

## Part 6. Refuse Collection

306.01 **Purposes.** In order to provide for a continuous system of refuse collection and disposal in a manner which meets the needs of the residents of this city and complies with the Dodge County Landfill Ordinance, the city council hereby determines that it is in the best interests of the residents to issue three (3) refuse collection franchises.

306.02 **Definitions.** For the purposes of this ordinance, the following terms, phrases, words and their derivations will have the meanings given herein:

Subd. 1. **Garbage.** "Garbage" means all animal and vegetable wastes resulting from handling, preparation, cooking and consumption of food, including the cans, containers or wrappers wasted along with such material.

Subd. 2. **Trash.** "Trash" means all wastes, except body wastes and garbage, including rubbish, tin cans, paper, cardboard, glass jars and bottles, plastic containers and other waste items normally resulting from the operation of a household or business establishment, and yard debris, such as grass clippings, leaves and tree limbs of 3" or less in diameter cut in three foot length or less - except items weighing more than 100 pounds.

Subd. 3. **Business Establishment.** "Business Establishment" means any premises where a commercial or industrial enterprise of any kind is carried on, and shall include clubs, churches and establishments and non-profit organizations and governmental agencies where food is prepared or served or where goods are sold.

Subd. 4. **Residential Unit.** "Residential Unit" means any premises which are not business establishments as defined above, normally occupied by a single family or household.

Subd. 5. When not inconsistent with the context of this ordinance, words used in the present tense include the future tense, words used in the masculine gender include the feminine and neuter, the singular number includes the plural and the plural number includes the singular.

Subd. 6. The word "shall" when used in this ordinance is always mandatory and not merely directory.

306.03. **License Required.** No persons may collect or haul garbage or rubbish within the city without first obtaining a written license from the council:

- a. Individual franchises shall be governed consistent with the provisions of this ordinance and further motion and resolution of city council.
- b. The council will issue (three) 3 licenses which are renewable for successive periods by council resolution and written acceptance by franchisee. (Appendix G - 8/14/94)
- c. Residents are required to contract for all services in this ordinance with a licensed franchisee hereunder.

306.04. **Transferability.** This grant is personal and may not be transferred or assigned without the consent of the council.

306.05. **Rates.** The franchisees are hereby authorized to negotiate rates for collection of garbage and trash with owners of business establishments and residential units, subject to the following provisions:

- a. Upon a request for service, the franchisee or his/her employee shall have the right to enter upon the premises of said person at all reasonable times for the collection of garbage or trash.
- b. Garbage and trash containers may be regulation cans or fly-proof bags. Such containers shall be placed on ground level and be readily accessible from the street.

306.06. **Conditions.** The franchisees agree to the following conditions:

- a. The franchisee shall obtain a license from the City of Hayfield and shall be subject to the provisions of Dodge County Landfill Ordinance No. Three, and as amended.
- b. The franchisees shall assume full responsibility for any injuries, death or property damage arising as a result of his/her services, and agrees to defend, indemnify, and hold harmless the City of Hayfield.
- c. The franchisees shall pay a fee of \$100 per year for said license.

306.07. **Dodge County Landfill Ordinance.** All residents shall be required to abide by all requirements of Dodge County Landfill Ordinance No. Three, and as amended, - The Solid Waste Ordinance - which was established in accordance with State and Federal Laws. Said ordinance also prohibits any burning within municipal boundaries, except by special permit from the State Pollution Control Agency.

306.08. **Severability.** Any provision of this Ordinance which conflicts with the provisions of Dodge County Landfill Ordinance No. Three, and as amended, shall be null and void, however, the invalidity of any section shall not affect the validity of the remainder of this ordinance.