

CHAPTER 39  
CITY OF MAPLE LAKE

**ORDINANCE DEFINING AND REGULATING STORAGE, COLLECTION,  
DISPOSAL AND TRANSPORTATION OF WASTE MATERIALS**

39.01 **DEFINITIONS**

1. **Garbage** - All decomposable and putrescible solid wastes, including materials resulting from the handling, preparation, cooking and consumption of food, but excluding human excrement, sewage and other water-carried wastes.
2. **Refuse** - All non-combustible wastes including ashes, crockery, glass, household rubbish, tin cans, and all combustible wastes including grass, leaves, paper, boxes, rags and old clothes, but does not include any material such as earth, sand, brick, stone, plaster or other similar substances that may accumulate as a result of construction operations. Refuse also does not include appliances, autos and auto parts, tree limbs or flammable material including gasoline and motor oil.
3. **Industrial Waste** - All organic and inorganic wastes, except garbage, resulting from any manufacturing, building repairing, demolition, construction, processing, grain cleaning, the operation of garages and service stations and other similar activities.
4. **Person** - A natural person of either sex, co-partnership, corporations, and associates of persons and the agent or manager of any of the aforesaid. The singular number includes the plural and the masculine includes the feminine and neuter.
5. **Residence** - A dwelling of three units or less including farm dwellings located within the city, and does not include trailer courts, business firms, churches, schools or farms.

39.02 **PURPOSE**

The purpose of this Ordinance is to maintain and protect the health, safety, comfort and repose of the public by regulation of sanitation, open burning, storage, collection, disposal and transportation of waste materials in and around the City of Maple Lake.

39.03 **DEPOSIT OF REFUSE RESTRICTED**

1. No person shall deposit, cause to be deposited or situate garbage, refuse or containers for garbage or refuse upon any street, alley, vacated lot or upon any ground appurtenant to any building in the city, except upon the premises wherein the garbage or refuse originated.
2. No person except as authorized by this ordinance, shall engage in the business or hire himself out to transport garbage or refuse over any street or alley in the city or shall disturb, collect or in any manner interfere with garbage or refuse placed in containers for collection, or interfere in any manner with containers for garbage or refuse.

**39.04 STORAGE OF GARBAGE AND REFUSE**

1. Except as otherwise provided all garbage and refuse shall be kept in rust-resistant metal, water tight, nonabsorbent and easily washable containers which are equipped with a bail or handles and covered with close fitting lids. Insofar as practicable, all garbage shall be drained of liquids and wrapped in paper.
2. Containers shall have the capacity of not less than 10 nor more than 32 gallons nor exceeding 50 pounds in weight, unless otherwise approved, and shall be provided in sufficient number to hold all garbage and refuse accumulating between collections. All containers shall be washed and treated with disinfectant as often as necessary to prevent a nuisance. All special containers must meet with the approval of the collector herein based on sanitation, safety, weight limitations and ease of handling.
3. The property owner or occupant shall control the garbage and refuse on the premises so as to keep the premises in a clean and sanitary condition and shall have the garbage and refuse removed at regular intervals, but at least once each week.

**39.05 COLLECTION OF GARBAGE AND REFUSE**

1. The City of Maple Lake shall provide for curb-side collection of all garbage and refuse from all city residences, and city trash containers on streets, parks and swimming beach, once each week.
2. Containers shall be made easily accessible to the collector for pickup on the days designated for collection by placing containers at street curb on boulevard.
3. All garbage and refuse shall be collected at least once each week from restaurants, hotels, taverns and other commercial establishments except where the health officer certifies that less frequent collection would not create a health menace or other nuisance.
3. All garbage and refuse collected under city contract shall be transported on the streets and alleys in the city only in leakproof, packer trucks. All other garbage and refuse shall be transported on the streets and alleys in the city only in vehicles with leakproof bodies of easily cleanable construction designed not to transmit odor or attract flies or otherwise create a nuisance. Vehicles shall be so operated that contents do not spill or drip upon streets or alleys or otherwise create a nuisance.

**39.06 COLLECTION CONTRACT**

1. The city council shall contract, after receiving bids for such purposes, for collection of garbage and refuse from residences in the City of Maple Lake on such terms and for such periods as the council may determine.
2. The contract with the collector shall be based on a monthly payment for the duration of the contract.
3. The collector shall have at all times a registered office and notify the city clerk of any change in said address of office.
4. The collector shall furnish her/his own equipment and personnel for the collection of

garbage and refuse.

5. The collector shall be the only authorized individual to collect the garbage from any residence within the City of Maple Lake, and no other person shall make a business or collect a fee for collection of garbage within the city of Maple Lake.
6. The garbage and refuse so collected by the collector shall be disposed of in a manner as provided by Minnesota Statutes and regulations.
7. The collector shall furnish a performance bond in the amount of an annual payment under contract, conditioned upon the satisfactory performance of her/his contract.
8. The independent contractor shall at all times maintain insurance on all of her/his equipment against liability imposed by law in the amount of at least One Hundred Thousand (\$100,000.00) Dollars, for injury to any one person, Three Hundred Thousand (\$300,000.00) Dollars for injuries arising out of any accident, and Fifty Thousand (\$50,000.00) Dollars for property damage, a certificate of which shall be filed with the city clerk.

39.07 **SERVICE CHARGE**

1. The City of Maple Lake shall charge each dwelling served on the basis of service rendered. Such charge shall be determined by the council, and the bill for such charges shall be sent to the persons served on a bi-monthly basis with their water bills, or at such other intervals as the council shall determine.
2. It shall be lawful in case any person shall default in the payment of the garbage or refuse collection fee for the city council to collect a fee thereon from said person or owner of the real estate by civil action or by assessing of the same against the property.

39.08 **PERMITS AND BUSINESS ESTABLISHMENTS**

1. Any person, firm, or corporation desiring to collect garbage and refuse from any business establishment or person not served by city collection, shall submit a written application to the city clerk for permit.
2. The city clerk shall review such application, and if he/she finds that the applicant is a responsible person and has the proper equipment, facilities, resources and personnel to provide adequate collection service under the ordinances herein and that it would be in the public interest to do so, the city clerk will issue the applicant the permit.
3. The fee for the permit shall be set by resolution of the city council and shall be paid before the issuance of same by the city clerk.
4. The applicant shall submit to the clerk a certificate of insurance against liability imposed by law in the amount of at least One Hundred Thousand (\$100,000.00) Dollars for injury to any one person, Three Hundred Thousand (\$300,000.00) Dollars for injuries arising out of any accident, and Fifty Thousand (\$50,000.00) Dollars for property damage.
5. The permits shall be issued for a period of one year.

39.09

**OPEN BURNING OF GARBAGE, REFUSE, INDUSTRIAL WASTES, SALVAGE OPERATIONS AND AGRICULTURE OPERATIONS REFUSE**

1. No person shall dispose of garbage, refuse, and industrial waste in the city limits at any time by open burning, cause, suffer, allow or permit open burning of garbage, refuse or industrial wastes at any time in any outdoor fire, outdoor incinerator, can, receptacle or device.
2. No person shall conduct, cause or permit the conduct of a salvage operation by open burning. Refuse from agriculture operations shall not be disposed of by open burning, except as provided by Minnesota Statute and regulations.

39.10

**PENALTY**

Any person, firm, or corporation violating any provisions of this ordinance shall be guilty of a misdemeanor.