

35.02 DUTIES OF RESPONSIBLE TENANT

- (a) A responsible tenant shall store refuse on his/her real property in an approved container as defined herein and in an approved manner as set forth herein. Large articles of refuse need not be confined in containers but shall be kept in a neat condition and in a manner so as not to constitute a hazard. All refuse set out for disposal by the responsible tenant shall be set out for disposal so that the following designated recyclable materials are separated from the refuse except if employed in the disposal of other refuse or if the material has been contaminated.
 - (1) Newsprint, magazines and cardboard,
 - (2) Rinsed glass bottles and jars and other glass containers without rings and caps;
 - (3) Aluminum cans;
 - (4) Tin cans;
 - (5) High density plastics.
- (b) A responsible tenant in a residential district shall place containers containing designated recyclable materials at the curb in front of his/her real property for collection.
- (c) A responsible tenant shall keep each refuse container neat, sanitary and clean to prevent insect breeding, odors and unhealthy conditions from developing. He/she shall also keep each container in good repair so that no person handling a container will be injured. He/she shall replace a container which is not in good repair within 72 hours after he/she is ordered to do so by the city. A 55 gallon metal drum or container shall not be used as a refuse or rubbish container.
- (d) A responsible tenant shall place garbage in an approved garbage container, which shall be placed in a refuse container.
- (e) A responsible tenant shall not dispose of or permit the disposal of garbage into a sanitary sewer system unless the garbage is first processed by a mechanical disposal device permanently installed in or on a sanitary sewer line.
- (f) A responsible tenant shall not burn garbage, trash or rubbish on the real estate.
- (g) A responsible tenant shall store toxic and hazardous waste in a toxic and hazardous waste container. Toxic and hazardous waste shall be disposed of at an approved disposal facility.
- (h) A responsible tenant may remove and transport his/her own rubbish to a licensed transfer station. Rubbish shall be transported in an enclosed vehicle or shall be in containers or contained in a manner which will prevent littering or spilling while in transit.

- (i) If a responsible tenant does not remove and transport his/her own rubbish, he/she shall employ a collector to remove and transport the rubbish.
- (j) A responsible tenant in a residential district shall not store refuse or garbage containers in the front yard and shall place the containers at the designated location for collection not more than 12 hours prior to collection. Refuse or garbage containers shall not be stored, kept or placed on any public property.
- (k) Except while in the act of filling or emptying a refuse container, the responsible tenant shall keep the cover securely in place.
- (l) A responsible tenant shall, at all times, have enough approved containers to take care of the refuse or rubbish produced on the real property.
- (m) A responsible tenant shall remove or cause the removal of garbage and/or rubbish from his/her real property not less often than once every 7 days. In the event he/she does not do so, the city may in addition to any other remedy available to it, notify him/her that he/she has failed to perform a duty imposed upon him/her by law, and that he/she shall comply within 72 hours after service of such notice. A notice shall be in writing and be delivered to the responsible tenant by a city official or be mailed to his/her last known address by first class mail supported by an affidavit of mailing. A notice tag shall also be affixed to the door of any building situated on the property. In the event the responsible tenant does not comply with the notice, the city may cause removal of the garbage or rubbish from the real property. Promptly upon completion of the work of removal of the garbage or rubbish, the city manager or his/her designated representative shall serve upon the owner of the property by first class mail an itemized statement of the actual cost of removal; such statement to include an administrative fee per chapter 51. If the owner fails to pay, the city manager shall submit to the city council the itemized accounting of costs and a recommendation that the city council by resolution authorize that an assessment be levied upon said premises in accordance with Minnesota Statutes, Chapter 429.
- (n) A responsible tenant shall not keep any personal property of any kind on his/her real property which property has no substantial potential use consistent with its usual functions, including but not limited to scrap metal, building materials, dead trees or brush, indoor furniture, inoperable machines or appliances, or parts thereof, unless such property is kept in an enclosed building.
- (o) A responsible tenant may hire a collector to remove an extraordinary amount of rubbish not in containers or bundled; provided, that such rubbish is removed from the real property not more than 48 hours after it is placed outside on the real property of the responsible tenant.

Ord. No. 3827 2/16/2010