statutes;
- ❖ Comply with Ramsey County policies; and
- ❖ Implement the city's Solid Waste Management Ordinance (SWMO), Chapter 30 of the city's code of ordinances through detailed instructions

To accomplish the above goals, it is important for the city to have specific and consistent instructions for residents to follow as part of the solid waste collection system. These standards do not replace or supersede city ordinances, Ramsey County policies, state and federal laws, rules or regulations. The city manager's authority for adopting or amending these standards comes from the city's SWMO Chapter 30, Sec. 30-5(a).

These standards address:

- ❖ Eligible items to be included in the garbage;
- ❖ Garbage cart set out instructions;
- ❖ Resident's garbage storage requirements;
- ❖ Recycling programs;
- ❖ Bulky waste, yard waste and other waste collection and disposal requirements
- ❖ Multiple-family and commercial solid waste collection and disposal requirements
- ❖ Payment of charges and delinquent fees;
- ❖ Administrative fees; and
- ❖ Other collection system details that are part of the city's garbage collection system.

Section 1. Definitions

All terms used within these standards shall have the same definition as per the SWMO Sec. 30-2. For convenience, frequently used terms are listed and defined below:

- 1.1 **City Contracted Garbage Hauler** means is the company that the city contracts with in accordance with Minnesota Statutes 115A.94 to provide residential garbage collection and disposal services in the city. The city-contracted garbage hauler is the sole garbage hauler for residential properties in the city, and for other properties that the city has allowed to “opt-in” to service.
- 1.2 **City Contracted Recycling Hauler means** the company that the city has contracted with for recycling services.
- 1.3 **Collection** means the aggregation and transportation of waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a designated disposal facility.
- 1.4 **Compost** means lawn and garden waste, such as leaves and grass clippings, which have been allowed to decompose naturally.
- 1.5 **Composting** has the meaning set forth in Minnesota Statutes 115A.03, and means the controlled microbial degradation of organic waste to yield a humus-like product
- 1.6 **Construction debris** means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads or other facilities.
- 1.7 **Extra bags of garbage** means garbage in sturdy plastic bags that are placed next to the garbage cart for collection at an additional fee. See also “Overflow” bags.
- 1.8 **Garbage** has the meaning set forth in Minnesota Statutes 115A.03, Mixed municipal solid waste, and means solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include recyclables, auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural waste, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams
- 1.9 **Home owner association** means town homes, condominium complexes, manufactured/mobile home parks, planned unit developments and other types of housing developments with a home owner association or centralized management for administration that typically use carts as the preferred garbage container. This does not include rental properties typically known as apartment buildings, such as high-rise dwellings, that typically use dumpsters as the preferred garbage container.
- 1.10 **Household hazardous waste means** those waste listed in Minnesota Statutes, section 115A.96, subd. 1, paragraph (b), which includes items such as paint, fluorescent light bulbs, mercury thermometers, cleaning fluids, propane tanks, herbicides, pesticides, fertilizers and other waste defined in that paragraph.

- 1.11 **Major appliances** include clothes washers and dryers, dishwashers, hot water heaters, heat pumps, furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, and freezers and similar items.
- 1.12 **Multiple-family dwelling or unit** means a building or a portion thereof containing five (5) or more residential dwelling units.
- 1.13 **Overflow bags of garbage** are bags of that do not fit inside the city-provided garbage cart when the cart lid is fully closed.
- 1.14 **Recyclable materials** has the meaning set forth in Minnesota Statutes 115A.03 and means materials that are separated from mixed municipal solid waste for the purpose of recycling, including items such as paper, glass, plastics, metals, textiles, automobile oil, and batteries and other recyclable materials designated by city standards
- 1.15 **Solid waste** has the meaning given it in Minnesota Statutes section 116.06, subd. 22, and includes garbage, recyclables, appliances, bulky waste, yard waste, household hazardous waste, and all other items in the Statute.
- 1.16 **Source-separated compostable materials** has the meaning set forth in Minnesota Statutes 115A.03, subdivision 32a and means materials that: (1) are separated at the source by waste generators for the purpose of preparing them for use as compost; (2) are collected separately from mixed municipal solid waste, and (3) are comprised of food waste, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable.
- 1.17 **Walk Up Service** means a special garbage or recycling service that is provided from the side of the house or garage, for which the contractor walks the cart or recycling container to and from the side of the house or garage and the collection vehicle, and which is applied for on a case by case basis.
- 1.18 **Yard waste** has the meaning set forth in Minnesota Statutes 115A.03, subdivision 38 and means garden waste, leaves, lawn cuttings, weeds, shrub and small tree branches as defined by City of Maplewood Solid Waste Standards and prunings generated at residential or commercial properties. Yard waste do not include pet feces, plastic or ceramic garden containers, fencing or garden border materials, large branches or stumps more than six (6) inches in diameter and large root balls or other root systems.

Section 2. Residential Recycling Program

- 2.1 All residents are required to separate and recycle recyclable materials. If set out for curbside or alleyside collection, recyclable materials are to be placed in the appropriate container(s) for recycling, and are not to be placed in the city-provided garbage cart.

- 2.2 Recyclable materials included as part of the City’s *single sort* recycling system (per the current City of Maplewood Residential *Recycling Guide*) include:

Mixed paper: newspapers (including inserts), magazines, phone books, office and school papers, junk mail, box board such as snack and cereal boxes, frozen food boxes, pop/beer/water boxes, pizza boxes, corrugated cardboard, shredded paper in sealed paper bags, egg cartons;

Glass food and beverage containers including glass jars and bottles;

Plastic food and beverage containers including rigid plastic containers with plastics recycling symbols #1, #2, #3, #4, #5, and #7, but not #6 polystyrene, plastic toys, drained motor oil bottles, flower and shrub containers, landscape edging, laundry baskets, plastic buckets and pails and clear plastic take-out (clam shell) containers.

Metal food and pet food containers including aluminum cans, tinned-steel cans, aerosol cans; and other household scrap metal such as pots, pans and silverware that will fit in the recycling bin;

Milk cartons and juice boxes;

Linens including clothes and shoes, placed in a sturdy, sealed plastic bag

Other materials that from time to time are designated as recyclable by the city.

- 2.3 Recyclable materials are to be clean, and kept as dry as practicable between use by the resident and collection by the recycling contractor. The city-contracted recyclables hauler shall be responsible for the physical maintenance of the recycling containers, including repairs of damage to the containers, and replacement of destroyed containers.
- 2.4 The customer is responsible for the appropriate use and safety of the recycling containers, including both the interior and exterior of the containers. The customer shall rinse or wash the interior of the container as needed, and shall keep the containers free of markings or graffiti.
- 2.5 Recyclables may be placed at the curb or alley line for collection. Recyclables may be set out for collection no earlier than 5:00 p.m. on the day before the collection day. Recyclables collection will occur between 7 a.m. and 7 p.m. Recyclables containers must be removed to their storage location no later than 6 a.m. on the day after collection.
- 2.6 Residents that have physical challenges or other special needs may request “walk up” service. Walk up service will allow the customer to keep the recyclables at a back door or other visible location for collection by the recyclables hauler. In the winter, a clear path from the street or alley must be shoveled for the “walk up” service to be made. Residents requesting this service must apply for it using the “Request for Walk Up Service” Appendix D of this document.

Section 3. Multiple-Family Recycling Program

Each owner of a building containing five (5) or more dwelling units shall provide for recycling services for all units.

- 3.1 The owner of a multiple-family dwelling shall make recycling services available to the occupants of all dwelling units on the premise. The recyclables collection services shall be available on the premises. This collection service shall be for at least the recyclable material types collected in the city's residential recycling program. The collection schedule and recycling containers' capacity shall provide for regular removal of the recyclables such that there is adequate storage capacity available in the recyclables containers to prevent overflowing containers. The owner may use the city's recycling contractor to provide the recycling collection services or they may independently contract with another licensed hauler and/or recycling contractor to provide the recycling collection services at the owner's expense.
- 3.2 Recyclable materials shall include the same list as per the city's residential recycling program (see Sec. 2.2 above) unless the city approves a variance in writing.
- 3.3 All recyclable materials placed by residents in the multiple-family recyclables collection containers must be collected at least bi-weekly and processed and marketed for recycling by a properly licensed recycling company, and all recyclables must be appropriately recycled as per Minnesota laws and regulations.
- 3.4 Adequate containers shall be provided and maintained by the owner or by the recyclables hauler, whichever provides the recycling collection service, for all recyclable materials. Containers shall be:
 - (a) Sufficient in number and size to meet the demands for recycling services created by the occupants;
 - (b) Equipped with self-closing lids such that residents may easily place recyclables in the containers but recyclables shall not be exposed to wind, rain and snow and human and animal scavengers are discouraged from accessing or removing recyclables;
 - (c) Equipped with standardized labels identifying the type of recyclable material to be deposited in each container and colored differently from other containers for mixed garbage or trash;
 - (d) Maintained in proper operating condition, reasonably clean and sanitary and free of markings or graffiti;
 - (e) Repaired or replaced on a reasonable schedule if stolen or broken.
- 3.5 The owner of a multiple-family dwelling shall provide recycling educational information to the occupants of each dwelling unit on the property. The educational information shall notify the occupants of the availability of collection services, describe the procedures required to prepare the designated recyclables for collection, and identify the dates and times of collection. If the owner elects to use the city's recycling contractor, the city's recycling

contractor will supply the owner with the information needed to create this education program. The educational information must be provided to all residents at least once every six (6) months and to new residents within two (2) weeks of residence. The information will explain the reasons to recycle, recyclables to be separated from solid waste, the manner of separation and the location of the containers provided for recycling. The educational information may consist of fliers, posters, presentations or other effective means to enhance resident compliance with recycling requirements.

- 3.6 Container Location. Containers shall be stored on the premises in a location that is convenient for residents to place recyclables. Recycling containers shall be placed in a location on the premises that permits access for collection purposes but does not obstruct pedestrian or vehicular traffic. All such locations shall comply with the city's zoning and other ordinances.
- 3.7 Transportation and Disposal. Upon collection by the city's recycling contractor or the owner's independent hauler, that person shall deliver the designated recyclables to a recyclable material processing center, an end market for sale or reuse, or to an intermediate collection center for later delivery to a processing center or end market. No recyclable materials placed by residents in the multiple-family recyclables collection containers will be collected or disposed of as garbage. It is unlawful for any person to transport for disposal or to dispose of designated recyclables in a mixed municipal solid waste disposal facility. The contractor or hauler shall transport all designated recyclables in a covered vehicle so the recyclables do not drop or blow onto any public street or private or public property during transport.
- 3.8 Scavenging Prohibited. It is unlawful for any person, other than the city's recycling contractor or owner's independent hauler, to collect, remove, or dispose of designated recyclables after the materials have been placed or deposited for collection in the recycling containers. The owner, owner's employees, owner's independent hauler's employees, or city's recycling contractor's employees may not collect or "scavenge" through recycling in any manner.
- 3.9 Annual Report. Each owner or manager of a multiple-family dwelling that does not participate in the city's contract recycling program shall file an annual report with the city by January 31 of each year. The report form shall be provided by the city (see Appendix G to this document) and shall contain, at a minimum, the following information:
 - (a) Name of the owner and building manager and their contact information;
 - (b) Address of the multiple-family dwelling;
 - (c) Number of dwelling units;
 - (d) Description of recycling collection services made available to occupants, including location of containers, frequency of collection and whether collection services are provided by the owner, the owner's employees, or a licensed collector;
 - (e) Copy of the educational information required in Section 3.5, above, with the frequency by which the information was distributed;

- (f) Tonnage for each type of material recycled as provided by the owner's independent recycling contractor; and
- (g) Name and address of the licensed hauler/recycler that provides collection services and where the recyclables were taken for processing.

Section 4. Residential Garbage Cart Standards

The City of Maplewood understands the importance of a clean, litter-free and livable community and wishes to provide for cost-efficient collection of garbage from residential properties. To achieve these goals the city has implemented the requirement that customers must contain their garbage in wheeled carts provided by the city.

- 4.1 Each residential household, unless exempted from service by the city-contracted hauler in accordance with Maplewood Code of Ordinances Chapter 30, shall have a wheeled garbage cart(s) of sufficient size to contain all household garbage from one collection day until the next.
 - (a) Garbage must be bagged in either paper or plastic bags of any size before placement in the wheeled garbage cart, so that spillage or blowing of garbage does not occur during the collection process.
 - (b) Only household garbage, as defined in Section 30.2 of the Maplewood Code of Ordinances shall be placed in the wheeled garbage carts; no yard waste, construction and demolition debris, recyclable materials, automotive parts or fluids, electronic items, household hazardous waste or other prohibited materials shall be placed in the wheeled garbage carts.
 - (c) Exemptions from service by the city-contracted hauler shall only occur in accordance with Maplewood Code of Ordinances Chapter 30, and shall be at the sole discretion of the city. Examples of alternate disposal methods to qualify for exemption from service may include:
 - Written permission to dispose of garbage in a neighbor's garbage cart (shared service); or
 - Use of a commercial dumpster owned or leased for use by a commercial property. (This commercial property may be owned or leased by the applicant, or the applicant may be an employee who has written permission from his/her employer to use the employer's commercial dumpster.)

The forms to request exemption from service is attached to this document as Appendices A and E.

- (d) The City of Maplewood shall have sole discretion to grant or not grant an exemption request in Section 4.1(c) above. The city shall arrange for regular verification of proper disposal of garbage and waste at the property for which the request for exemption from

garbage service is made. Evidence of improper garbage or waste disposal shall be reason to immediately require service by the city-contracted garbage hauler.

- 4.2 The cart size and collection frequency shall be sufficient to store and contain all garbage normally generated between collections such that the cart lid fully closes and there are no extra bags of garbage next to the cart.
- (a) Sizes of carts available are 95 gallon, 65 gallon, 32 gallon and 20 gallon. All wheeled garbage carts are owned by the City of Maplewood.
 - (b) If the garbage cart lid cannot be closed or there are overflow bags of garbage set out for collection that cannot be contained in the cart, a cart of larger size shall be required; or, a second cart shall be required if the cart in place is already the largest, 95 gallon cart. This requirement may be imposed by the city if a resident has overflow garbage for up to two (2) weeks (out of any consecutive five (5) weeks) where the cart lid cannot be closed or there are overflow bags set out for collection
 - (c) A larger cart may be requested, or required, once per calendar year with no service charge for cart pickup and delivery. If a customer wishes to have a larger cart, they will request same from the city-contracted garbage hauler. The city-contracted garbage hauler shall bill the higher cart fee from the date it receives the request for the larger cart from the customer; there shall be no charge for additional bags from the time the larger cart request is received until the larger cart is delivered to the customer. If a larger cart is requested or required more than once per calendar year, the city-contracted garbage hauler may impose a service charge. The amount of this charge shall be established per the city contract and as approved by the city.
 - (d) If overflow garbage is placed next to the wheeled garbage cart for collection, it shall be securely bagged such that animals and vermin may not access the contents of the bag. The city-contracted garbage hauler may charge an additional fee for collection of any extra bags of garbage. The amount of this fee shall be established per the city contract and as approved by the city.
 - (e) The bill payer shall be responsible for payment of fees for garbage collection service and fees for collection of any extra bags to the city-contracted garbage hauler.
 - (f) If a customer wishes to have a smaller cart, they will request same from the city-contracted garbage hauler. The city-contracted garbage hauler shall bill the lower cart fee from the date it receives the request for the smaller cart from the customer. There shall be no service charge for a customer to request, and receive, a smaller cart.

Section 5. Residential Garbage Cart Collection by Waste Hauler and Storage of Carts

- 5.1 Garbage collection by the city-contracted garbage hauler shall occur once per week, on days and in areas designated by the city. Slight schedule changes may be made, with sufficient

advance notice by the city-contracted garbage hauler for major holidays, or for adverse weather conditions.

- 5.2 If every other week service is desired by the customer, such service may be applied for using the form, "Request for Every Other Week Garbage Removal" Appendix B of this document. Approval or denial of the request shall be at the sole discretion of the city.
- 5.3 If temporary discontinuation of service is desired by the customer due to an extended absence or vacancy of the property of over two months or more, such service discontinuation may be applied for using the form, "Request for Temporary Exemption from City-Contractor Provided Garbage Removal," Appendix C of this document. The request shall be made to the city-contracted hauler; if a dispute arises in this matter, approval or denial of the request shall be at the sole discretion of the city. Discontinuation of service for a lesser period shall be arranged between the customer and the city-contracted hauler.
- 5.4 The city shall arrange for regular verification of proper disposal of garbage and waste at the property for which the request for exemption from garbage service is made as per Sections 5.2 and 5.3 above. Evidence of improper garbage or waste disposal shall be reason to immediately require weekly removal of garbage.
- 5.5 Unless separate provisions are made between the city-contracted garbage hauler and the customer (for example, see Sec. 5.8 below), all collection of garbage shall occur at the street line or alley line, as specified by the city-contracted garbage hauler.
- 5.6 Wheeled garbage carts may be set out for collection no earlier than 5:00 p.m. on the day before the collection day.
- 5.7 Wheeled carts shall be placed for collection at the alley or curb line, at least five feet either side of parked cars, with the opening facing the street or alley. Carts that are not placed in this manner may not be collected by the city-contracted garbage hauler.
- 5.8 Residents that have physical challenges or other special needs may request "walk up" service. Walk up service will allow the customer to keep the cart at the garage, back door or other visible location for collection by the city-contracted garbage hauler. In the winter, a clear path from the street or alley must be shoveled for the "walk up" service to be made. Residents requesting this service must apply for it using the "Request for Walk Up Service" Appendix D of this document.
- 5.9 Regular verification of proper disposal of garbage and waste will be made at the property for which the Request for Walk Up Service location is made as per Section 5.8 above. Evidence of improper garbage or waste storage, collection or disposal shall be reason to immediately require standard. curbside garbage cart set-out procedures.
- 5.10 Wheeled garbage carts must be returned to their storage location no later than 6:00 a.m. on the day after the collection day.
- 5.11 Wheeled garbage carts shall be placed inside or alongside the garage, at side of the house or at the rear of the premises and these locations shall not interfere with any adjoining property; efforts should be made to reduce the visibility or view of the trash container from the street.

All trash shall be in the container and the lid closed to prevent trash from falling from the wheeled garbage cart. At no time shall any wheeled garbage cart be stored in a location that is offensive to neighbors or that interferes with safety or vehicle access to alleys or streets.

Section 6. Maintenance of Wheeled Residential Garbage Carts

- 6.1 The city shall own the wheeled garbage carts; residents are granted exclusive use of the carts at their address only. Carts shall not be removed from the assigned premises. If a resident moves, the cart shall remain at the assigned premises.
- 6.2 The city-contracted garbage hauler shall be responsible for the physical maintenance of the wheeled garbage carts, including repairs of damage to the carts, and replacement of destroyed carts.
- 6.3 The customer is responsible for the appropriate use and safety of the wheeled garbage carts and shall be accountable for willful damage or destruction of the wheeled garbage cart.
- 6.4 If a wheeled garbage cart requires physical maintenance, including replacement of wheels, lid, or repairs of other wearing or damage, the customer shall call the city-contracted garbage hauler to request such service. The city-contracted garbage hauler shall promptly perform such maintenance.
- 6.5 Customers shall keep the inside and the outside of wheeled garbage carts clean. There shall be no markings, such as graffiti or stickers, on the outside of the carts that are not placed there by the City of Maplewood or by the city-contracted garbage hauler. Any markings that appear on the outside of the cart that are not placed there by the city-contracted garbage hauler or the City of Maplewood shall be promptly removed by the customer. Customers shall routinely wash or rinse out the interior of the wheeled garbage cart so that offensive odors are not detected outside of the empty wheeled garbage cart.
- 6.6 If a wheeled garbage cart is found by the City of Maplewood to have been willfully damaged or destroyed, the customer shall be responsible for payment to replace the wheeled garbage cart. The City of Maplewood shall have sole determination of willful damage or destruction of a wheeled garbage cart.

Section 7. Multiple-Family Solid Waste Standards

- 7.1 Each property must provide for the separation of recyclables, yard waste, bulky waste, household hazardous waste and other items designated in these standards from garbage, and shall insure the appropriate processing or disposal of all solid waste in accordance with Minnesota statutes and county policies.
- 7.2 Each property having more than five (5) residential units shall have weekly garbage dumpster or equivalent service, provided by a commercial-type hauler licensed by the city

- (a) The dumpsters shall be of a minimum capacity of one cubic yard, covered, and of an approved sanitary type with the proper attachments for lifting onto garbage trucks. The dumpsters shall be water-tight and rat and vermin-proof.
- (b) Garbage shall be removed more often than weekly if dumpsters become full. Garbage shall be transported and disposed of in accordance with state laws and rules and county policies regarding licensed disposal and processing.
- (c) Multiple-family properties that use a cart-style service may opt in to the city-contracted garbage service.

Section 8. Yard Waste and Source Separated Organics Collection and Composting

- 8.1 Yard waste shall be properly disposed of by:
 - (a) Backyard composting or in-place mulching (as by “mulching mowers”).
 - (b) Collected by the city-contracted garbage hauler separate from the garbage and for an additional fee.
 - (c) Taken by the resident or property owner to an approved county or private yard waste drop-off or transfer facility.
 - (d) Including yard waste in a source-separated organics collection program, if available.
- 8.2 Home lawn, garden waste, and kitchen food scraps may be composted in small quantities on a residential lot as long as the compost pile does not create a nuisance for neighbors due to objectionable odor, vectors of disease or unsightliness.
 - (a) Backyard composting must be done in a structure that prohibits the entry or nesting of rodents and vermin. Composting of meats or fats that attract rodents and vermin is prohibited in backyard composting.
 - (b) Compost structures must be placed at least five feet from rear- and side-yard property lines and shall not be placed in a front yard. Compost structures shall be properly maintained and shall not be unsightly.
 - (c) Residents must follow composting operation guidelines as published by the University of Minnesota Extension Service or other reputable gardening experts.
- 8.3 Yard waste not collected by the city-contracted garbage hauler or not composted by the resident, or tree limbs, stumps and roots greater than six (6) inches in diameter must be transported to a properly permitted and licensed yard waste transfer or composting facility.
- 8.4 Reserved for Source Separated Organics program.
- 8.5 Reserved for standards relating to separation and collection of source separated organic waste at multiple-family dwelling properties.

Section 9. Bulky Waste, Large Appliances and Electronic Waste

- 9.1 All bulky waste, large appliances, electronic waste and similar items not included in the garbage or recycling programs shall be properly disposed of. No such items may be disposed of in streams, ponds, waterways or roadside ditches or on vacant or public land, or on property whether owned or not owned by the waste generator.
- 9.2 Upon customer request, all licensed city-contracted garbage haulers must collect and properly dispose of appliances or bulky waste within 24 hours of a customer's request. An additional fee may be charged by the hauler for this service; the fee, if any, for such service is the responsibility of the generator of the appliances or bulky waste if known, or the property owner on whose property the item is on, and must be paid in full.
- 9.3 Electronic waste must be properly disposed of, either through special arrangements with the city-contracted garbage hauler, hauling of electronic waste by the resident to a legitimate electronic waste drop off facility, take back service at a retailer, or other approved disposal method. An additional fee may be charged by the hauler for this service; the fee, if any, for such service is the responsibility of the generator of the electronic waste or the property owner on whose property the item is on and must be paid in full.
- 9.4 Each owner of a building containing more than five (5) dwelling units shall provide for bulky waste services for all units.
 - (a) Adequate provision on the property must be made by the owner for the convenient and proper disposal of bulky materials by residents. Bulky materials placed by residents for disposal shall be collected by a licensed hauler at least weekly.
 - (b) Provision must be made by the owner for differential processing and disposal of the types of bulky waste generated by residents, including burnable bulky waste, recyclable bulky waste (appliances) and electronic waste.
- 9.5 Each owner of a building containing more than five (5) dwelling units shall prohibit the disposal of household hazardous waste, or other prohibited waste in garbage or recycling containers, and shall provide educational information to all residents in the building on the proper transportation and disposal of household hazardous waste.

Section 10. Home Owner Associations

- 10.1 Home owner associations that utilize garbage carts and that have existing garbage collection contracts that meet the minimum requirements of these standards are not required to have city-contracted garbage collection services.
- 10.2 Home owner associations may apply to the city to opt in to the city-contracted garbage collection service by submitting the application form attached as Appendix F to this document.
- 10.3 Home owner associations that have city-contracted garbage services must continue to have city-contracted garbage services.

Section 11. Commercial Solid Waste Standards

(This section is presented to facilitate the conceptual discussion of solid waste management standards for commercial properties. If standards for commercial properties are desired, appropriate language must be added to the Ordinance.)

- 11.1 Each business or commercial property must provide for the separation of recyclables, bulky waste, hazardous waste and other items designated in these standards from garbage, and shall insure the appropriate processing or disposal of all solid waste in accordance with Minnesota statutes, Minnesota Pollution Control Agency regulations and county policies.
- 11.2 Each business or commercial property shall have weekly garbage dumpster or equivalent service, provided by a commercial hauler licensed by the city.
 - (a) The dumpsters shall be of a minimum capacity of one cubic yard, covered, and of an approved sanitary type with the proper attachments for lifting onto garbage trucks. The dumpsters shall be water-tight and rat and vermin-proof. If garbage carts are used, there shall be adequate capacity in size and/or number of carts to contain all waste generated between collections.
 - (b) Garbage shall be removed at least once weekly, and more often if garbage carts or dumpsters become full. Garbage shall be transported and disposed of in accordance with state laws and rules and county policies regarding licensed disposal and processing.
- 11.3 Each business or commercial property shall provide for recycling services for all units.
 - (a) Adequate containers shall be provided by the owner or by the recyclables hauler for all recyclable materials. Containers shall be stored on the premises in a location that is convenient for building tenants to place recyclables and for haulers to collect recyclables. The containers for recycling will be covered and secured so that building tenants may easily place recyclables in the containers. Recyclables shall not be exposed to wind, rain and snow. The recycling container lids should also discourage human and animal scavengers from accessing or removing recyclables.
 - (b) Recyclable materials shall include the same list as the city's residential recycling program (see Sec. 2.2 above) unless the city approves a variance in writing, in addition to any business-specific recyclables for which a market is available (e.g., metal turnings, printing rolls or end runs, or other types of commercial or industrial scrap commodities).
 - (c) All recyclable materials placed by building tenants in the commercial recyclables collection containers should be collected at least bi-weekly and processed and marketed for recycling by a properly licensed recycling company, and all recyclables must be appropriately recycled as per Minnesota laws and regulations. No recyclable materials

placed by building tenants in the recyclables collection containers will be collected or disposed of as garbage.

- (d) Recycling education information should be provided to all building tenants that explains the reasons to recycle, recyclables to be separated from solid waste, the manner of separation and the location of the containers provided for recycling. If English is not the language spoken by specific tenants, education shall be provided to them in a language and/or format that is understandable by them. The education information may consist of fliers, posters, presentations or other methods as appropriate. The education program may be conducted by the owner or by the recyclables hauler.

11.4 Reserved for standards relating to separation and collection of yard waste at commercial properties.

11.5 Reserved for standards relating to separation and collection of organic waste at commercial properties.

Section 12. Delinquent Accounts

- 12.1 The city contracted garbage hauler is responsible for collection of all fees associated with the collection and processing of garbage from residential properties. The city-contracted hauler shall make good-faith efforts to collect all amounts due, including use of a collection agency. All such efforts shall be documented.
- 12.2 The St. Paul Water Authority and adjacent cities, as applicable, are responsible for the collection of all fees associated with the City of Maplewood recycling program. The St. Paul Water Authority or the appropriate cities shall make good-faith efforts to collect all amounts due, including use of a collection agency.
- 12.3 If an amount due continues to be delinquent, and after no less than 120 days from the account being declared “past due” by the above entity, the City of Maplewood shall declare the amount delinquent. The entity shall submit a written request to the City of Maplewood with adequate documentation of the efforts made to collect the past due amounts. If the city determines that a good faith effort was made and that adequate documentation was submitted, the city shall place the amount on the property taxes associated with the property for which the amount is due. The city shall follow all practices required by the state and city ordinance to assess the delinquent amount to the property.

Section 13. Resolution of Disputes

- 13.1 If there is a dispute between the customer and a hauler regarding extra service charges or required cart size, such disputes shall be forwarded by the customer to the City of Maplewood.

13.2 The dispute shall be in writing, and shall contain the following information:

- (a) Date of the dispute;
- (b) Nature of the dispute (cart size, charges for extra garbage, missed service, etc.);
- (c) Any and all evidence related to the dispute (photographs, neighbor's statements, etc.);
and
- (d) Requested resolution of the dispute.

The dispute shall be mailed or delivered to:

City of Maplewood
City Manager
1830 County Road B East
Maplewood, MN 55109

13.3 The City of Maplewood shall make a determination regarding the dispute, and notify the customer and the city-designated hauler of the determination. The determination of the city shall be final, unless the customer desires to seek further remedy in District Court.

APPLICATION AND REPORTING FORMS

Appendix A
Request for Exemption from City-Contractor Provided Garbage
Service

(\$35.00 application fee required)

Note: Alternate service providers from the city-contracted garbage hauler will not be approved for residential service.

Address of Property for which exemption is requested:

Name of Person Requesting Exemption: _____

Phone number: _____ Alternate phone number: _____

E-mail: _____

Name of Property Owner: _____

Address of Property Owner (if different than address for which exception is requested):

Reason for exemption request:

Shared garbage service:

Name and address of shared service: _____

(An original, signed, permission from the person providing the shared service is required, using Appendix E)

Garbage will be self-hauled

Location of Transfer Station or processing facility to which garbage will be self-hauled:

Name: _____

Address:

Phone: _____ E-mail: _____

State solid waste permit number _____

If garbage will be hauled to a business, the address of the business to which garbage will be hauled:

The owner of the business to which garbage will be hauled:

(If the facility is not a business owned or operated by the Requester, written permission from the person owning or operating the facility is required, using Appendix E.)

Name of garbage hauler/contractor that provides garbage service to the facility to which garbage will be hauled (if not a transfer station or processing facility):

The City of Maplewood shall have sole discretion to grant or not grant this request. Regular verification of proper disposal of garbage and waste will be made at the property for which the request for exemption from garbage service is made. Evidence of improper garbage or waste disposal shall be reason to immediately require service by the city-contracted garbage hauler.

Appendix B
Request for Every Other Week Garbage Removal
(Exemption from Weekly Removal)

(\$15 fee is required)

Address of Property for which exemption is requested:

Name of Person Requesting Exemption: _____

Phone number: _____ Alternate phone number: _____

E-mail: _____

Name of Property Owner: _____

Address of Property Owner (if different than address for which exception is requested)

Current garbage service level:

Wheeled cart size (check box) 20 gallon 35 gallon 65 gallon 95 gallon

How long have you had this service level? _____

Do you have overflow bags of garbage more than once every six months?

Yes No

Reason for exemption request:

- Intermittent occupancy
- Extremely small generation of garbage

Approximate amount of garbage generated per week (# 13 gallon (kitchen) bags) _____

Number of occupants of the property: _____

The City of Maplewood shall have sole discretion to grant or not grant this request. Regular verification of proper disposal of garbage and waste will be made at the property for which the request for exemption from garbage service is made. Evidence of improper garbage or waste disposal shall be reason to immediately require weekly removal of garbage.

Appendix C
Request for Temporary Exemption From City-Contractor
Provided Garbage Removal

Address of Property for which exemption is requested:

Name of Person Requesting Exemption: _____

Phone Number: _____ Alternate Phone Number: _____

E-mail: _____

Name of Property Owner: _____

Address of Property Owner (if different than address for which exception is requested)

Current garbage service level:

Wheeled cart size (check box) 20 gallon 35 gallon 65 gallon 95 gallon

How long have you had this service level? _____

Reason for exemption request:

Temporary due to extended vacancy of property (must be a minimum of two months). Dates of vacancy:

Permanent vacancy of property (e.g. before demolition)

The City of Maplewood shall have sole discretion to grant or not grant this request. Regular verification of proper disposal of garbage and waste will be made at the property for which the request for exemption from garbage service is made. Evidence of improper garbage or waste disposal shall be reason to immediately require weekly removal of garbage.

Appendix D
Request for Walk up Service

Address of Property for which Walk Up Service location is requested:

Name of Person Requesting Exemption: _____

Phone Number: _____ Alternate Phone Number: _____

E-mail: _____

Name of Property Owner: _____

Address of Property Owner (if different than address for which exception is requested):

Current garbage service level:

Wheeled cart size (Check Box) 20 gallon 35 gallon 65 gallon 95 gallon

Reason for special service location request:

The City of Maplewood shall have sole discretion to grant or not grant this request. Regular verification of proper disposal of garbage and waste will be made at the property for which the request for special service location is made. Evidence of improper garbage or waste storage, collection or disposal shall be reason to immediately require standard garbage set-out procedures.

Appendix E

Permission for Another Person to Use Garbage Service

Name of Person bringing garbage to your location:

Address of Property which is bringing garbage to your location:

Your name, business name:

Your Address:

Name of garbage hauler/contractor that provides garbage service to the facility to which garbage will be hauled (if not a transfer station or processing facility):

Certification:

I, _____ (name), owner of _____
(name of business or property address) will allow _____ (name of
person bringing garbage) to use the garbage services provided at my premise. I acknowledge that any
requirements for additional or enhanced solid waste services that are needed as a result of this
permission (larger container, more frequent service) will be provided by me.

Signature

Date

The City of Maplewood shall have sole discretion to grant or not grant this request. Regular verification of proper disposal of garbage and waste will be made at the property for which the request for special service location is made. Evidence of improper garbage or waste storage, collection or disposal shall be reason to immediately require standard garbage set-out procedures.

Appendix F
Home Owners' Association Request to Opt In

Name of Homeowner Association:

Addresses of Properties in Association: _____ ; _____ ;
_____ ; _____ ; _____ ;
_____ ; _____ ; _____ ;
_____ ; _____ ; _____ ;
_____ ; _____ ; _____ ;
_____ ; _____ ; _____ ;
_____ ; _____ ; _____ ;
_____ ; _____ ; _____ ;

Billing address of Association:

Name of Person Requesting Service: _____ Title: _____

Phone number: _____ Alternate phone number: _____

E-mail: _____

Current garbage service level at most residences: (circle)

- 65 gallon wheeled cart 95 gallon wheeled cart Group (shared) dumpsters

The City of Maplewood shall have sole discretion to grant or not grant this request. Regular verification of proper disposal of garbage and waste will be made at the property for which the request for special service location is made. Evidence of improper garbage or waste storage, collection or disposal shall be reason to immediately require standard garbage set-out procedures.

Appendix G
Recycling Reporting Form for Multiple-Family Dwellings
That Do Not Use the City-Contracted Recycling Hauler

Address of Property:

Billing address of Association:

Name of Person submitting report: _____ Title: _____

Phone number: _____ Alternate phone number: _____

E-mail: _____

Current Recycling Service Provided:

Number of dumpsters for containers (cans, bottles) _____

Size of container dumpsters _____ (2 yd., 6 yd., 8 yd., etc.)

Number Dumpsters for paper and fiber _____

Size of Dumpsters _____ (2 yd., 6 yd., 8 yd., etc.)

Name of Recycling Hauler: _____

Address of Recycling Hauler:

Phone number of Recycling Hauler: _____

Name of facility where recyclables are taken: _____

Number of times in previous year that each type of container was emptied.

Dumpsters for containers: _____ (e.g. 12 if once/month, 24 if twice/month)

Weight of recyclable containers: _____ (e.g. 1269 pounds)

Dumpsters for paper and fiber: _____

Weight of recyclable paper and fiber: _____

Please attach one copy of each of the educational materials distributed to your residents.

Dates these materials were distributed: _____, _____,
_____, _____, _____, _____

Number of people materials were distributed to: _____

AGENDA REPORT

TO: James Antonen, City Manager
FROM: Charles Ahl, Assistant City Manager
SUBJECT: Discussion on Listening Forum Process
DATE: May 2, 2012

INTRODUCTION/ BACKGROUND

The City Council requested that staff place an item on the next Work Session for a discussion amongst the Council about the current process for the Listening Forum.

The Listening Forum was created on January 9, 2012 and is included as part of the Rules and Procedures for City Council and Council Meetings. The first Listening Forum was held at 6:30 pm on January 23rd, 2012, and has been held prior to every regular Council Meeting since that first meeting.

RECOMMENDATION

It is recommended that the City Council discuss the Listening Forum process. As directed by Council, there is no staff recommendation on this issue.