

## City Solid Waste Ordinance and Licensing Best Management Practice Options

### Good Ordinance/License Practices

- See the [Good License Template](#) for legal language that would be adopted by ordinance and included in the license -- see [Services Agreement Template](#) -- a city issues to solid waste/recycling hauler(s). Cities in 2015 that have adopted at least portions of these practices include: Cottage Grove, Newport, Carver and Chaska.

- Hauler ordinance/license and enforcement**

*License all garbage and recycling haulers and provide an administrative fine system for violations of the ordinance. Administrative fines been preferred by many cities instead of a misdemeanor-type enforcement system.*

- Background checks for haulers in the City**

*Authorize city police to require hauler and State of MN information. This is similar to requirements for “Peddlers” that most cities have on their books. Solid waste and recycling drivers know where vulnerable adults live, who is on vacation for an extended period of time, and what houses are being built or remodeled. This information about residents could be used for unlawful purposes.*

- Daily hauling districts**

*Keep residential trash and recycling trucks on a particular street only on a specified day each week, instead of allowing trucks anywhere in the City on any day. This is a benefit to public safety, road wear and tear, reduction in noise and neighborhood aesthetics. Garbage carts serviced at the curb would only be put out and in public sight one day each week.*

- Multi-material collection**

*Require all trash haulers to provide recycling services to all trash customers, and allow those haulers to also offer Bulky Waste, SSO (Source-Separated Organics) and Yard Waste services to customers. This does not require that all haulers offer Bulky Waste, SSO and Yard Waste services, but it sets your City up for these services as you progress in your solid waste programs. If your City already has organized recycling collection, the license language in the Good template must be modified.*

- Volume-based pricing**

*Require a Pay as You Throw (PAYT) trash program. This ordinance/license language defines three cart sizes, and requires that the different costs charged by haulers for each cart size – this differential being a state law - be sufficient to encourage recycling and waste reduction: at least a 25% difference between the prices of the cart sizes.*

- Hauler fee transparency**

*Require collectors to annually or quarterly inform the City of the rates and fees haulers will charge residents, so that the City can post these on its website and be informed of the differential costs between the cart sizes, of changes (in fees for hauling and disposal, and in county/state taxes), and can provide information to residents if they have questions about special fees (fuel surcharges, cart rental, environmental/landfill, etc.) and discounts. Rates and fees should be posted on the city’s web site as an at-least annual update for residents.*

**Basic hauler reporting requirements**

*Require haulers to provide information to the City and/or County: data required by the county and the State, and other data as defined by the City.*

**Multi-unit and commercial containers**

*Require that multi-unit residential and commercial properties have containers for trash and recyclables. If the City does not furnish carts, language may be changed to require collectors to furnish containers. A city may wish to reference their zoning code here.*

**Waste Processing**

*Designate a preferred facility in the license between the city and waste haulers. Cities that simply license haulers to operate in their city may not legally require waste/recyclables to be taken to a specific processing facility but may share the city/county/regional/state perspective on preferable facilities.*

**Better Ordinance/License Practices**

- See the [Better License Template](#) for legal language that would be adopted by ordinance and included in the license -- see [Services Agreement Template](#) -- a city issues to solid waste/recycling hauler(s).

**The Good practices**

*Include all the Good ordinance/license practices: background checks for haulers, daily hauling districts, multi-material collection, volume-based pricing, hauler fee transparency, basic hauler reporting, multi-unit and commercial containers, and ordinance/license enforcement.*

**Solid Waste Standards**

*Authorize the City Administrator or Manger to develop standards, which allow for timely changes of items such as the types of recyclables collected or hours of operation, through an administrative process, instead of through an ordinance process.*

**Commercial licenses**

*Require licensing of haulers of wastes from businesses and multifamily properties.*

**Maximum number of residential hauling licenses**

*Cap the number of residential hauling licenses at the number in place on a date selected by the City, with licenses in subsequent years contingent on serving a minimum number of residential accounts. A city may determine however that maintaining a minimum of 2-3 haulers provides the benefit of competition that would otherwise be assured if the city organized garbage collection and issued a periodic RFP for services.*

**Bi-weekly garbage collection / weekly recyclables collection**

*Require residential haulers to set 4 cart size/frequency categories, with prices for service varying by the size of the container (approximately 30, 60 and 90-gallons) and frequency of pick-up. A “very small generator” category is established: a 30-gallon (approximately) cart collected every other week. There should be at least a 35% difference between the prices of the 4 cart size/frequency categories. Bi-weekly garbage collection pairs nicely with weekly recyclables collection (and adding organics collection).*

**Bulky Waste and Yard Waste Collection**

*Require collectors to provide bulky waste or yard waste services if requested by residents, which may involve additional fees.*

**Source Separated Organic Materials (SSO) Collection**

*Require collection of SSO as a separate waste stream, with requirements for proper collection, collection frequency (weekly or bi-weekly) and processing.*

**Enhanced hauler data reporting**

*Require licensees to submit City-specific semi-annual and annual reports that include data specified in the City's Solid Waste Standards, covering tonnage data, number of accounts, complaints received, educational material provided to accounts.*

**Noise restriction**

*Require commercial haulers to comply with the City's noise ordinance, though which specification of collection hours is allowed.*

**Residential, commercial, container placement**

*Specify allowable locations for containers. Specify placement of commercial containers, including containers at multiple unit residential dwellings, in enclosed areas in accordance with the City's zoning code.*

**Roll-off container placement**

*Restrict roll-off container placement to private property, or public right of way with a specific City permit.*

**Roll-off licensing**

*Require, as a condition of licensing, background checks of roll-off companies and/or employees. Because roll-off containers are often sited at construction sites which have valuable building materials, background checks provide a level of assurance for your community. Cities in 2015 that license roll-off haulers include St. Paul, Minneapolis & Forest Lake.*

**Roll-off insurance**

*Require from roll-off licensee a certificate of insurance for injury and property damage.*

**Roll-off reporting & recovered materials**

*Roll-off companies must file an annual data report to the City that includes documentation of construction and demolition recyclable materials processed.*

**Summary of Best Ordinance/License Practices**

- See the [Best License Template](#) for legal language that would be adopted by ordinance and included in the license -- see [Services Agreement Template](#) -- a city issues to solid waste/recycling hauler(s).

**The Better practices**

*Include all the Good practices.*

*Include all the Better practices: Solid Waste Standards, commercial licenses, maximum number of residential hauling licenses, bi-weekly garbage collection, Bulky Waste and Yard Waste collection,*

Source Separated Organic collection, enhanced data reporting, noise restriction, container placement for residential and commercial, and roll-off container placement, licensing, insurance, reporting.

**More flexibility in Solid Waste Standards**

*Further define and expand the authority of the City Administrator or Manager to develop standards, which allow for timely changes of items such as the types of recyclables collected or hours of operation, through an administrative process, instead of through an ordinance process. For example, a city may choose to promote the collection efforts of electronics retailers and perhaps the county rather than city collection of electronics.*

**Minimum market share to maintain hauler license**

*Cap the number of residential hauling licenses at the number in place on a date selected by the City, with licenses in subsequent years contingent on haulers serving a minimum percentage of residential customers to maintain license eligibility, rather than a minimum number of residential accounts.*

**Enhanced volume-based pricing / collection frequency**

*Establish at least a 50% difference between the prices of the 4 cart size/frequency residential hauler categories: approximately 30, 60 and 90-gallons and a “very small generator” category for a 30-gallon (approximately) cart collected every other week. Cities may also want the 60- or 90-gallon bi-weekly cart collection option.*

**Enhanced hauler data reporting with penalties**

*Require due-dates for reporting and administrative penalties for failure to report. Residential licensees submit City-specific semi-annual and annual reports that include data specified in the City’s Solid Waste Standards, covering tonnage data, number of accounts, complaints received, educational material provided to accounts. Reports can also include the rates and fees haulers will charge residents to assure that the city web site accurately reflects what haulers are charging.*

**Roll-off data reporting & recycling goals**

*Require city-specific data from haulers of solid waste from commercial businesses and in roll-off containers. Have construction and demolition roll-off haulers compare percent recyclable materials processed to goals set by the hauler, or by the demolition permit holder, or by the city.*

**Roll-off license fee**

*Require roll-off licensee applicants to pay a fee.*

**Roll-off identification**

*Require that every container (box) have the name & phone number of the owner of the container.*

**Roll-off placement pre-approval**

*Require City approval (Public Works Department or other) before a roll-off licensee places a roll-off container in the public Right of Way.*

**Roll-off refundable fee**

*Require payment before each container is sited, to be refunded when the reporting requirements for that container are met.*