



**CITY of CRYSTAL**

4141 Douglas Drive North • Crystal, Minnesota 55422-1696

Tel: (763) 531-1000 • Fax: (763) 531-1188 • [www.crystalmn.gov](http://www.crystalmn.gov)

## **APPLICATION FOR BUSINESS LICENSE REFUSE HAULER**

City Code Chapters 6 and 10 provide the requirements for a refuse hauler city license. Complete and submit the following required items as part of the new business license application:

- City of Crystal *Application for Business License*. If the applicant is an individual, application forms must be completed by such person, if a corporation or LLC, by an officer; if a partnership, by one of the general partners; if an unincorporated association, by the manager or managing officer.
- City of Crystal *Business License Supplemental Application for Refuse Hauler*.
- Certificate of Liability Insurance.
  - Insurance requirements are outlined in Crystal City Code Section 605.07, Subd. 4.
  - The City of Crystal must be listed as the certificate holder and as an additional insured on the certificate.
- Department of Transportation (DOT) inspection reports.
- License fees required at the time of submittal of application materials:
  - License fees are non-refundable and non-prorated.
  - Licensing period is Oct. 1 through Sept. 30.
  - \$136 business license + \$65 vehicle license (per vehicle).

If you have questions regarding the application and licensing process, contact Permit and Licensing Technician Tracy Thorstenson at 763-531-1148 or [tracy.thorstenson@crystalmn.gov](mailto:tracy.thorstenson@crystalmn.gov).



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<b>Official Use Only:</b>	
Date Rec'd:	Staff Initials:
JDE Receipt #:	

## APPLICATION FOR BUSINESS LICENSE

If the applicant is an individual, this application must be completed by such person, if a corporation, by an officer; if a partnership, by one of the general partners; if an unincorporated association, by the manager or managing officer.

<b>SECTION 1 – APPLICANT INFORMATION</b>	
Name of Applicant (Name of individual, partnership, corporation or association):	
Applicant Home Address (city, state and zip code):	
Applicant Home Phone:	Applicant Email Address:
Applicant Cell Phone:	
Business Name:	
Doing Business As (DBA) (also known as an Assumed Name):	
Business Address (city, state and zip code):	
Business Phone:	Business Email address:
Business Website:	
Do you own the licensed premises (for business within the City of Crystal)? <input type="checkbox"/> Yes or <input type="checkbox"/> No or <input type="checkbox"/> N/A If no, attach a complete copy of the executed lease. Is the business premises either planned to be or under construction or undergoing substantial alteration? <input type="checkbox"/> Yes or <input type="checkbox"/> No If yes, attach a set of preliminary plans showing the design of the proposed premise to be licensed if you have not already.	
Are you registered to do business in Minnesota? <input type="checkbox"/> Yes or <input type="checkbox"/> No or <input type="checkbox"/> N/A (SSN is required on next page)	
Have you filed a "Certificate of Assumed Name" with the Office of the Minnesota Secretary of State? <input type="checkbox"/> Yes or <input type="checkbox"/> No	
Check one: <input type="checkbox"/> Sole proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Minnesota corporation; date of incorporation: _____ <input type="checkbox"/> Out-of-state corporation; state of incorporation: _____ <input type="checkbox"/> If a subsidiary of any other corporation, please describe fully the relationship of the corporation to any other corporation including the name, business address, state of incorporation, and names of stockholders, directors and officers (attach additional pages as necessary): _____ _____	
<input type="checkbox"/> Other, please describe: _____ _____	

Minnesota Tax ID Number:	Federal Tax ID Number:
If a Minnesota Tax ID number is not provided (other than sole proprietor), please explain:	
Social Security Number (required if sole proprietor or applicant is an individual):	

<b>PREVIOUS BUSINESSES/EMPLOYMENT (Required for Sole Proprietors only)</b>				
List every business or occupation in which you have been engaged during the preceding five years, as well as the names and addresses of your employers and partners, if any. <i>Attach additional pages as necessary.</i>				
COMPANY NAME	TYPE OF BUSINESS	ADDRESS	DATES OF EMPLOYMENT	PARTNERS (if any)

<b>SECTION 2 – LICENSE INFORMATION</b>																							
<p>Do you hold a business license from any other governmental unit?  <input type="checkbox"/> Yes or <input type="checkbox"/> No</p> <p>If yes, please provide details, including the type of license(s) and from which governmental unit:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Have you made application for a business license from any other governmental unit which was denied, revoked or suspended?  <input type="checkbox"/> Yes or <input type="checkbox"/> No</p> <p>If yes, please explain the details including date, location, reason and any other applicable information:</p> <p>_____</p> <p>_____</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left; padding: 5px;"><b>Check License Type Applying For</b></th> </tr> </thead> <tbody> <tr><td style="width: 20px;"></td><td style="padding: 5px;">Consumer Fireworks</td></tr> <tr><td></td><td style="padding: 5px;">Tobacco</td></tr> <tr><td></td><td style="padding: 5px;">Peddler/Solicitor/Transient Merchant</td></tr> <tr><td></td><td style="padding: 5px;">Tree Trimming</td></tr> <tr><td></td><td style="padding: 5px;">Secondhand Goods Dealer</td></tr> <tr><td></td><td style="padding: 5px;">Pawnbroker</td></tr> <tr><td></td><td style="padding: 5px;">Adult Establishments</td></tr> <tr><td></td><td style="padding: 5px;">Therapeutic Massage (Enterprise and/or Therapist)</td></tr> <tr><td></td><td style="padding: 5px;">Animal Kennel</td></tr> <tr><td></td><td style="padding: 5px;">Refuse Hauler</td></tr> </tbody> </table>	<b>Check License Type Applying For</b>			Consumer Fireworks		Tobacco		Peddler/Solicitor/Transient Merchant		Tree Trimming		Secondhand Goods Dealer		Pawnbroker		Adult Establishments		Therapeutic Massage (Enterprise and/or Therapist)		Animal Kennel		Refuse Hauler
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	Therapeutic Massage (Enterprise and/or Therapist)																						
	Animal Kennel																						
	Refuse Hauler																						
<p>Renewal license information should be sent to the following address:</p> <input type="checkbox"/> Applicant address <input type="checkbox"/> Business address <input type="checkbox"/> Other (Indicate name, title, address below) <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>																							

**SECTION 3 – BUSINESS INFORMATION - PARTNERS OR CORPORATE OFFICERS****PARTNERSHIPS**

If the applicant is a partnership, please provide:

- a copy of the partnership agreement.
- names and addresses of all general and limited partners and each partner is required to submit a Background Investigation Consent Release Form.
- names of the managing partners and the percent of interest of each partner in the licensed business.
- a copy of federal and state tax returns for the partnership for the two years prior to this application.

**CORPORATIONS**

If the applicant is a corporation, please provide:

- a copy of the Certificate of Incorporation, Articles of Incorporation or Association Agreement, and By-laws.
- Name of the managers or other persons in charge of the business (in Section 4) and each manager, proprietor, or agent is required to submit a Background Investigation Consent Release Form.

If the applicant is a corporation, and applying for a license to be owned and operated by it:

Is the corporation's stock publicly traded on a stock exchange?  Yes or  No

- Complete the below ownership information for all persons who control or own an interest in the corporation in excess of 5%. Additionally, attach a list of owners, officers and/or general and limited partners and their respective percentages totaling 100%.
- Corporations that are publicly traded on a stock exchange do not require owners or officers to submit a Background Investigation Consent Release Form.

**OWNERSHIP**

Name and Title:		Percent stock or partnership interest: _____%
Residence Address (city, state and zip code):		
Cell Phone:	Email Address:	
Business Phone:	Business Email Address:	

Name and Title:		Percent stock or partnership interest: _____%
Residence Address (city, state and zip code):		
Cell Phone:	Email Address:	
Business Phone:	Business Email Address:	

**SECTION 4 – PERSON(S) IN CHARGE OF THE LICENSED BUSINESS**

Manager is defined as the person responsible for overseeing the daily operations of the business.

Are you the manager of this business?  Yes or  No or  N/A

If no:

1. A Background Investigation Consent Release form is required from each person in charge of the business except in the case of a corporation whose stock is publicly traded on a stock exchange and is applying for a license to be owned and operated by it. *(A background investigation is not required for the following city licenses: consumer fireworks, tree trimming, animal kennel and refuse hauler).*
2. When a licensee places a manager in charge of a business, or if the named manager in charge of a business changes, the licensee must complete and submit the appropriate documentation required for managers within 14 days, and if a background investigation of the manager is required, the licensee must pay an amount equal to the cost to the investigation.

**MANAGEMENT INFORMATION – REQUIRED**

Full Name:

Title:

Residence Address (city, state and zip code):

Cell Phone:

Email Address:

Business Phone:

Business Email Address:

Is the manager the emergency contact for the business?  Yes or  No If no, provide alternate contact information below.

Full Name:

Title:

Phone Number:

**SECTION 5 – WORKERS’ COMPENSATION INSURANCE**

**A valid workers’ compensation policy must be kept in effect at all times by employers as required by law.**

Any workers’ compensation policy information changes must be submitted to the city.

**1. Complete if insured by business.**

**I have a workers’ compensation insurance policy and have attached a copy of the Certificate of Insurance with the City of Crystal listed as the certificate holder.**

Insurance company name (*not* the insurance agent):

Policy Number:

Effective Date:

Expiration date:

**2. Complete if self-insured.**

**I am self-insured for workers’ compensation and have attached a copy of the authorization to self-insure from the Minnesota Department of Commerce.**

**3. Complete if exempt.**

**I am not required to have workers’ compensation insurance because:**

I have no employees.

I only have employees who are not required to be covered by the workers’ compensation law.

(See Minnesota Statutes § 176.041 for a list of excluded employees.)

Explain why your employees are not covered by the workers’ compensation law: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SECTION 6 – FINANCIAL RESPONSIBILITY**

Prior to the issuance of a license, the applicant/business must be current on the following financial obligations.

- 1. Property taxes are current.  Yes or  No
- 2. Utility bills are current.  Yes or  No
- 3. State taxes are current.  Yes or  No
- 4. Federal taxes are current.  Yes or  No
- 5. Other governmental obligations or claims concerning the applicant/business entity named in this license application are current.  Yes or  No

If you or the business entity named in this license application have received a notice of delinquency or default, please provide details: \_\_\_\_\_  
\_\_\_\_\_

If “No” is checked for any of the above, describe the payment plan or other agreement approved by the applicable government entity: \_\_\_\_\_  
\_\_\_\_\_

**OFFICIAL USE ONLY**  
 \_\_\_ UB \_\_\_ Prev UB \_\_\_ UB Cert \_\_\_ Tax \_\_\_ Prev Tax  
 Date verified compliance on: \_\_\_\_\_ by staff initials: \_\_\_\_\_

**SECTION 7 – DATA PRIVACY ADVISORY AND VERIFICATION**

All of the information that you are required to provide on this form is considered to be public data pursuant to the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, *with the exception of social security numbers which are considered to be private data*. In the event that a member of the public requests a copy of this application from the city, the city is required to provide the application to that person (all social security numbers will be removed or redacted).

Social security numbers that are being provided on this form are considered to be private data on individuals pursuant to Minnesota Statutes Section 13.355. It is understood that the applicant is not required to provide this information. However, the city will not be able to process the application unless all required social security numbers are supplied.

I authorize the City of Crystal to investigate and make whatever inquiries that are necessary to verify the information in this application. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business. The documents and information I have submitted are true and correct to the best of my knowledge.

I, (print name) \_\_\_\_\_, certify or declare under penalty of perjury under the laws of the State of Minnesota that the foregoing is true and correct to the best of my knowledge. Additionally, I acknowledge I have read and understand the above data privacy advisory.

\_\_\_\_\_  
Applicant’s Signature \_\_\_\_\_ Date  
 \_\_\_\_\_  
Title

**OFFICIAL USE ONLY**  
 Rec’d: \_\_\_/\_\_\_/\_\_\_ By: \_\_\_\_\_ Fee total rec’d: \_\_\_\_\_ Payment type: \_\_\_\_\_  
 (License fee: 0100.4155) \_\_\_\_\_ Assumed Name verified  
 Approval date: \_\_\_/\_\_\_/\_\_\_ \_\_\_\_\_ DOT inspection reports for each vehicle



## BUSINESS LICENSE SUPPLEMENTAL APPLICATION FOR REFUSE HAULER

### SECTION 1 – REFUSE HAULER SERVICE INFORMATION

Refuse hauler service provided:  Commercial  Residential\*  Both\*

*\*Residential haulers must complete the section 2 organics requirement.*

Types of material collected:

- |  |  |
|--|--|
| <input type="checkbox"/> Organics                              | <input type="checkbox"/> Recycling (aluminum, glass, newspaper, cardboard, etc.) |
| <input type="checkbox"/> Refuse (garbage, construction debris) | <input type="checkbox"/> Yard waste  |

Refuse method of final disposal:

- |                                   |                                       |                                       |
|-----------------------------------|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Incineration | <input type="checkbox"/> Other: _____ |
|-----------------------------------|---------------------------------------|---------------------------------------|

Final disposal facility location and address:

\_\_\_\_\_

### SECTION 2 – ORGANICS REQUIREMENT FOR RESIDENTIAL HAULERS

*The City Council adopted rules requiring refuse haulers to make organics collection an option for Crystal customers as of Jan. 1, 2022. Furthermore, Minn. Stat. § 115A.93 prohibits haulers from charging residents who participate in organics recycling more than residents who do not participate.*

Do you offer residential customers curbside collection of organic materials?  Yes or  No

If yes, are all residential customers charged the organics recycling service whether they participate in organics recycling or not?  Yes or  No

I, \_\_\_\_\_ (Name) acknowledge that \_\_\_\_\_ (Business Name) is aware holding a City of Crystal refuse hauler license requires providing residential customers curbside organics recycling collection and additionally, that all residential customers are charged the same service fee regardless if they participate in organics recycling or not.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*If you have questions regarding the organics recycling requirements and compliance, please contact Peder Sandhei with the MPCA at 651-757-2688 or Ben Knudson with Hennepin County at 612-596-1176.*

### SECTION 3 – VEHICLE LICENSE INFORMATION (REQUIRED) *Attach additional page(s) if necessary. Vehicle decals may only be issued for those listed in this section.*

Type of vehicle <small>(roll-off, box, rear-load, side-load)</small>	Make of vehicle	Year of vehicle	Vehicle # (if any)	License plate #
1.				
2.				
3.				
4.				
5.				
6.				
7.				

Section 605 – Garbage and refuse

605.01. Definitions. For purposes of this section, the terms defined in this subsection shall have the meanings given them.

Subd. 1. Approved. “Approved” means acceptable to the health authority following the determination as to compliance with established public health practices and standards.

Subd. 2. Composting. “Composting” means a microbial process that converts plant materials to a usable organic soil amendment or mulch.

Subd. 3. Dumpster. “Dumpster” means a large container for temporary storage of refuse, recycling, or source-separated compostable material.

Subd. 4. Health authority. “Health authority” means any officer or employee designated by the city manager to enforce the provisions of this section.

Subd. 5. Litter. “Litter” includes all of the following:

- (a) Refuse, as defined in this subsection;
- (b) The meaning given by Minnesota Statutes, section 609.68; and
- (c) Abandoned property in the form of deteriorated, wrecked or derelict property in unusable condition or left unprotected from the elements. The term “abandoned property” includes, but is not limited to, deteriorated, wrecked, inoperable, unlicensed, partially dismantled, or abandoned motor vehicles, trailers, boats, machinery, refrigerators, washing machines, household appliances, plumbing fixtures and furniture.

Subd. 6. Owner. “Owner” means any person, firm, corporation, or other partnership or organization who alone, jointly, or severally with others may be in ownership of, or have charge, care, or control of, any premises or business within the city as owner, employee or agent of the owner, or as trustee or guardian of the estate or person of the title holder.

Subd. 7. Pests. “Pests” means any insects, vermin, rodents, birds or any other living agent capable of reproducing itself that causes or may potentially cause harm to the public health or significant economic damage.

Subd. 8. Premises. “Premises” means any dwelling, house, building or other structure or parcel of property.

Subd. 9. Public place. “Public place” means any and all streets, sidewalks, boulevards, alleys, parks, public buildings, and other public ways.



Subd. 10. Recycling. “Recycling” means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subd. 11. Recyclable materials. “Recyclable materials” means materials that are separated from mixed municipal solid waste for the purpose of recycling or composting, including paper, glass, plastics, metals, automobile oil, batteries, source-separated compostable materials, and sole source food waste streams that are managed through biodegradative processes. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subd. 12. Refuse. “Refuse” means solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection. Refuse does not include recyclable materials, source-separated compostable materials or yard waste.

Subd. 13. Refuse enclosure. “Refuse enclosure” means an enclosure capable of containing all refuse, recyclable materials, source-separated compostable materials, and yard waste stored by an establishment between pickups.

Subd. 14. Refuse enclosure - food service. “Refuse enclosure - food service” means an enclosure constructed for sanitary temporary storage of refuse, recyclable materials, and source-separated compostable materials generated by food establishments.

Subd. 15. Roll-off container. “Roll-off container” means a usually open-top dumpster characterized by a rectangular footprint. Typical container sizes are 10, 15, 20, 30, and 40 cubic yards.

Subd. 16. Source-separated compostable materials. “Source-separated compostable materials” has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 32a.

Subd. 17. Vehicle. “Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a thoroughfare including devices used exclusively upon stationary rails or tracks.

Subd. 18. Waste matter. “Waste matter” means, collectively, refuse, recyclable materials, yard waste, and source-separated materials.

Subd. 19. Yard waste. “Yard waste” means garden wastes, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings.

605.03. Refuse storage and disposal.

Subd. 1. Containers required. The owner of any residential premises, and any other person having refuse, must provide and keep on such premises sufficient containers for the storage of refuse accumulated on the premises between disposal or collection. Each such container must be water tight, must have tight fitting covers, must be impervious to pests and absorption of moisture, and must not exceed 96 gallons in size unless otherwise specifically authorized in writing by the health authority. Refuse on any premises must be stored in the containers required. All refuse from demolition or construction sites must be stored in roll-off containers or dumpsters and may not be stored on the ground. Commercial, business, industrial, or other such establishments having a refuse volume in excess of two cubic yards per week and all six family and larger dwellings, must store refuse in roll-off containers or dumpsters, or an approved equivalent, provided by its licensed collector. These containers must be so located as to be accessible to collection equipment and so as not to require an intermediate transfer.

Subd. 2. Sanitary disposal. Refuse must be disposed of in a sanitary manner as approved by the health authority and must not constitute a public nuisance.

Subd. 3. Frequency and manner of collection. The contents of refuse containers must be collected at least every other week, or more frequently if necessary or required by the provisions of any other ordinance of the city, by a collector licensed under this section. The collector must transfer the contents of the containers to the vehicle without spilling them, or if any spilling occurs, the collector must clean it up immediately and completely. Collection must be conducted in such a manner as to not create a public nuisance. Upon each collection, the containers must be completely emptied and returned to where they are kept, and the covers of the containers must be replaced.

Subd. 4. Placement of containers.

- (a) The preferred location for storage of containers is in an enclosed building. However, if stored outside, containers must be placed and kept in a neat and orderly manner and maintained in such a way as to not unreasonably interfere with the use of the adjoining property.
- (b) Containers may be placed at their designated collection location the evening before the applicable collection day and shall be removed from that location no later than 12:00 p.m. on the day following the applicable collection day.
- (c) Properties with a sidewalk directly behind the curb may place containers on that part of the sidewalk closest to the curb in accordance with subdivision 4(b) of this subsection.
- (d) Containers may never be placed on public streets or interfere in any way with the removal of snow from the roadways.

Subd. 5. Defective containers. If a container is found to be in poor repair, corroded or otherwise defective so as to permit pests to enter, or does not meet other requirements of this subsection, the health authority may notify the provider or user of the container of the deficiency and require repair or replacement of the container. If the deficiency is not corrected, the health authority may condemn the deficient container and affix a tag so stating such condemnation. It is unlawful for any person to place or deposit refuse in a container which has been condemned.

Subd. 6. Dumpsters and roll-off containers. A dumpster or roll-off container may not be located in any public place. A dumpster or roll-off container may not be located on any residential premises for more than three consecutive months during any 12-month period. The city manager, or its designee, is authorized to issue temporary permits for placement of a dumpster or roll-off container on any residential premises for more than three consecutive months when special circumstances exist justifying the issuance of the temporary permit and the purposes of this subsection will not be impaired thereby. The permit must be displayed on the dumpster or roll-off container or elsewhere on the premises. All dumpsters and roll-off containers must have the current licensed collector's name, address and phone number in clearly legible letters no less than three inches in height. No fee is required for the temporary permit.

605.05. Exterior storage - commercial and industrial. Exterior storage of refuse, including dumpsters, at buildings in property zoned for commercial or industrial uses must conform to the following rules:

- (a) The refuse must be contained in a refuse enclosure or in the case of food establishments, in a refuse enclosure - food service; and
- (b) The exterior storage area must be constructed in compliance with the open and outdoor storage requirements contained in the city's zoning regulations.

605.07. Refuse hauler regulations.

Subd. 1. License required. It is unlawful to engage in hauling or conveying of waste matter from a premises, other than one's own domicile, in the city without a license. Each vehicle so used must be licensed.

Subd. 2. License procedure. Applications for license or renewal of license must contain a description of the types and makes of motor vehicles used for collection, a schedule of services to be made to the customers, the frequency of service to be rendered, and full information where and how the material collected will be disposed of, and any other information the health authority will require. Applications to provide routine weekly collection and removal of refuse from residences must provide complete collection of all refuse which normally results from day to day use of this type of property except furnishings, appliances, building or construction wastes and similar bulky wastes for which individuals must make special arrangements. The health authority may require vehicle inspection before processing the license application. An application for license under this subsection must be submitted to the health authority for review and recommendation and approved by the city council if it meets the requirements of this subsection. Fees for licenses are set by Crystal city code, appendix IV.

Subd. 3. Pricing requirement. Applications for license or renewal of license must contain a description of refuse collection charges. The charges must increase with the volume or weight of the refuse collected from a premises. The charges imposed on a premises that recycle shall not be greater than the charges imposed on a premises that do not recycle.

Subd. 4. Insurance. Applicants for licenses or renewals of licenses must file with each application a copy of an insurance policy or policies and an endorsement, under which there is coverage as to each vehicle in the minimum amounts of \$1,000,000 for bodily injury to each person; \$1,000,000 aggregate per occurrence; and, \$1,000,000 for loss or damage to property. Every policy must provide that it will not be cancelled or terminated for any reason without at least ten days' written notice thereof first being given to the city.

Subd. 5. Vehicle decals; specifications. Whenever a license or renewal has been granted hereunder, the health authority will furnish to the licensee a decal for each vehicle signifying that the vehicle is licensed by the city. The licensee must apply the decal to the left forward side of the vehicle's body or in another visible location as required by the health authority. Old, expired, or otherwise invalid decals must be removed. Licenses and decals are non-transferable to other vehicles. Every vehicle used to collect refuse must also clearly identify the name and phone number of the owner or operator of that vehicle.

Subd. 6. Vehicle construction, maintenance and loading. Every vehicle used to collect waste matter must be constructed in such a way that all waste matter is securely transported, and that there is no dripping or leaking of any collected materials. Vehicles must be equipped with the necessary tools to handle spills and the hauler must clean up any spills immediately. Vehicles must be equipped with an audible electronic back-up alarm. Vehicles must be kept in good repair, regularly cleaned, and maintained in a way to prevent persistent odors.

Subd. 7. Service cancellation. A licensed refuse hauler must cancel service to any premises when the only container or containers thereon have been condemned and may cancel service for cause or when the party charged for the collection service is two months or more overdue in payment for such services. When a refuse hauler cancels service to any premises, written notice thereof must be served upon or mailed to the occupant, manager or owner of the premises and a copy of the notice must be mailed to the health authority.

Subd. 8. Vehicle storage and parking. It is unlawful to park or store a refuse collection vehicle within 100 feet of any residential premises, or within 200 feet of any food establishment, for purposes other than, or for periods inconsistent with, providing collection at said premises.

Subd. 9. Collection schedules and districts. The city council has the authority to create and modify collection districts for refuse and recycling and may designate specific days during which collection in each district may occur. Licensed haulers must establish their collection routes and days of collection in a manner consistent with the city's approved collection districts and specified days of collection. Violation of this subdivision is grounds for revocation of the hauler's license. It is not a violation of this subsection to collect refuse or recyclable materials on a day other than the specified collection day if the collection is due to a missed pick up or is during a week in which a legal holiday occurs.

Subd. 10. Collection hours. The collection or removal of refuse or recycling shall not occur between the hours of 10 p.m. and 6 a.m. on any day.

605.09. Public nuisance; abatement. Unless stored in containers in compliance with this section, any accumulation of refuse on any premises is deemed a public nuisance and may be abated under Crystal city code, section 600.

605.11. Composting.

Subd. 1. Compost containers. Composting shall only be conducted within a covered or uncovered container, enclosed on all vertical sides, and constructed of the following:

- (a) Wood;
- (b) Wire mesh;
- (c) A combination of wood and wire;
- (d) Metal barrels with ventilation; or
- (e) Commercially fabricated bins or barrels.

Containers shall be durable and shall be constructed and maintained in a structurally sound manner. Wood used in the construction of a compost container must be sound and free of rot.

Subd. 2. Size. The maximum size for a compost area on residential lots shall be 15 cubic yards. The maximum size on non-residential lots shall be 25 cubic yards for lots under 10,000 square feet and 120 cubic yards for lots over 10,000 square feet.

Subd. 3. Location on property. A compost container may not be placed closer than five feet from a property line or closer than 20 feet to any habitable building not on the subject property. The compost may be located only in a rear yard as defined in the zoning regulations.

Subd. 4. Prohibited contents. The following materials may not be placed in a compost: meat, fats, oils, grease, bones, whole eggs, milk or other dairy products, human or pet wastes, pesticides, herbicides, noxious weeds, diseased plant material in which the disease vector cannot be rendered harmless through the composting process, and any garbage or refuse that may cause a public health risk or create nuisance conditions.

Subd. 5. Maintenance. Compost materials shall be layered, aerated, moistened, turned, and managed to promote effective decomposition of the materials in a safe, secure and sanitary manner. Compost materials shall be covered with a layer of material such as leaves, straw, wood chips, or finished compost to reduce odor.

Subd. 6. Nuisance. Operating a compost in a manner that results in objectionable odors or placing prohibited materials in a compost are both deemed public nuisances and may be abated under Crystal city code, section 600.

#### 605.13. Wood piles.

Subd. 1. General rule. The outside storage of cut firewood for residential buildings is permitted in residential zoning districts of the city subject to the provisions of this subsection. The rules in this subsection do not apply to wood stored inside of a building.

Subd. 2. Location and storage. All firewood located upon a residential premises must be cut/split, prepared for use, and stored in neat, secure stacks. Stacks of wood may be located only in rear yards as defined in the zoning regulations and may not be located on a property line. A stack of wood located within five feet of the lot property line must be screened with a solid wall or fence.

605.15. Litter.

Subd. 1. General rule. It is unlawful to throw, scatter or deposit litter on or in private or public property, bodies of water, vehicles or structures within the city. Property owners must maintain their premises free of refuse or other litter, except as otherwise expressly authorized by this section. The owner, lessee or occupant of private property, whether occupied or vacant, must maintain the property free of litter.

Subd. 2. Nuisance; abatement. The accumulation of excess litter on private property is deemed a public nuisance and may be abated under Crystal city code, section 600.

Subd. 3. Not exclusive. The authority granted by this subsection is in addition and independent of the authority granted and the procedure established by Crystal city code, section 1315.

Section 610 - Recycling

610.01. Definitions. For purposes of this section, the terms defined in this subsection have the meanings given them.

Subd. 1. Dwelling unit. “Dwelling unit” means a residential structure in the city that is designated by the recycling authority to receive recycling collection services.

Subd. 2. Generator and mixed municipal solid waste. “Generator” and “mixed municipal solid waste” have the meanings given those terms in Minnesota Statutes, section 115A.03.

Subd. 3. Multifamily dwelling. “Multifamily dwelling” means a building designed with three or more dwellings exclusively for occupancy by three or more families living independently of each other.

Subd. 4. Recycling and recyclable materials. “Recycling” and “recyclable materials” have the meanings given those terms in Crystal city code, subsection 605.01.

Subd. 5. Recycling authority. “Recycling authority” means the official designated by the city manager to perform the powers and duties of the recycling authority as provided in this section. The recycling authority may be the administrator of the Hennepin Recycling Group joint powers entity of which the city is a member.

Subd. 6. Recycling container. “Recycling container” means a receptacle designated by the recycling authority for the accumulation and collection of recyclable materials at a dwelling unit.

Subd. 7. Recycling collection services. “Recycling collection services” means the collection of recyclable materials accumulated in recycling containers from a location at a dwelling unit that is designated by the recycling authority for regular collection.

Subd. 8. Recycling services. “Recycling services” means recycling collection services, carryout collection services, and any other services provided to a dwelling unit in accordance with this section.

610.03. Recycling authority; powers. The recycling authority is responsible for supervising and controlling the collection, processing, and marketing of recyclable materials from all dwelling units in the city. The recycling authority may contract with one or more haulers or processors for the collection, processing and marketing of some or all types of recyclable materials from dwelling units. The recycling authority may adopt and enforce additional rules not inconsistent with this section as necessary for the collection, processing, and marketing of recyclable materials, including but not limited to rules governing the days and hours of collection, the types of recyclable materials to be collected, the manner in which generators must prepare recyclable materials for collection, the recycling containers to be used, and the location of recycling containers for collection. The rules of the recycling authority are not effective until approved by the city council.

610.05. Recycling rates; billings.

Subd. 1. Rates. The city council may establish rates for recycling services from time to time by resolution. By resolution the city council may also charge the cost of recycling containers to owners or occupants of dwelling units as a recycling service.

Subd. 2. Billing. Each owner or occupant of a dwelling unit must pay the rates for recycling collection services, unless an exemption is obtained as provided in this section. The amounts payable for recycling services will be shown as a separate charge on the utility bill for the dwelling unit and will be payable according to the same terms as those provided in this code for utility bills.

610.07. Assessment of unpaid bills. On or before September 1st of each year, the city clerk must list the total unpaid charges for recycling services against each lot or parcel to which they are attributable. The city council may then spread the charges against the property benefitted as a special assessment in the same manner as provided for current services by Minnesota Statutes, section 429.101 and other pertinent statutes for certification to the director of property taxation of Hennepin County and collection the following year along with the current taxes.

610.09. Rate exemption.

Subd. 1. Exemption. A dwelling unit will not be billed for recycling collection services if the owner or occupant of the dwelling unit establishes that the recyclable materials generated at the dwelling unit are separated from mixed municipal solid waste by the generator, are separately collected, and are delivered to a final destination for reuse in their original form or for use in a manufacturing process.

Subd. 2. Application. Application for an exemption must be made by the owner or occupant of the dwelling unit to the recycling authority. The owner or occupant must produce evidence to the recycling authority of the amount, by weight and type, or recyclable materials that are separated, collected and delivered for reuse in their original form or for use in a manufacturing process. The recycling authority may establish additional reasonable criteria for determining when an exemption will be granted. The recycling authority's decision to grant or deny a request for exemption is final.

Subd. 3. Expiration and renewal. Rate exemptions granted under this subsection shall automatically expire after three years. Upon expiration, the owner or occupant may reapply pursuant to the application requirements contained in subdivision 2 of this subsection.

610.11. Ownership of recyclable materials; scavenging prohibited.

Subd. 1. Ownership. Recyclable materials are the property of the generator until collected by authorized city employees, collectors or haulers. Recyclable materials become the property of the city, authorized collector, or authorized hauler upon collection.



Subd. 2. No scavenging. It is unlawful for a person, other than authorized employees of the city or authorized haulers, to distribute, collect, remove or dispose of recyclable materials after the materials have been placed or deposited for collection. This subdivision shall not apply during city-sanctioned curbside cleanup events.

Subd. 3. Penalty. A violation of this subsection is a misdemeanor and may be punished as provided in Crystal city code, section 115.

610.13. Relation to other provisions of code. To the extent that the provisions of this section are inconsistent with the provisions of Crystal city code, section 605, the provisions of this section govern.

610.15. Multifamily dwellings.

Subd. 1. Recycling services. Owners of multifamily dwellings containing more than eight dwelling units must provide recycling collection services to all residents of the dwelling. Recyclable materials must be collected at least once per month.

Subd. 2. Recycling; notice. Owners of multifamily dwellings must provide notice to all new tenants of the opportunity to dispose of recyclable materials as well as the location of the disposal site.

Subd. 3. Recycling; preparation. Owners of multifamily dwellings must provide information to all new tenants related to the proper preparation of recyclable materials for collection.

Subd. 4. Recycling containers. Owners of multifamily dwellings must insure that stolen or broken containers for recyclable materials are replaced within a reasonable time.

Subd. 5. Landfilling prohibited. It is unlawful for an owner of a multifamily dwelling or an agent or contractor of an owner, to transport for disposal or to dispose of recyclable materials in a solid waste disposal facility, or to contract for such transportation or disposal.

Subd. 6. Penalties. Violation of subdivisions 1, 2, 3 or 4 of this subsection is punishable as a petty misdemeanor. Upon a third or subsequent violation of subdivisions 1, 2, 3 or 4 by the same owner, the violation is punishable as a misdemeanor. Violation of subdivision 5 of this subsection is punishable as a misdemeanor.

610.17. Commercial buildings.

Subd. 1. Responsibility. Owners of commercial buildings must meet the recycling requirements imposed upon them by Minnesota Statutes, section 115A.151.

Subd. 2. Penalties. A violation of this subsection is punishable as a petty misdemeanor. Upon a third or subsequent violation by the same owner, the violation is punishable as a misdemeanor.

610.19. Defective recycling containers. If a recycling container is found to be in poor repair, corroded or otherwise defective so as to permit pests to enter, or does not meet other requirements of this section, the recycling authority may notify the provider or user of the deficiency and require repair or replacement of the recycling container. If the deficiency is not corrected, the recycling authority may condemn the deficient recycling container and affix a tag so stating such condemnation. It is unlawful for any person to place or deposit recyclable materials in a recycling container which has been condemned.

January 30, 2023

Dave McNary  
Assistant Director  
Hennepin County Environment and Energy Department  
701 4<sup>th</sup> Avenue South  
Minneapolis, MN 55415

Mr. McNary:

MPCA is aware of confusion among cities and haulers that collect organics via subscription service. Cities and haulers want clarity on compliance for pricing organics recycling. Can customers be charged for this as an add-on service? Relevant state statutes are provided below. Minn. Stat. § 115A.93 subd. 3 (c) says that a licensing authority shall prohibit collectors from imposing a greater charge on residents who recycle than on residents who do not recycle. According to definitions in Minn. Stat. § 115A.03, subd. 25a and 25b, recycling includes the process of collecting recyclable materials. Recyclable materials include source-separated compostable materials, materials separated from MMSW for the purpose of composting, and sole source food waste streams.

Licensing authorities are therefore required to prohibit collectors from imposing a greater charge on residents who subscribe to organics collection than those who do not. MPCA expects that licensing authorities will identify ways in which to comply with this particular language. In addition, the licensing authorities should communicate this obligation to the haulers they license. If a complaint is brought to our attention, MPCA will work with the licensing authority to reach compliance. If you have questions about this letter, please reach out to Peder Sandhei at 651-757-2688 to discuss. As with all legal issues/questions, please seek advice from your local attorney to make sure that your licensing agreements are compliant with the language of Minn. Stat. § 115A.93.

Sincerely,



Peder Sandhei  
Principal Planner  
Minnesota Pollution Control Agency

115A.03

Subd. 25a. **Recyclable materials.**

"Recyclable materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling or **composting**, including paper, glass, plastics, metals, automobile oil, batteries, **source-separated compostable materials**, and sole source food waste streams that are managed through biodegradative processes. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subd. 25b. **Recycling.**

"Recycling" means **the process of collecting and preparing recyclable materials** and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

115A.93

Subd. 3. **License requirements; pricing based on volume or weight.**

(a) A licensing authority shall require licensees to impose charges for collection of mixed municipal solid waste that increase with the volume or weight of the waste collected.

(b) A licensing authority may impose requirements that are consistent with the county's solid waste policies as a condition of receiving and maintaining a license.

(c) **A licensing authority shall prohibit mixed municipal solid waste collectors from imposing a greater charge on residents who recycle than on residents who do not recycle.**

(d) The commissioner may exempt a licensing authority from the requirements of paragraph (a) if the county within which the authority is located has an approved solid waste management plan that concludes that variable rate pricing is not appropriate for that jurisdiction because it is inconsistent with other incentives and mechanisms implemented within the jurisdiction that are more effective in attaining the goals of this chapter to discourage on-site disposal, littering, and illegal dumping.