

STATE OF MINNESOTA

**COUNTY OF STEARNS
CITY OF ST. AUGUSTA**

ORDINANCE No. 2013-09

**AN ORDINANCE REQUIRING LICENSING FOR RESIDENTIAL SOLID
WASTE HAULERS WITHIN THE CITY OF ST. AUGUSTA**

THE COUNCIL OF THE CITY OF ST. AUGUSTA DOES ORDAIN:

SECTION 1. Licensing Requirements

- A. License Required
 - 1. It is unlawful for any person to haul garbage, rubbish, or recyclables without the appropriate license issued by the City under this ordinance unless the person is hauling from their own residence for disposal at another location with the approval of that property owner.
 - 2. Haulers collecting garbage, rubbish, or recyclables from any residential customer must be licensed.

- B. Conditions of License: Each license shall be applied for, issued and renewed and may be suspended or revoked, as provided by this Ordinance, and each licensee shall comply with all applicable requirements of this Ordinance.

- C. Application for License: Any person desiring a license to collect garbage shall make application for the same to the City Administrator upon a form prescribed by the City. The applicant shall set forth the following:
 - 1. The name and address of applicant
 - 2. A list of the equipment which the applicant proposes to use in such collection.
 - 3. The place or places to which the garbage, rubbish, and/or recyclable materials is to be hauled.
 - 4. The manner in which said garbage, rubbish and/or recyclable materials is to be disposed of.

- D. Liability Insurance: Before a license is issued, the applicant shall file with the City Administrator evidence that the applicant has in effect public liability insurance for the hauler's business and for all vehicles in at least the sum of five hundred thousand dollars (\$500,000.00) for injury of one (1) person, one million dollars (\$1,000,000.00) for injury of two (2) or more persons in the same accident and one hundred thousand dollars (\$100,000.00) for property damages.

- E. Schedule of Rates: When the application is submitted, the applicant shall file with the City Administrator a schedule of proposed rates to be charged during the licensed period. Every licensee shall provide thirty (30) days written notification to the City and the licensee's customers of any change in rates to be implemented during the license period.
- F. Licensee Fee: Before a license is issued, the applicant shall pay to the City a license fee to be established along with the City's Fee Schedule Ordinance. The fee shall accompany the application.
- G. Expiration of License: No license issued shall be for a period longer than one (1) year, and all licenses shall expire on December 31, of each year.
- H. Suspension or Revocation: Licenses may be suspended or revoked by the City Council, after the licensee has been given a reasonable notice and an opportunity to be heard, for the violation of any provisions of this Ordinance or for the violation of any conditions or restrictions in the motion granting the license or any motion passed by the City Council or upon failure of the licensee to comply with any conditions, order or direction issued by the City Council.

SECTION 2. Requirements and Restrictions

- A. Collection of garbage and rubbish materials will be provided on a weekly basis.
- B. Hours of Operation: No hauler shall operate in the City of St. Augusta before 7:00am or after 9:00pm.
- C. Days of Operation: Collection of garbage, rubbish and recycling materials shall be restricted to _____ only, except when _____ is a legal holiday. In case of a holiday, the collection will occur the following business day.
- D. Vehicle Equipment and Maintenance: Licensees shall have covered watertight, packer type vehicles or, in the case of recycling, appropriate container vehicles in good condition and which prevent loss in transit of liquid or solid cargo. All vehicles shall be kept clean and as free from offensive odors as possible and shall not be allowed to stand in any street longer than reasonably necessary to collect garbage, rubbish and recyclable materials.
- E. Curbside recycling collection will be made available to all customers. Such service shall provide a single-sort service and the container shall be equal in size to the garbage container. Recycling service shall be bi-weekly and on the same day as garbage and rubbish collection.

- F. Collection service priced on the basis of volume shall be provided. All billings shall be itemized so as to show what individual charges are being levied.

This ordinance shall be effective upon its passage and publication in the official newspaper of the City.

Passed this 5th day of November, 2013

B.J. Kroll
Mayor

ATTEST:

William R. McCabe
City Clerk