

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Gordon

Amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Garbage and Refuse.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 225.790 of the above-entitled ordinance be amended to read as follows:

225.790. Reporting. On January 1, 1995, and semiannually thereafter, each city licensed private refuse hauler that provides recycling services, and each building owner that self-provides their own recycling services to buildings with two (2) or more dwelling units, shall file with the city engineer reports with the following information:

- (1) Each address that is being provided with recycling collection;
- (2) The weight of materials collected at Minneapolis buildings and recycled during the reporting period by type of material. This report shall be an aggregate figure reflecting the total weight for all Minneapolis buildings serviced by the owner or vendor;
- (3) The recycling materials processing center or market for sale utilized for the recyclable materials.

Section 2. That Section 225.800 of the above-entitled ordinance be amended to read as follows:

225.800. Enforcement. (a) The city engineer and the engineer's authorized representatives shall enforce the provisions of this article.

(b) If the city engineer determines that a building owner fails to meet the requirements set forth in section 225.780 and 225.790, the city engineer shall mail notice to the building owner or operator. The notice shall specify the reasons why the building fails to meet the recycling standards set forth in this section. The notice shall indicate that the owner or operator has ten (10) business days to comply with the ordinance.

~~(c) The city engineer may grant a waiver to the requirements set forth in section 225.780 and 225.790 if a property owner can demonstrate their recycling program was discontinued because the material collected at their building was deemed unacceptable for processing by a licensed private collection vendor or by a recycling facility on at least three (3) occasions in a six (6) month period. Waivers granted under this subsection shall be made on a case by case basis, and nothing herein shall require the city engineer to grant a waiver. Waivers may be originated by the city engineer or by application of the building owner.~~

(d)(c) If the city engineer determines that a licensed private refuse hauler, that provides recycling collection to a building with two (2) or more dwelling units, fails to meet the requirements of section 225.780(b) or 225.790, the city engineer shall mail notice to the hauler. The notice shall specify the reasons why the refuse hauler fails to meet the standards set forth in section 225.780(b) or 225.790. The notice shall indicate that the hauler has ten (10) business days to comply with the ordinance, after which the city council may take action to deny, refuse to renew, revoke, or suspend the hauler's license to operate in the city.

Section 3. That Section 225.810 of the above-entitled ordinance be amended to read as follows:

225.810. Penalty. Any building owner or operator who fails, omits, neglects, or refuses to comply with the provisions of section 225.780 or 225.790 after any period of compliance provided for in the notice required by section 225.800(b), shall be subject to a fine of ~~not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00)~~ one hundred dollars (\$100.00) for each a first offense within twelve (12) months and not less than one a fine of two hundred dollars (\$100.00) (\$200.00) nor more than seven hundred dollars (\$700.00) for a second offense within twelve (12) months. A third offense within twelve (12) months shall subject the party to a fine of four hundred fifty dollars (\$450.00) and a seven hundred dollar (\$700.00) fine shall be imposed for the third fourth and any subsequent violation within any twelve-month period. Any and all violations in each calendar month shall constitute one separate offense. Any building owner or operator charged a fine for a violation of the requirements of this article shall be notified of their appeal rights as provided in sections 509.920 and 509.930. Fines which are collected by the city treasurer for noncompliance with any and all provisions of this article shall be designated for use by the department of public works for the purposes of promoting recycling awareness, education, and the improvement of services.