

CITY OF APPLE VALLEY  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,  
AMENDING CHAPTER 50 OF THE CITY CODE REGULATING SOLID  
WASTE BY AMENDING REQUIREMENTS FOR LICENSED HAULERS  
REGARDING INFORMATION COLLECTED AND LICENSE FEE

The City Council of Apple Valley ordains:

Section 1. Chapter 50 of the Apple Valley City Code is hereby amended by revising Section 50.04(A)(1)(a) through (h) to read as follows:

**§ 50.04 LICENSED COLLECTORS; DUTIES AND OBLIGATIONS.**

(A) *Licensing of collectors.*

(1) It shall be unlawful for any person to collect refuse, recyclables or yard waste without a license from the city and an account relationship with the owner, lessee or occupant of the premises. Any person desiring a license to collect refuse, recyclables or yard waste shall make application for the same to the City Clerk upon a form prescribed by the Council. The application shall set forth:

- (a) The name and address of the applicant;
- (b) A list of the equipment which applicant proposes to use in the collection;
- (c) In the case of license renewals, an accounting of the number of customers within the city currently being served by the applicant;
- (d) The place or places to which the refuse, recyclables or yard waste is to be hauled;
- (e) The manner in which the refuse, recyclables and yard waste is to be disposed of;
- (f) The portion of the city in which collections are to be made; and
- (g) Information about the location and method of storage of collected recyclable materials, including evidence of compliance with all state, county and local laws and regulations.

Section 2. Chapter 50 of the Apple Valley City Code is hereby amended by revising Section 50.04(A)(4) to read as follows:

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(4) Licenses shall be issued on a calendar year basis and shall be renewable annually at the discretion of the Council; provided however, for applications approved after January 1 in any calendar year, applicant shall pay a license fee in the amount that is prorated on a quarterly basis for the balance of the initial calendar year.

Section 3. Chapter 50 of the Apple Valley City Code is hereby amended by revising Section 50.04(B)(1)(d)(2) to read as follows:

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2. *Exception.* The provisions of the division above shall not apply to licensed collectors servicing multiple dwellings within which each dwelling unit has individualized collection service or single-family dwellings that have a driveway in excess of 100 feet. No licensed collector who is exempt hereunder shall operate any vehicle in reverse unless reverse operation of the vehicle is necessary for safe egress from the driveway.

Section 4. Chapter 50 of the Apple Valley City Code is hereby amended by revising Section 50.04(B)(1)(i) through (o) to read as follows:

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(i) Each licensed refuse, recyclable and yard waste collector shall provide customers which receive individual residential collection with the option of paying volume based fees for the collection;

(j) Each licensed refuse, recyclable and yard waste collector shall notify, in writing, any collection customer whose container(s) are in poor repair, are corroded or otherwise defective so as to permit insects, vermin or rodents to enter, or does not meet all of the other requirements of § 50.02(A) and (B). The collector shall affix a copy of the notice to the container, and the notice shall state the deficiency and shall require repair or replacement. Upon the next collection, if the deficiency has not been corrected, the collector shall notify the City Clerk. The City Clerk shall cause the container to be inspected, and if it is found deficient, the inspector shall condemn the same. The collector shall not collect the contents of any container marked as condemned;

(k) Each licensed collector shall annually notify customers with whom they have an account relationship of the proper placement of refuse, recyclables and yard waste for collection, as specified in § 50.02(C). The notice shall also be given to all new customers of the licensed collector upon establishing an account relationship with the customer. It is unlawful for any licensed collector to direct, suggest or imply to any customer that containers may be placed for collection in any location in violation of § 50.02(C);

(l) Occupants of residential dwellings managed by associations or other management entities shall have the same opportunity to recycle as do occupants of other residential dwellings. It is unlawful after January 1, 1991, for any residential dwelling association or other residential dwelling management entity to negotiate, execute or maintain a

contract for residential garbage or other refuse collection unless it includes, as a part of that contract or as a part of a separate contract, weekly collection of recyclables on the same day as its refuse collection;

(m) Occupants of a multiple dwelling complex managed by an association or other management entity shall have the same opportunity to recycle as do occupants of other residential dwellings. It is unlawful after January 1, 1991, for any multiple dwelling association or management entity to negotiate, execute or maintain a contract for collection of garbage or other refuse unless it includes, as a part of the contract or as a part of a separate contract, a minimum of weekly collection of recyclables;

(n) 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 a 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. 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 6. 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 7. Publication. The City Clerk shall publish the title and summary of this ordinance 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.

PASSED by the City Council this \_\_\_ day of \_\_\_\_\_, 2021.

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Clint Hooppaw, Mayor

ATTEST:

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Pamela J. Gackstetter, City Clerk

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CHAPTER 50 OF THE CITY CODE REGULATING SOLID WASTE BY AMENDING  
REQUIREMENTS FOR LICENSED HAULERS REGARDING INFORMATION  
COLLECTED AND LICENSE FEE

The following is the official summary of Ordinance No. \_\_\_\_ passed by the City Council  
of Apple Valley on \_\_\_\_\_, 2021:

Chapter 50, regulating solid waste, is amended to delete provisions requiring a licensed hauler to submit certain reports to the City regarding current collection fee schedule, list of addresses where the hauler is exempt from operating in a private driveway, and the monthly collection reports of the waste collected. The amendment further revises the proration of the licensing fee from a semi-annual basis to a quarterly basis for a hauler license granted after January 1st of the calendar year during which an initial hauler license is issued.

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 147th Street W., Apple Valley, Minnesota 55124.