

AN ORDINANCE PERTAINING TO THE COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE.

The City Council of the City of Shelly does Ordain as Follows:

Section 1. It shall be unlawful for any person, firm or corporation to not dispose of garbage and refuse which accumulates upon their property at least once a week. Every householder, occupant and owner of any dwelling, boarding house, apartment building, or any other structure utilized for dwelling purposes shall use the garbage and refuse collection as provided by the City of Shelly.

Section 2. DEFINITIONS. For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein:

- (a) GARBAGE: Waste foodstuffs or table wastes of vegetable or animal origina, together with other incidental admixtures. Dead animals weighing 15 pounds or less shall be classified as garbage.
- (b) REFUSE. This shall include all inorganic matter such as tin cans, glass, paper, ashes, sweepings, leaves, grass, etc.; however, stones, sod, earth, concrete, contractors' building materials, large automobile parts, large appliances, inflammable liquids, tree trunk sections over four inches in diameter, animal wastes except when adequately wrapped, or articles so heavy or bulky that they cannot be easily lifted by one man shall not be considered refuse.

Section 3. Every householder, occupant and owner of any dwelling, boarding house, apartment building, or any other structure utilized for swelling purposes and any restaurant, industrial or commercial establishment that accumulates garbage shall provide one or more fly tight metal "garbage" containers of 30 or 32 gallon capacity to contain all garbage which accumulates between collections. Also plastic bags of sufficient strength to prevent tearing of the bag or loss of the garbage or refuse therefrom may be used. No such container shall weigh in excess of seventy-five (75) pounds when full. All apartment buildings containing four (4) or more units, and each commercial, industrial establishment, or restaurant where garbage accumulates and the volume exceeds four (4) 30 or 32 gallon containers per week shall use vat service with pickup of no less than once per week. The actual size of vat and frequency of service is to be based on need as determined by the City Code Enforcement Officer. Vats shall be of no less than one (1) cubic yard capacity and designated with the proper attachments for lifting into refuse trucks. No garbage or refuse shall be burned in any yard, street or open area.

Section 4. All accumulations of garbage must be put in the containers as provided herein. Tree limbs under four inches in diameter and in three-foot lengths tied in bundles, leaves, grass, or other refuse in waterproof bags, magazines tied securely and weighing less than 20 pounds, and Christmas trees up to six feet in length shall be placed on pick-up day next to the alley or at the curb line.

Section 5. COLLECTION SUPERVISED BY COUNCIL. All garbage and refuse accumulated in the City shall be collected, conveyed and disposed of under supervision of the Council. The Council shall have the authority to make rules and regulations concerning days of collection, type and location of waste containers and such other matters as they deem necessary provided that such are not contrary to the provisions of this Ordinance.

Section 6. It shall be the responsibility of every resident to notify the City at least one (1) week in advance of starting or discontinuance of service.

**Section 7. MAINTENANCE OF SANITARY CONDITIONS. Persons accumulating garbage or refuse shall comply with the following requirements:**

- (a) **REFUSE IN STREET.** No person shall place any garbage or refuse in any street, alley or other public place or upon any private property whether owned by such person or not, unless it be in proper containers for collection or under express approval granted by the Council. Nor shall any person throw or deposit any refuse in any stream or other body of water.
- (b) **SCATTERING OF REFUSE.** No person shall cast, place, sweep or deposit any garbage or refuse in such a manner that it may be carried or deposited by the elements off his property within the City.
- (c) **BURNING OF REFUSE AND GARBAGE.** No person shall bury or burn any garbage or refuse in the City except in accordance with regulations established by the State Pollution Control Agency.
- (d) **PLACEMENT OF CONTAINERS.** Garbage and refuse containers shall be placed on the day of collection at ground level on the property, and adjacent to the alley or street.
- (e) **CONTAGIOUS DISEASE REFUSE.** The removal of wearing apparel, bedding or other refuse from homes or places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the Health Officer. Such refuse shall not be placed in containers for regular collections.
- (f) **INFLAMMABLE OR EXPLOSIVE REFUSE.** Highly inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of as directed by the Fire Chief at the expense of the owner.

**Section 8.** That the City Council shall make and establish by Resolution a system of service charges for the removal and disposal of garbage and refuse under the Garbage Collection System, and shall fix and declare the maximum charges, including special charges for extra hauling or trips to be made; and shall classify said removal and disposal according to the type of service required and given based on the type of residence or dwelling, type of business conducted and the number of collections and removals each week, fixing and establishing the service charge for each class. That the service charge for each dwelling, building or establishment shall be entered, shown and placed on the City utility bill for the same and shall be indicated thereon as garbage collection charges. All garbage collection charges shall be payable at the State Bank of Shelly and shall be billed monthly. All accounts shall be delinquent if not paid by the fifteenth (15th) day of the month for which the statement is rendered and shall then be subject to a ten (10%) per cent penalty. Such charges shall be a charge against the owner, lessee or occupier of any residential unit and any such charge properly billed and unpaid may be collected in a civil action in a court of competent jurisdiction or at the discretion of the City Council may be certified to the County Auditor with taxes against the property so served.

**Section 9.** That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**Section 10.** This Ordinance shall be in full force and effect from and after its passage and publication.

Passed by the City Council of the City of Shelly, Minnesota, this 6 day of June, 1975.

  
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Mayor

ATTEST:

  
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Clerk