



Request for Council Action

TO: Mayor and City Council
FROM: Tim Murray, City Administrator
MEETING DATE: July 28, 2020
SUBJECT: Ordinance 2020-8 Amend Chapter 11 – GARBAGE AND REFUSE of the City Code of Ordinances regarding Garbage Container Size – Second Reading

Background:

The maximum residential garbage/refuse container size was increased from 32 to 40 gallons in 1997. Subsequent requests have been made to further increase the container size, but have not been approved. The general premise was that with smaller containers, truck sizes would also be smaller, thereby reducing the wear and tear on the streets. There were also past requests from one or more locally-owned haulers to keep the maximum container size down (some containers were still being emptied by hand).

At this time, all of the licensed haulers in the city have the larger, automated trucks that can handle larger containers, and they are all in support of increasing the maximum container size. Generally speaking, garbage/refuse containers come in three general sizes—32-45, 60-65, and 90-96 gallon capacity. This item was discussed at the Joint Council Committee meeting on July 7, 2020, and the consensus from the Council was to increase the maximum size to 96 gallons. First reading was approved on July 14, 2020, and there have been no comments received or revisions made. Note that while this change allows a larger container size, the haulers can still provide smaller containers as part of their service delivery.

Recommendation:

Approve Ordinance 2020-8 on Second Reading; and
 Approve Summary Publication of Ordinance 2020-8

Attachments:

- Ordinance 2020-8
- Summary Publication of Ordinance 2020-8

**CITY OF FARIBAULT
ORDINANCE No. 2020-8**

**AMEND CHAPTER 11 – GARBAGE AND REFUSE OF THE CITY CODE
OF ORDINANCES REGARDING GARBAGE CONTAINER SIZE**

THE CITY OF FARIBAULT ORDAINS: The City Code of Ordinances shall be amended as follows:

Section 1. Sections 11-1 and 11-10 of Chapter 11 of the Code of Ordinances of the City of Faribault are hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Sec. 11-1 – Definitions

For the purposes of this chapter, the following words, terms and phrases shall have the meanings hereinafter ascribed to them respectively in this section:

Applicant: Corporations and both male and female individuals.

Brush: Hedge clippings, tree trimmings and branches, provided the limb size is not larger than twelve (12) inches in diameter.

Compost sites: Locations on household property for the controlled biological decomposition of selected organic matter, such as grass clippings, leaves, hedge trimmings, vegetable matter, and any nonfat or meat products in a manner resulting in an innocuous final product.

Garbage container: A container constructed of metal or plastic having a volume not exceeding ~~forty (40)~~ninety-six (96) gallons, which is secure against animals and insects.

Garbage and refuse: Solid waste from residential, commercial, industrial and community activities, excluding recyclable materials, yard waste, brush, hazardous wastes, auto trucks, street sweepings, ashes, construction debris, mining waste, sludge, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams.

Household: A single-family dwelling or single apartment unit, including apartments and units in commercial and industrial buildings.

Recyclable materials: All items of refuse designated by the city to be part of an authorized recycling program and which are intended for transportation, processing and remanufacturing or reuse.

Yard waste: Grass clippings, leaves, vegetable or garden matter that can be biologically decomposed resulting in an innocuous final product.

Sec. 11-10. - Use of required containers; compliance; licensees to report violations.

- (a) No one shall store or allow garbage or refuse on any premises in the city, except in garbage containers or commercial dumpsters. The residential containers shall not exceed ~~forty (40)~~ninety-six (96) gallon volume, except containers for recycling approved by Rice County are not to exceed sixty-five (65) gallon volume. It is the intention of this section that premises with any garbage and refuse thereon shall be in a clean and neat condition at all times, and any contrary condition is hereby declared and considered a public nuisance contrary to the welfare and best interests of the city. This prohibition applies even if the garbage or refuse has been placed or deposited properly and such materials litter the premises as the result of a windstorm, the activities of dogs or children, or the like.
- (b) It shall be the duty of licensees under this chapter to promptly report to the city any litter on premises resulting from garbage and refuse, if such condition is on premises belonging to the licensee's garbage-and-refuse-hauling route.
- (c) If garbage or refuse is scattered, the person who placed it outside on ~~his~~the premises shall take prompt steps to bring such premises into compliance under this chapter.
- (d) Licensees shall not pick up garbage set out in containers having a volume in excess of ~~forty (40)~~ninety-six (96) gallons.

Section 2. This ordinance amendment shall take effect and be in force after its passage and publication in accordance with Section 3.05 of the City Charter.

First Reading: July 14, 2020

Second Reading: July 28, 2020

Publication Date: August 1, 2020

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Summary Publication

**City of Faribault
ORDINANCE 2020-8**

**AN ORDINANCE AMENDING CHAPTER 11
OF THE FARIBAULT CITY CODE**

On July 28, 2020, the Faribault City Council adopted Ordinance 2020-8. This ordinance amends Chapter 11 of the Faribault City Code regarding maximum garbage container size. A printed copy of the ordinance is available for inspection during regular business hours at Faribault City Hall.

First Reading:	July 14, 2020
Second Reading:	July 28, 2020
Publication Date:	August 1, 2020