

CITY OF APPLE VALLEY
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING
SECTION 50 OF THE CITY CODE REGULATING GARBAGE

The City Council of Apple Valley ordains:

Section 1. Section 50.01 of the Apple Valley City Code is hereby amended to add the following:

§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DAILY RESIDENTIAL HAULING ZONE. A residential area in which garbage, other refuse, recyclables and yard waste are collected on the same day each week and for which the boundaries and day of collection are defined as follows:

- i. Monday Residential Hauling Zone – bounded by the following roads: north of 160th St. W., south of the northern City limits, west of eastern City limits, and east of Pilot Knob Road.
- ii. Tuesday Residential Hauling Zone – bounded by the following roads: north of 160th St. W., south of County Road 42, west of Pilot Knob Road, and east of the western City limits.
- iii. Wednesday Residential Hauling Zone – bounded by the following roads: north of County Road 38, south of the 35E and the northern City limits, west of Pilot Knob Road, and east of County Road 11 and the western City limits.
- iv. Thursday Residential Hauling Zone – bounded by the following roads: north of County Road 42, south of County Road 38, west of Galaxie Avenue, and east of the western City limits.
- v. Friday Residential Hauling Zone – bounded by the following roads: north of County Road 42, south of County Road 38, west of Pilot Knob Road, and east of Galaxie Avenue.

Section 2. Section 50.02(C) is hereby amended to read as follows:

§ 50.02 CONTAINERS; STORAGE AND LOCATION.

(C) *Placing containers for collection of contents.* During all days when collection is scheduled to occur, containers shall be accessible to the collector which means that the containers, as relates to residential and multiple dwellings having individual residential collection service, shall be placed at the curb or other location on the property for which collection is provided as agreed to by the customer and the licensed hauler. All refuse, including garbage, recycling, and yard waste placed at the curb for collection shall be permitted at the curb or other collection point no earlier than 6:00 p.m. of the night preceding collection day. At all other times, refuse, recycling and yard waste containers shall be stored in accordance with storage requirements stated herein.

Section 3. Section 50.04(B)(1)(g) is hereby amended to read as follows:

§ 50.04 LICENSED COLLECTORS; DUTIES AND OBLIGATIONS.

(B) *Duties and obligations of the licensed collector.*

(1) A licensed refuse, recyclable and yard waste collector must comply with the following operational requirements:

(g) Each licensed refuse, recyclable and yard waste collector shall provide its individual residential collection customers with weekly collection of garbage and other refuse, and yard waste, and recyclables, subject to the daily residential hauling zone restrictions set forth herein. The individual residential collection of targeted recyclables shall be on the same day as the collection of the customer's garbage and other refuse, but may occur at a different time within that day. The targeted recyclables collection shall be from a location consistent with § 50.02(C). The licensee is deemed the owner of the recyclables and upon collection, the licensee may market the recyclables. Nothing herein shall be construed to prevent a licensee from offering household recyclable collection for other recyclable materials, in addition to the targeted recyclables.

Notwithstanding the weekly collection requirement set forth above, a licensed hauler may collect recyclables for individual residential collection customers on a bi-weekly basis provided the licensee complies with the following conditions:

- (i) The collection of recyclables shall comply with the daily residential hauling zone restrictions;
- (ii) The licensee shall provide single-sort recycling whereby the customer may commingle all recyclables in a single container; and
- (iii) The licensee shall provide to the customer a close fitting covered container of not less than 30 gallon capacity and, at a customer's request, the licensee shall provide a larger capacity close fitting covered container to the customer at no additional cost to the customer.

Section 4. Section 50.04(B)(1) is hereby amended by adding Section 50.04 (B)(1)(o) to read as follows:

(o) It is unlawful for any garbage, refuse, yard waste or recyclables collector vehicle to collect any garbage, refuse, yard waste or recyclables within any daily residential hauling zone on any day other than as permitted for the daily residential hauling zone, except to collect a missed pickup, special pickup or when an observed holiday falls within that week. It is unlawful for any garbage, refuse, yard waste or recyclables collector vehicle to operate on any street other than an arterial or collector street within in any daily residential hauling zone on any day other than as permitted for the daily residential hauling zone except to collect a missed pickup, special pickup or when an observed holiday falls within that week.

Section 5. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ____", a copy of which is attached hereto clearly informs the public of the intent and effect of the ordinance. The City Council further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance

Section 6. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 7. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the Office of the City Clerk.

Section 8. Effective date. This ordinance shall take effect upon its passage and the publication of its title and the official summary. All licensed haulers shall adhere to the zone boundaries as defined in Daily Residential Hauling Zones no later than December 31, 2009.

PASSED this 11th day of June, 2009.

ATTEST:

Mary Hamann-Roland, Mayor

Pamela J. Gackstetter, City Clerk

CITY OF APPLE VALLEY
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,
AMENDING SECTIONS 50.01, 50.02 AND 50.04 OF THE CITY CODE
REGULATING DAILY HAULING ZONES, CONTAINER PLACEMENT AND
BI-WEEKLY RECYCLING COLLECTION.

The following is the official summary of Ordinance No. _____ passed by the City Council of Apple Valley on June 11, 2009:

Chapter 50 of the City Code is amended to create a new definition for daily hauling zones; revise the container placement requirements to allow curbside placement of refuse, recycling and yard waste containers; add a requirement stating that all refuse including garbage, recycling and yard waste must be collected on the date specified in the daily hauling zone definition; and allow bi-weekly collection of recyclables if in conjunction with a single sort recycling program and a minimum 30-gallon container is provided.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Clerk at the Apple Valley Municipal Center, 7100 West 147th Street, Apple Valley, Minnesota 55124.