



**Request for City Council Committee Action
From the Department of Regulatory Services & Emergency
Preparedness**

Date March 28, 2005
To Public Safety & Regulatory Services Committee
Referral to

Subject Amendments to Minneapolis Code of Ordinances

- Title 3 Air Pollution and Environmental Protection, Chapter 51. Fumigating
- Title 11 Health and Sanitation, Chapter 225 Garbage and Refuse

Recommendation

Approve amendments to Title 3 Air Pollution and Environmental Protection, Chapter 51 Fumigating and Title 11 Health and Sanitation, Chapter 225 Garbage and Refuse.

Previous Directives

On October 25, 2002, Council President Ostrow, "Introduced the subject matter of ordinances amending various provisions of the Minneapolis Code of Ordinances relating to council and administrative special permits for the purpose of revising the authority and procedures for issuance of such permits which were given their first reading and referred to the Ways and Means/Budget Committee and such other committees as to be determined."

Prepared or Submitted by: Thomas Frame, Supervisor, Environmental Management
Approved by: _____

Rocco Forte, Director, Asst. City Coordinator, Dept. of Regulatory Services and Emergency Preparedness

John Moir, City Coordinator

Presenters in Committee Gayle Prest, Manager, Environmental Services
Thomas Frame, Supervisor, Environmental Management

Financial Impact (Check those that apply)

- No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain):

Request provided to the Budget Office when provided to the Committee Coordinator

Community Impact (use any categories that apply)

Neighborhood Notification
City Goals

Comprehensive Plan Zoning Code Other
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Background/Supporting Information Attached: Amendments to Chapters 51 and 225 removing references to special council permits.

Background:

- On October 25, 2002, Council President Ostrow "introduced the subject matter of ordinances amending various provisions of the Minneapolis Code of Ordinances relating to council and administrative special permits for the purpose of revising the authority and procedures for issuance of such permits which were given their first reading and referred to the Ways and Means/Budget Committee and such other committees as to be determined." The City Coordinator convened a working group of staff from affected departments to compile and evaluate existing ordinances that utilize council or administrative special permits.
- On March 17, 2003, the Coordinator's working group presented their recommendations to the Ways & Means/Budget Committee. The Committee directed staff to proceed with the following recommendations:

Recommendation: That the City Council direct staff of the Office of the City Clerk, Department of Public Works, Division of Operations and Regulatory Services, the Planning Department, and other departments as may be appropriate, with assistance from the City Attorney's Office, to draft amendments to ordinances that currently utilize special or council permit processes, said amendments to be consistent with the following general recommendations whenever feasible:

1. Eliminate sign-off by the council member for the ward on administrative permits. Retain a procedure for notice to the ward council member where desired.
2. Eliminate ordinance references to "special" permits.
3. Eliminate use of "special council permits" for activities not authorized by code. Applications for licenses, zoning approvals, or other permits should only be accepted and processed in the manner authorized by the applicable provisions of the code of ordinances for the use or activity for which permission is requested.
4. Remove from the City Clerk's Office responsibility for processing and recordkeeping of permits that should be handled by the responsible department (e.g. Public Works, Licenses) and for which there is no need for centralized recordkeeping or tracking of the permit application in the Clerk's Office.

When prepared, proposed ordinance amendments shall be referred to the city council committee that has responsibility for the subject matter of particular ordinance to be amended. The Office of the City Coordinator is directed to continue to provide assistance and cross-department coordination in this matter.

**AN
ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By

Amending Title 3, Chapter 51 relating to Fumigating.

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

Section 1. That Section 51.130(a) of the above-entitled ordinance be amended to read as follows:

51.130. Exceptions. (a) This article shall not apply to special rooms, vaults or tanks used for fumigation.

(1) All rooms, vaults or tanks used for fumigating articles must be approved by the health commissioner as to construction, location and ventilation. They must be kept in proper operating condition at all times.

(2) Any person, firm, corporation or institution operating such a room, tank or vault and not a holder of a fumigator permit must apply for and obtain a ~~special~~ permit for such operation only. The fee for this ~~special~~ permit shall be ninety-five dollars (\$95.00) for one calendar year beginning January first of each year and shall be renewable before December thirty-first of each year.

**AN
ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By

Amending Title 11, Chapter 225 relating to Garbage and Refuse, Liquid Waste Haulers.

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

Section 1. That Section 225.490 of the above-entitled ordinance be amended to read as follows:

225.490. Hours. No person shall perform any liquid waste hauling service by means of either carts or tanks between the hours of midnight on saturday and midnight on sunday; and no person shall remove the contents of any vault or cesspool by means of carts between the hours of 5:00 a.m. and 10:00 p.m. on each weekday without a ~~special-permit~~ so.