CITY OF STILLWATER ORDINANCE NO. 1106 AN ORDINANCE AMENDING CHAPTER 30 OF THE STILLWATER CITY CODE, ENTITLED GARBAGE AND RUBBISH The City Council of the City of Stillwater does ordain: 1. AMENDING. The Stillwater City Code, Chapter 30, entitled "Garbage and Rubbish" is deleted in its entirety and hereby replaced with the following:  CHAPTER 30 SOLID WASTE AND RECYCLING ARTICLE I. GENERAL REGULATIONS Sec. 30-1. Purpose.	(1) Administrative penalties not remitted within forty-five (45) days of imposition shall be doubled on the forty-sixth (46th) day after the date of the city's notification to the hauler of the imposition of administrative penalties, and shall double again after each successive thirty (30) day period on which the penalties are not fully remitted to the city. (2) No license under this article shall be renewed or issued if the hauler, or individuals having interest in the business entity for which the license is sought, have any outstanding administrative penalties due to the city for that business entity or another business entity under their financial control. Subd. 10. If the county revokes or suspends any hauler's license, the city license shall then automatically be revoked or suspended for the same length of time, without further action of the city. 2. SAVING. In all other ways the Stillwater City Code shall remain in full
This adopted ordinance is the city's goal to improve solid waste management and to serve to the following purposes: Subd. 1. Achieve a reduction in waste generated. (1) To protect the public health, safety, comfort, convenience, and general welfare of the residents of the city. (2) Encourage the separation and recovery of materials and energy from waste. (3) To establish powers, duties, rules, regulations, and standards for the	force and effect. 3. EFFECTIVE DATE. This Ordinance shall be effective upon its page and publication according to law. Adopted by the City Council this 3rd day of July, 2018. CITY OF STILLWATER /s/ Ted Kozlowski Mayor ATTEST: /s/ Diane F. Ward
removal of solid waste from the city.  (4) Promote best management practices in solid waste management to protect air quality, water quality, and natural resources.  (5) Provide high quality solid waste and recycling services in the most cost-effective manner possible.  (6) To promote programs and recommend policies to reduce waste and promote yard waste reduction through separation of recyclables and yard and garden wastes; and encourage the purchasing of products that are	City Clerk  Published in the Stillwater Gazette July 13, 2018 834060
most durable or contain recycled or recyclable materials.  (7) To meet minimum standards and requirements established by rules of the Minnesota Pollution Control Agency regarding solid waste.  (8) To assure that the city complies with the city's current comprehensive plan, the current Washington County Solid Waste Management Master Plan, and any updates to those plans approved by the city or the county.  (9) To provide for the administration of the ordinance.	
The city has authority to enact ordinances for these purposes under Minn. Stat. §412.221, subd. 22, which requires the city council to provide for or regulate the disposal of garbage, recycling and other solid waste. Sec. 30-2. Definitions.  The following terms, as used in this Chapter, shall have the meaning stated:  Abatement means the processes required to remove an assessment once charges have been certified to the county auditor for collection with	
the real estate taxes.  Additional/overflow garbage means garbage in excess of the capacity of the garbage cart with the lid in the fully closed position.  Appliances means a device or instrument, especially an electrical device, designed to perform a specific function for household use. (Examples: washer, dryer, water heater, toaster, microwave, dehumidifier, air conditioner, etc.)  Bulky waste shall have the meaning set forth in Minnesota Statutes and	
is a subset of Municipal Solid Waste (MSW). It includes household items and other discarded materials that due to their dimensions and weight are typically not collected as part of the regular trash and recycling, or for which may have a separate fee, such as furniture, carpeting, mattresses, and appliances including consumer electronics.  Cart, or curbside cart are containers for MSW, recyclables or yard waste equipped with wheels and a lid in the following standardized sizes (approximate capacities): 32-gallon (small), 64-gallon (medium), 96-gallon	
(large) further referred to as "small", "medium", or "large." ownership is retained by the city's contracted garbage hauler.  City-contracted garbage hauler is the company that the city contracts with in accordance with Minn. Stat. §115A.94 to provide residential garbage and recycling collection and disposal services in the city. The city-contracted garbage hauler is the sole garbage hauler for single-family and multi-family residential properties in the city.  Collection by the city means all trash and recycling accumulated in resi-	
dences in the city shall be collected, conveyed and disposed of by the city or by its duly authorized contractor. No person shall collect or dispose of any trash and recycling accumulated on residential premises of the city except the city or its designated contractor.  Containers means trash, organics and recycling containers (i.e., 2, 4, 6, or 8 yard commercial container or roll-off boxes) which shall be equipped with suitable handles and tightfitting covers, and shall be watertight.	
Collection day means the normal day for pick-up of MSW, recyclables, yard waste, and other materials outlined in this chapter.  Collection service means the process of collection and transportation of garbage, yard waste, recyclables, and bulky waste and/or source-separated organic materials by city-contracted garbage hauler to a processing facility.  Commercial property means properties in the city that are classified generally as commercial or business in the city zoning code that generates the commercial contracts of the city and the contract of the city and the city	
ate garbage and recyclables and are typically serviced by a hauler of the business' choice.  County means County of Washington, in Minnesota.  Composting means a method of recycling yard waste by allowing it to decay and then using it as a soil amendment.  Consumer electronics shall have the meaning set forth in Minnesota Statutes and means any discarded device generated in a residential unit with a circuit board, including but not limited to, televisions, computers, laptops, tablets, computer monitors, peripherals (e.g., keyboard, printer,	
mouse, etc.), cell phones, PDAs, DVD recorders/players and video cassette recorders/players, and fax machines.  Construction debris means building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings, roads or other facilities.  Contractor's garbage bill means the contractor's bill for services, from either the city-contracted garbage hauler or a commercial hauler, which is	
directly submitted to customers.  Curb or curbside means that portion of the right-of-way adjacent to paved or traveled roadways, including alleys.  Day-certain collection means a city-approved plan for collection services by an established day-certain schedule which requires garbage, yard waste, recyclables, and source-separated compostable materials collections on the same day of the week, and which is based on a five-day workweek (Monday through Friday).	
Disposal means the treatment, utilization, processing, transfer or deposit of solid waste.  Excess household waste means waste that exceeds the capacity of the resident's cart and is subject to a special fee for pick up.  Food waste means residential food waste and includes meal preparation and leftover food scraps from households intentionally separated at the source by residents for the purpose of backyard composting or separate collection for centralized recovery	
Hazardous wastes has the meaning defined in Minn. Stat. §115A.96, state rule, and county ordinance. Wastes are hazardous in Minnesota when they display one or more of these characteristics: ignitable, oxidizer, corrosive, reactive, toxic, or lethal.  Mixed Municipal Solid Waste (MSW) has the meaning set forth in Minn. Stat. §115A.03, and means garbage, refuse, and other waste materials from residential, commercial and community activities that the generator of the waste aggregates for collection, but does not include auto hulks, activated waster to the contraction of the material waste.	
street sweepings, ash, construction debris, mining waste, sludge, tree and agriculture wastes, tires, lead acid batteries, used oil, and other materials collected, processed and disposed of as separate waste streams. Also referred to as "garbage".  Multiple residential dwelling service means providing solid waste and recycling pick up to any structure containing more than three (3) dwelling units that does not meet the definition of a residential dwelling service.  Non-targeted materials means materials that are not designated by the city, county or state as recyclable.	
Normal household waste means Mixed Municipal Solid Waste (MSW) typically generated by residential households.  Owner means to be the owner recorded at the county auditor's office. Processing means the sorting, volume reduction, baling, containment or other preparation of recyclables delivered to a facility for transportation or marketing purposes  Processing center means a facility in which solid waste and recyclable materials are processed. The facility will conform to all applicable rules,	
regulations and laws of state, local or other jurisdictions.  Recyclable materials, recyclables have the meaning set forth in Minnesota Statutes and means material that are separated from MSW for the purpose of recycling or composting, including recyclables. At a minimum, the list of recyclables shall be inclusive of the Washington County standard list of residential curbside recyclables.  Recycling shall have the definition in Minnesota Statutes and shall mean the process of collecting and preparing recyclable materials includ-	
ing yard waste and source-separated organic materials, and reusing the materials in their original form or using them in composting or manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.  Residential dwelling service means providing solid waste and recycling pick up to any single building consisting of one through three dwelling units with individual kitchen facilities for each and shall include multi-family, apartments including apartment dwellings in the central business district,	
condominium and townhouse buildings, bed and breakfast operations and businesses operating out of a residence. Single-family residences shall constitute one unit. Each unit of a multiple dwellings will constitute one unit for the purposes of this chapter.  Residential hauling district means an area of the city in which all residential mixed municipal solid waste, recyclable materials and yard waste are collected on the same day.  Resource recovery facility means a waste and recycling facility con-	
tracted by and/or operated by the Ramsey/Washington Recycling and Energy Board (R & E Board) in which solid wastes are processed.  Roll-off service means providing an open top dumpster characterized by a rectangular footprint, utilizing wheels to facilitate rolling the dumpster into place. Roll-offs are commonly used to contain loads of construction and demolition waste or other waste types.  Single-sort recycling means the required recyclables collection method in which items designated as "recyclable materials" or "recyclables" are	
placed in a recycling cart, without being sorted for curbside collection.  Source separate organic materials (SSOM) shall include food waste and other compostable organic materials that are source separate for recovery and as defined in Minnesota Statutes. The term "organics" does not include yard waste for the purposes of this ordinance. (Also referred to as "food waste/organics" and "source separated organics".)  Special pick-up means any collection of material other than MSW, recyclables, or yard waste. Special pick-up includes bulky waste and con-	
struction/demolition waste.  Tenant means a person who occupies/rents owner's property.  Volume based billing means a graduated rate structure based upon the volume of MSW collected from residential dwellings.  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 pro-	
vided 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 that is applied for on a case-by-case basis.  Waste materials means stone, sod, earth, trees, tree branches, wood, concrete, contractor's building materials, large automobile parts, junk cars, tires, large appliances, inflammable liquids, manure or articles so heavy or bulky that they cannot be easily lifted by one person. Waste materials are not considered "mixed municipal solid waste" for the purposes	
of this chapter.  Yard Waste means items such as grass trimmings, leaves, garden wastes, twigs and miscellaneous tree seeds and cones and bundled brush no larger than 4' x 2' and under 40 pounds per bundle.  Sec. 30-3. Consumer Regulations: Consumer regulations are as follows:  Subd. 1. Collection by the city. All garbage and recycling accumulated in residences in the city shall be collected, conveyed and disposed of by	
the city or by its duly authorized contractor. No person shall collect or dispose of any trash and recycling accumulated on residential premises of the city except the city or its designated contractor.  Subd. 2. Containers. Trash and recycling containers shall be only those authorized by the city and provided to the consumer by the city contractor and shall be equipped with suitable handles and tightfitting covers and shall be watertight.  (1) Trash and recycling containers shall be stored out of view of the	
public street, except that the containers may be placed at curbside after 5:00 p.m. the day before the scheduled collection and on days scheduled for collection. The trash and recycling containers shall be made readily accessible to the collector by placing the container at curbside no later than 6:00 a.m. on the day of collection.  (2) The consumer shall be responsible for the damage or loss of a container and shall be liable to the contractor for this damage, except that reasonable wear is expected.	
<ul> <li>(3) No mixing of household waste, yard waste, hazardous waste, recyclables or other solid waste shall be permitted.</li> <li>(4) No container shall be unreasonably compacted by stuffing or otherwise.</li> <li>(5) A 30-gallon bag of waste shall not exceed 30 pounds, and a bag of yard waste shall not exceed 40 pounds.</li> <li>(6) All bags shall be closed at the top and the lid shall fit securely shut on each container.</li> </ul>	
(7) Participants in residential dwelling service as defined must participate in the recycling program.  Subd. 3. Yard Waste. Yard waste shall be separated from MSW and recyclable materials.  Sec. 30-4. Fees.  The fees for collection per month are established by the city council in the agreement negotiated with the city's hauler.  Subd. 1. In the event a residence desires collection of normal house-	
hold waste in excess of the waste held by the resident's container per week, they shall place the waste in bags not exceeding 30 gallons. Residents shall pay the contractor an additional charge for each additional 30-gallon bag.  Subd. 2. Residents who will be continuously absent from the city for more than 90 days and have notified the city's contracted hauler will not be charged during the period of their absence.  Subd. 3. Walk-up service may be available for garbage or recycling	
which is applied for on a case-by-case basis.  Sec. 30-5. Collection of charges.  Subd. 1. In all residence buildings, it shall be the responsibility of the property owner to contract with the city's hauler to provide for the collection of the mixed municipal solid waste and recycling in accordance with this chapter. The property owner shall be responsible and liable hereunder whether or not the said owner occupies or resides in the building and whether or not said premises is leased or rented to another.	
Sec. 30-6. Required Collection of Mixed Municipal Solid Waste.  Subd. 1. Any commercial property or any other structure in the city, including churches and halls, shall have garbage collected by hauler licensed by the city and shall comply with this section.  Subd. 2. All garbage shall be disposed of in compliance with state law and county policies regarding required processing of waste.  Sec. 30-7. Collection practices.  Collection practices are as follows:	
Subd. 1. Contractor shall make MSW curbside pickup at all residential units in the city one time per each week. All MSW from each dwelling, including yard waste, bulk waste, and other material shall be collected on the same day.  Subd. 2. Single-sort recycling shall be unlimited in quantity and picked up at least every other week on the same day as MSW and other materials are collected.  Subd. 3. Daily service hours shall be between the hours of 7:00 a.m.	
and 7:00 p.m. for residential areas (as defined residential dwelling service/ residential dwelling district) in the city. No Collection service shall take place outside of these hours.  Subd. 4. The pickup of normal household waste and yard waste is limited in quantity and the fee for collection of normal household waste and yard waste may be set from time to time by resolution of the city council. Subd. 5. Pickup of commercial waste, including MSW, food waste, grease, recyclables and all other wastes shall occur no less than once per	
week, and as often as necessary so that containers do not overflow and no objectionable odors can be detected more than three (3) feet from any container.  Subd. 6. Hauler shall respond promptly upon request by the city to clean up any spills, loose solid waste, solid wastes blown out or vehicles or leakage of vehicle fluids that result from its operations. The contractor shall promptly clean up any of the above if observed by employees or notified of it during the route.	
Sec. 30-8. Recycling procedures.  Subd. 1. Materials to be collected. The city's contracted hauler is required to pick up recyclable materials at every residential dwelling.  The city council, by resolution approving the city's contract hauler agreement, establishes recyclable materials. In the event the city, county or state changes the list of recyclable materials, the city's contracted hauler shall begin collection of any additional recyclable materials within 30 days of the adoption of the resolution unless written approval is obtained	
from the city.  Subd. 2. Collection. City's contracted hauler shall only collect recyclable materials properly prepared by the homeowner and placed in an approved recycling container. The licensed hauler shall provide single-sort recycling services to all properties.  The hauler shall have full responsibility to determine which items are properly prepared, but should make every reasonable effort to collect all items set out by residents for recycling.	
The hauler shall not landfill or incinerate any recyclable materials collected, nor sell, trade or give materials to any person or business for the purpose of landfilling or incinerating said materials without the prior written consent of the city and the State of Minnesota.  Subd. 3. Notifications. The hauler shall provide each new customer with detailed instructions on how to prepare recyclables for collection. Hauler must notify customers at least thirty (30) days in advance before changing their recycling collection system and provide detailed instruc-	
tions on how to prepare recyclables under the system. Hauler shall also notify customers at least once each year of proper recyclables preparation for collection, including the list of recyclable materials.  Sec. 30-9. Yard waste and SSOM procedures.  Subd. 1. Frequency of collection. Each licensed hauler shall make weekly collection of yard wastes within the daily residential hauling districts from May 1 to November 30, weather permitting. When SSOM collection is begun, each licensed hauler shall make weekly collection of	
SSOM within the daily hauling districts.  Subd. 2. Collection plan. The city's hauler shall submit a service plan for yard waste pick-up. This plan at a minimum shall describe the services to be provided, the manner in which the hauler intends to collect and haul away yard waste, the licensed compost site to receive the yard waste, the method by which the hauler will inform its customers of yard waste collection service, and the fees for pickup service.  The city may accept a plan that provides yard waste pickup through a subcontractor provided an acceptant to provide yard such parties in a feet.	
subcontractor, provided an agreement to provide such service is in effect between a subcontractor and/or the city's hauler and the agreement is pre-approved in writing by the city. The sub-contractor shall be licensed by the city. The yard waste plan submitted shall remain in effect for the term of the license or city's hauler contract unless written approval to modify the plan is obtained from the city.  Subd. 3. SSOM to be collected. The city council shall determine the beginning of SSOM collection in the city.	
When SSOM collection begins, service plans including frequency of collection, required disposal at a licensed facility, reporting to the city, and other city-specified parameters shall be required to be approved by the city in writing prior to implementation.  Subd. 4. Notification. The hauler in March and September shall notify each customer of the yard waste services, yard waste container rental and procedures for yard waste pickup provided by the hauler.  Sec. 30-10. Disposal requirements	
Subd. 1. It shall be unlawful for any person, firm or corporation to fail to dispose of MSW and other waste materials in a sanitary manner that may be or may accumulate upon property owned or occupied at least as often as hereinafter provided.  Subd. 2. Littering:  (1) No person shall cast, place, sweep, or deposit anywhere within the city any MSW, recyclables, bulky waste, SSOM, yard waste, or construction/demolition debris in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or other	
public place or onto any property within the city.  (2) No person shall place MSW, recyclables, bulky waste, SSOM, yard waste, construction/demolition debris or any other waste in any alley or other public place, or upon any private property, whether owned by such a person or not, unless it is in proper containers for collection or under express approval granted by city staff.  (3) Nor shall any person, cast, throw or deposit any MSW, recyclables, bulky waste, yard waste, construction/demolition debris, or any other	
waste into any stream or other body of water or anywhere in the city that may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, storm sewer, parkway or other public place or into any occupied premises within the city.  Subd. 3. Any unauthorized accumulation of MSW and recycling on any premises is hereby declared to be a nuisance and is prohibited.  Subd. 4. Construction debris that accumulates on construction sites must be contained in a durable container to prevent waste from escaping.	
The capacity of the durable containers must be sufficient for the project or planned removal (pick-ups) must be scheduled. Construction and demolition waste haulers that use roll-off containers must have a roll-off license. Waste materials cannot be stored in the structure. Failure to contain and control waste building materials will result in a stop work order.  Subd. 5. Disposing of MSW, recyclable materials, waste materials, or yard waste in an unregulated manner on any street, alley, drive, park, playground, or other public place or on any occupied or vacant privately	
owned lot shall constitute a violation of this section, whether such material is discarded by the individual upon whose premises the material originates or whether it is discarded by some other person or collector, licensed or unlicensed.  Sec. 30-11. Burying and burning.  No person shall bury any MSW, recyclable materials, or other waste materials within the city and no person shall burn MSW, or other waste materials except in an incinerator located within a residence or other building	
that conforms to the requirements of the State of Minnesota. Sec. 30-12. Rules and regulations. Subd. 1. The city council shall have the authority to make rules and regulations concerning type and location of waste containers, the collection of yard and garden wastes and recyclables, license applications and the information required, and any other matter concerning solid waste management that is not in conflict with this chapter. Subd. 2. All solid waste and recycling accumulated in areas of the city	
not subject to mandatory collection by the contractor authorized by the city for residential collection must contract with a solid waste removal contractor licensed by the city for removal and lawful disposal of MSW and recycling.  Subd. 3. If the city determines a health or safety hazard exists in the manner garbage and rubbish is stored on site and held for removal by a contractor, a solid waste plan must be provided to the city that controls or eliminates the condition. Once the plan is approved by the city, failure to	
abide by the plan is a violation of the City Code. Subd. 4. No person shall deposit MSW and recyclables accumulated by a residence or business in the container of another or in a container maintained by the city for collection of litter from city streets or parks. Sec. 30-13. – 30-25. Reserved.  ARTICLE II. SOLID WASTE AND RECYCLING HAULER LICENSE REGULATIONS (EFFECTIVE 2019)	
Sec. 30-26. Purpose.  To establish regulations and procedures for the collection and disposal of commercial MSW, waste materials, recyclable material, yard waste, and other non-toxic and toxic wastes. These regulations are necessary to develop standard licensing procedures for the collection and disposal of MSW and recyclable materials.  Sec. 30-27. License to collect required, exception.	
Subd. 1. No person, firm or corporation, except city employees, shall collect MSW, recyclable materials, waste materials, SSOM or yard waste belonging to another in the city without a license from the city. No collector licensed pursuant to this article shall acquire a vested right in a license. The city may, upon finding that public necessity requires, determine to establish other means of refuse collection.  Subd. 2. No person, firm or corporation, except city employees, shall scavenge, sort through, or in any way handle the MSW, recyclable mate-	
rial, yard waste, or any other waste materials of another person, firm or corporation without a license from the city or permission from the owner thereof. Mixed municipal solid waste, recyclable materials, yard waste, and any other waste materials shall be considered the property of the generator until picked up by a hauler.  Sec. 30-28. Types of licenses.  There shall be four license categories defined by the type of account served:	
1. Commercial property 2. Roll-off service 3. Residential service 4. Recycling service  Sec. 30-29. Licensing procedure. The city council, in the interest of maintaining healthful and sanitary conditions in the city hereby reserves the right to specify and assign certain great to houler to limit the number of licenses included to determine	
tain areas to hauler, to limit the number of licenses issued, to determine collection fees and otherwise regulate collection not covered by this chapter.  Sec. 30-30. Application forms.  Any person desiring a hauler's license shall complete and submit an application form along with the prescribed exhibits below to the city. City staff shall review the application and make a recommendation for approval/denial to the city council. The city council may, at its discretion, require	
additional information be obtained, or studies conducted, before rendering a determination on the application.  The prescribed exhibits include, but are not limited, to: Subd. 1. Proof of insurance for property damage liability, general liability, and bodily injury liability.  Insurance secured by the hauler shall be issued by insurance companies acceptable to the city. The insurance specified may be in a policy or policies of insurance, primary or excess. Hauler's policies shall be primary	
insurance to any other valid and collectible insurance available to the city with respect to any claim arising out of hauler's performance. Hauler's policies and certificate of insurance shall contain a provision that coverage afforded under the policies shall not be cancelled without at least thirty (30) days advanced written notice to the city or in case of nonpayment of premium, at least ten (10) days written notice of cancellation. Hauler shall obtain insurance policies from insurance companies having an "AM BEST" rating of A- (minus); Financial Size Category (FSC) VII or better, and	
be authorized to do business in the State of Minnesota. The hauler and its sub-contractors shall secure and maintain the following insurance:  (1) <u>Workers compensation insurance.</u> Workers compensation insurance as specified by the Minnesota Department of Occupational Health and Safety and federal law.  (2) <u>Commercial general liability insurance.</u> Hauler is required to maintain insurance protecting it from claims for damages for bodily injury and property damage which may arise from operations' under the agreement	
with minimum limits as follows:  • \$2,000,000 – per occurrence  • \$2,000,000 – annual aggregate  • \$2,000,000 – annual aggregate  (3) Products/completed operations. The following coverages should be included:  • Premises and operations bodily injury and property damage	
Personal and advertising injury Blanket contractual liability Products and completed operations liability City must be endorsed as an additional insured  (4) Business Automobile Liability Insurance. Hauler is required to maintain insurance protecting it from claims for damages for bodily injury and property damage resulting from the ownership, operation, maintenance or use of all autos which may arise from operations under the agreement with	
the city with minimum limits as follows:  • \$1,000,000 – per occurrence combined single limit for bodily injury and property damage This insurance includes a cause of loss where there is a spill of fuels and lubricants used in the vehicle for its operation.  An umbrella or excess liability insurance policy may be used to supplement the policy limits on a follow-form basis to ratify the full policy limits required by the agreement. All policies cannot be modified or canceled	
without giving fifteen (15) days prior notice.  Subd. 2. Service addresses to be served in the city. The applicant shall provide a list of MSW can-type and dumpster-type collection service addresses of units receiving, or to receive such service in the city. This list shall be separated by license categories.  Subd. 3. Indemnification. Before a license shall be issued, the applicant shall file with the city administrator an executed indemnification in the form provided by the city.	
Subd. 4. <b>Surety bond or cash deposit</b> . The applicant shall deposit with the application the sum of ten thousand dollars (\$10,000) or, in the alternative shall file with the city a surety bond in an amount of ten thousand dollars (\$10,000). The condition of said bond shall bind the holder of said license to comply with all applicable provisions of this Chapter and such other items as may be imposed by the city council. Where a cash deposit is used, all or any part thereof may be subject to forfeiture in the event of the violation of any provisions of this license, city codes, or terms imposed	
by the city council. If, for any reason, any hauler shall be without insurance, or the surety bond, the license shall terminate immediately without any further action of the city.  Subd. 5. Yard waste service plan, including location of composting or disposal site.  Sec. 30-31. Equipment.  All equipment must meet the following standards.  Subd. 1. Vehicle protection. All trucks or motor vehicles used by the	
hauler shall be watertight so as not to allow the leakage of liquids or materials and shall be covered to prevent the scattering of contents upon the public streets or private properties in the city. Should any material be dropped or spilled in collecting or transporting, the driver shall immediately clean it up. Each vehicle shall contain specific procedures to follow in the event of the loss of hydraulic or other working fluids and for cleaning up any spilled items or debris.  Subd. 2. Cleaning. All vehicles shall be kept in a clean and sanitary	
condition.  Subd. 3. Painting. The packer body shall be painted and numbered, and shall have the hauler's name and telephone number painted in letters of a contrasting color, at least three inches (3") high, on each side of the vehicle and the number painted or decaled on the rear. Recycling equipment shall display the National Recycling emblem.  Subd. 4. Maintenance. The trucks shall be maintained in good working order; maintained to minimize the loss of hydraulic or other working fluids	
and contain a broom, shovels, and other equipment designed to absorb and collect spilled items or debris. Trucks also shall be equipped to meet all federal, state, and municipal regulations concerning vehicles used on public roads and maintained to meet these standards.  Subd. 5. <b>Description of vehicles.</b> The hauler shall furnish the city with a written description of all vehicles and equipment to be used within the City of Stillwater and shall advise the city in writing of any withdrawal of a part of such equipment or of any change therein within one (1) week of the	
time of making such change. Such description shall include the number and type of vehicles weight and number of axles of all equipment, what type of equipment will be used when streets are posted, and the provisions established in the event the equipment is inoperable.  Subd. 6. <b>Safety equipment</b> . Each collection vehicle shall:  (1) Be clearly marked with the name and telephone number of the contractor prominently displayed on both sides of the truck. The lettering must be at least three (3) inches in height;	
(2) Operate within the weight allowed by Minnesota Statutes and local ordinances; (3) Be duly licensed and inspected by the State of Minnesota; (4) Have a two (2) way communication device; (5) Have a first aid kit; (6) Have an approved fire extinguisher; (7) Have warning flashers; (8) Have a broom, shovel and absorbent material for cleaning up solid	
or fluid spills;  (9) Have warning alarms to indicate movement in reverse;  (10) Have a sign on rear of vehicle which states "This vehicle makes frequent stops";  (11) All of the required equipment must be in proper working order.  (12) All vehicles must be maintained in proper working order and be as clean and free of offensive odors as possible.  Subd. 7. Weight limits. City Code establishes weight restrictions for roads and weight restrictions during frost conditions. Rear-loading MSW	
renewed. No license shall be issued for more than one year. The license shall not be transferable from one person to another.  Sec. 30-33. Reporting requirements.  Subd. 1. Access to records. Each hauler shall provide to the city during normal business hours, access to books, documents, papers, and other records of the hauler that are directly pertinent to the issuance and monitoring of the license and required reports.  Subd. 2. Required reports. Each hauler shall submit the Minnesota Pol-	
lution Control Agency (MPCA), the county, and other required reporting entities in the future, required recycling reporting that is consistent with the county's reporting requirements for recyclable materials.  (1) Each hauler shall document and retain dated market weight receipts of recyclable materials sold for the last three years, which upon request will be made available to Washington County or the city for review.  (2) Failure to keep accurate weights and/or to furnish this data to Washington County or the city within 30 business days of it being requested,	
calls. The office shall be in service with continuous supervision during the hours of 8:00 a.m. to 4:30 p.m. on all days of collection in the city. A system for recording and responding to customer calls outside business hours shall be established and described in the application for license. The address and telephone number of such office, and any changes therein, shall be given to the city in writing.  Subd. 2. Complaint response. The hauler shall maintain a complaint response and file system. All complaints shall be answered courteously and	
promptly. The hauler is responsible for resolving all complaints received. Subd. 3. Notification. The city will notify the hauler of any complaints or unresolved complaints that it receives. The hauler shall provide a semi-annual report in a format prescribed by the city on the total number and type of complaints received and the resolution of those complaints.  Sec. 30-35. License revocation or suspension.  Every license required by this Chapter may be revoked, suspended or a civil fine of not more than \$2,500 may be imposed by the city council for	
a civil fine of not more than \$2,500 may be imposed by the city council for a violation of any law or regulation pertaining to solid waste adopted by the city, county or state. If the county revokes or suspends any hauler's license, the city license, in case of revocation, shall be automatically terminated without any further action of the city, or, in case of suspension, the city license shall also be automatically suspended for the same length of time, without further action of the city.  Sec. 30-36. Collection procedures.  Subd. 1. Frequency of collections. Each licensed hauler shall collect	
MSW weekly or more often as sanitary conditions warrant as determined by the city administrator or designee.  Subd. 2. Notification. The licensed hauler shall notify the city administrator or designee of the discontinuance of service to any premises with a five (5) day written notice prior to service being discontinued, if possible, but no later than the date service is actually discontinued.  Subd. 3. Reporting. All licensed employees shall report to the hauler any violations of these regulations or ordinances they observe in the per-	
formance of their work, and the hauler shall report all such violations to the city administrator or designee.  Subd. 4. Revocation or suspension. A license may be revoked, suspended, or a civil fine of not more than \$2,500 imposed by the city council, if the hauler neglects or fails to comply with the provisions of applicable Minnesota Statutes, Washington County ordinances, and the ordinances approved by the city council with reference to solid waste and recycling.  Subd. 5. Whenever it is found that a violation exists, the city may take	
action to correct the conditions by serving a written order or notice upon the persons responsible therefore directing him/her to discontinue said violation or correct such condition that is in violation. No suspension or revocation takes effect until the hauler has been afforded an opportunity for a hearing under Minn. Stat. §§ 14.57 to 14.69 of the Administrative Procedure Act.  Subd. 6. Administrative penalties shall be enforced for license violations including:	
(1) Failure to comply with statutory and code requirements, including liability insurance.  (2) Failure to submit required reports by date specified by ordinance or Washington County.  (3) Failure to provide the city with the name of the disposal facility used, upon request.  (4) Failure to ensure contents do not leak or spill from vehicles or during collection.	
collection.  (5) Failure to clean-up solid or liquid spills or leaks from vehicles within one (1) hour.  Subd. 7. Administrative penalties for violations of city or state solid waste regulations shall be determined by resolution of the city council as part of the current year fee schedule.  Subd. 8. The city council retains the right to impose penalties in excess of those contained in this ordinance, when in the judgement of the city council it is appropriate to do so.	

the city any administrative penalties imposed.