

ORDINANCE NO. [REDACTED]

AN ORDINANCE AMENDING SECTIONS 141.01, 141.05, 141.07, 141.09, 141.17, 141.18, AND 141.24, AND REPEALING SECTIONS 141.02, 141.03, 141.06, 141.08, 141.20, 141.25, 141.26, 141.27, 141.29, 141.32, AND 141.33, OF THE ROCHESTER CODE OF ORDINANCES RELATING TO REFUSE COLLECTION.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER ORDAINS:

Section 1. Sections 141.01 of the Rochester Code of Ordinances is hereby amended to read as follows:

141.01. Definitions. ~~Subdivision 1. As used in this chapter the following words and phrases shall have the meanings ascribed to them. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.~~

~~Subd. 2. "Approved" means approved by the health officer.~~

~~Subd. 3. "Ashes" means residue from fires used for cooking, heating buildings, burying of refuse or other forms of burning conducted at residential or commercial places.~~

~~Subd. 4. "Board" means the Olmsted County Board of Health.~~

~~Subd. 5. "Collector" means any person licensed under the provisions of this chapter to collect refuse.~~

~~Subd. 6. "Commercial garbage" means garbage from all restaurants, hotels, hospitals, grocery stores and fruit stores, which produce an average of 10 gallons or more of garbage per day.~~

~~Subd. 7. "Commercial rubbish" means rubbish from commercial establishments completely free of napkins, paper cups, milk cartons or any type of paper, carton or cardboard used as containers for food, which may contain residues of food.~~

~~Subd. 8. "Construction waste" means all waste material resulting from the construction, repair, alteration, destruction or removal of buildings or other structures, such~~

as building materials, material containers and wrappings, stone, trees and construction debris.

Subd. 9. "Garbage" means all putrescible organic wastes resulting from the handling, storage, preparation, cooking or consumption of food.

Subd. 10. "Health officer" means the health officer of Olmsted County or authorized representative.

Subd. 11. "Refuse" means all types of garbage, rubbish, construction wastes and ashes as defined herein.

Subd. 12. "Responsible tenant" means any occupant, tenant, owner, manager or custodian of any residence, apartment or dwelling unit, and any person, firm or corporation owning or operating a commercial establishment.

Subd. 13. "Restaurant" means any restaurant, coffee shop, cafeteria, short-order cafe, luncheonette, tavern, sandwich stand, drive-in, soda fountain, and all other eating or drinking establishments including stands of seasonal operation.

Subd. 14. "Rubbish" means all nonputrescible solid wastes, such as paper, cardboard, tin cans, glass, cold ashes, wood, clothing, yard clippings and similar material.

Section 2. Section 141.05 of the Rochester Code of Ordinances is hereby amended to read as follows:

141.05. Seasonal Rubbish. In residential areas during spring and fall, when a great amount of leaves, ~~tree~~grass trimmings, and similar material, may accumulate between collections, such items may be stored in ~~one or more cardboard~~fiber boxes, plastic bags or ~~any type of single service type of similar~~ containers ~~not exceeding 70 pounds each, and shall be disposed on site or at a composting facility~~placed close to the regular containers for collection. ~~Brush shall be cut into lengths not exceeding 4 feet and tied into bundles which can be readily handled by an individual collector.~~

Section 3. Section 141.07 of the Rochester Code of Ordinances is hereby amended to read as follows:

141.07. Maintenance of Containers. Refuse containers shall be kept by the ~~responsible~~property owner or tenant in a neat, clean and sanitary condition so as to prevent insect breeding, nuisances and unsightly conditions. Such containers shall be maintained ~~by the responsible tenant, or by the collector when supplied by him,~~ in good repair free of ragged or other sharp edges or other defects likely to injure or hamper the person using the same or collecting the contents thereof.

Section 4. Section 141.09 of the Rochester Code of Ordinances is hereby amended to read as follows:

141.09. Location of Containers. All refuse containers shall be stored in or adjacent to the garage, or adjacent to the residence if there is no garage kept as near the rear of the premises as practicable if there is any alley, and shall be located so as to be easily accessible to the collector. Containers that are stored within a house, garage, or other structure shall be made easily accessible (unlocked and unblocked) therein each scheduled collection day by the responsible tenant. Such containers shall be kept at least 12 inches above the ground or on an impervious surface. Each container shall bear the number of the property address or the name of the commercial establishment hauler supplying it for the purpose of enabling the collector to return such containers to the property and to correctly identify violators. The county health officer shall investigate complaints and enforce the provisions of this section concerning the accessibility of refuse containers. During collection periods the containers shall be placed adjacent to but not in the traveled portion of the right of way. No container shall be kept adjacent to the right of way for longer than 24 hours.

Section 5. Section 141.17 of the Rochester Code of Ordinances is hereby amended to read as follows:

141.17. Collection Vehicles

~~Subdivision 1. All vehicles to be used in refuse collection shall conform to the following provisions:~~

~~Subd. 2. Garbage. The body of all vehicles to be used for the collection of refuse containing garbage and recyclables shall be of metal construction and fully enclosed. The bodies of such vehicles shall be so constructed, maintained and equipped that refuse cannot leak, spill or escape in any way. All such vehicles shall have packer type bodies.~~

~~Subd. 3 Commercial Rubbish. The body of all vehicles to be used for the collection of commercial rubbish shall be so constructed and enclosed that such refuse cannot spill or escape in any way from such vehicle.~~

~~Subd. 4. General Condition. All vehicles used in refuse collection in the city and shall be maintained in good repair and mechanical condition.~~

Section 6. Section 141.18 of the Rochester Code of Ordinances is hereby amended to read as follows:

141.18. Cleaning of Vehicles. All vehicles used in the collection of refuse shall be cleaned in such manner and at such reasonable intervals as the health officer shall prescribe. All vehicles shall to be kept free of offensive odor at all times.

Section 7. Section 141.24 of the Rochester Code of Ordinances is hereby amended to read as follows:

141.24. Employees. Each collector shall employ clean, courteous and competent employees at all times and shall investigate all complaints about employees, equipment and service. ~~Whenever a complaint is referred to a collector by the health officer, a written report shall be made by the collector to the health officer setting forth the investigation, findings and action on such complaint.~~

Section 8. Sections 141.02, 141.03, 141.06, 141.08, 141.20, 141.25, 141.26, 141.27, 141.29, 141.32, and 141.33 are hereby repealed.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS _____4th _____ March

ATTEST: 
CITY CLERK


PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS _____




MAYOR OF SAID CITY