

**LICENSE APPLICATION
AND REQUEST TO ENTER INTO AN
AGREEMENT WITH THE CITY OF DETROIT LAKES
FOR SOLID WASTE COLLECTION SERVICES**

A. General Information:

1. Name of Business or Applicant _____
2. Address _____
3. City/State _____ Zip _____
4. Contact Person _____ Telephone Number _____
5. Social Security Number _____ (if sole proprietorship)
6. Type of Business _____ Sole Proprietorship _____ Corporation _____ Partnership
7. List names of all individuals with any ownership in the business:

8. List any "silent partners" associated with the business, include name, address, and a description of their interest:

B. Description of Equipment to be Used for Solid Waste Collection:

<u>Equipment</u>	<u>Make</u>	<u>Year</u>	<u>Size</u>	<u>Weight</u>	<u>Condition</u>	<u>Previous Years of Service</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

C. Proposed Pick-up Dates:

- For rubbish and garbage, recyclables, etc., attach a schedule of pick-up dates.

D. Financing Plan:

- Attach a schedule of rates for all services to be provided.

E. Method of Solid Waste Hauling:

1. List places where all types of solid waste will be hauled:

2. Describe how solid waste is to be hauled:

3. Address and legal description of principal site from which applicant will conduct business:

F. Background Information:

1. Describe applicant's experience in the solid waste hauling business:
(Attach a separate sheet if necessary)

2. List of date, name, and place, if any, where applicant has ever had a license revoked or rejected by municipal, state, or federal authority:

3. List date and places, if any, where applicant has been convicted for the violation of any law of the United States or of any state, or for the violation of any municipal ordinance; and

4. Provide the names and addresses of at least three business references with brief statement of the nature and extent of the business relations:

Certificate of Compliance Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

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

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
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DBA (doing business as name) (if applicable)

BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
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YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
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NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

I am not required to have workers' compensation insurance coverage because:

I have no employees.

I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: _____

Other: _____

ALL APPLICANTS COMPLETE THIS PORTION:

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
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NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

State of Minnesota License Applicant Information

Under Minnesota law (M.S. 270.72), the agency issuing you this license is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we must advise you that:

- This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- The licensing agency will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue Service;
- Failing to supply this information may jeopardize or delay the issuance of your license or processing your renewal application.

Please fill in the following information and return this form along with your application to the agency issuing the license. **DO NOT RETURN THIS FORM TO THE DEPARTMENT OF REVENUE.**

Please print or type

Name of license being applied for and license number (if renewal):		License Number #:
Licensing Authority (name of city, county, or state agency issuing license):		
License Renewal Date:		

PERSONAL INFORMATION:		
Applicant's last name	Applicant's first name and middle initial	Social Security Number
Applicant's address	City	State Zip Code

BUSINESS INFORMATION:		
Business name		
Business address	City	State Zip Code
Minnesota tax identification number	Federal tax identification number	
<i>If a Minnesota tax identification is not required, please explain on the reverse side of this form.</i>		

Applicant Signature:

Signature Title Date

500 General Regulations

501. Collection and Disposal of Solid Waste

501.01 Policy. It is the policy of the City of Detroit Lakes to provide its residents with a safe, reliable, and ecologically sound method of Solid Waste disposal at a reasonable cost.

501.02 Definitions. For the purpose of this Ordinance, the following definitions shall apply:

- a. Bulky Waste. A large appliance, piece of furniture, or waste material from a source other than construction debris or hazardous waste with a weight or volume greater than appropriate or allowed for in waste containers. Bulky waste does not include tires, batteries, waste oil, or yard waste.
- b. City. Means the City of Detroit Lakes, Minnesota.
- c. Commercial. Any retail business, service establishment, office, wholesale business, and related warehouses and storage and apartment buildings.
- d. Construction Debris. Waste building materials resulting from construction, remodeling, repair, or demolition operations.
- e. Garbage. Any organic wastes normally produced from the handling and preparation of foods and decayed and spoiled food from any source.
- f. Hazardous Waste. Waste designated as hazardous by the United States Environmental Protection Agency or appropriate state agency.
- g. Industrial. Any business involved in manufacturing, assembling, packaging, fabricating, or processing.
- h. Recyclables. Recyclable materials including aluminum cans, brown paper sacks, unbroken glass bottles and jars, news-papers, plastic bottles and jugs (No. 1 PET or No. 2 HDPE), and tin cans. Recyclables shall also include specifically defined items which may from time to time be designated by resolution of the City Council.
- i. Recycling Center. A facility for depositing recyclable materials that complies with Becker County's approved Waste Management Plan.
- j. Residential. All single family and two-family dwellings or buildings used for and as residences or dwelling places on a permanent or seasonal basis.
- k. Rubbish. All inorganic materials such as cans, bottles, paper, ashes, sweepings, and other similar wastes.
- l. Solid Waste. Discarded waste materials in a solid or semi-liquid state including, but not limited to, recyclables, garbage, rubbish, tires, batteries, yard wastes, bulky wastes, waste oil,

and construction debris.

m. **Transfer Station.** An approved waste disposal facility that complies with Becker County's approved Waste Management Plan.

n. **Yard Waste.** Organic plant materials collected from yards or gardens including leaves, grass clippings, vines, and stalks.

501.03 Prohibiting Collection. It shall be unlawful for any person, firm, or corporation to carry on the business of collecting or hauling garbage, rubbish, recyclables, or solid waste in the City of Detroit Lakes without first obtaining a license to do so.

501.04 Licensing of Collectors.

Subdivision 1. Application Process. Any person, firm, or corporation desiring to obtain a license to collect garbage, rubbish, recyclable materials, or solid waste in the City pursuant to Section 501.03 of this Ordinance shall make application to the City Administrator. The application shall, at a minimum, contain the following:

- a) The name and address of the applicant;
- b) If the applicant is a corporation, names and addresses of each Director and Officer and each stockholder of the corporation. If the applicant is a partnership or a joint venture, names and addresses of managing partners, general partners, management committees, and limited partners;
- c) A description of each piece of equipment to be used in the collection;
- d) A schedule of proposed pick-up dates;
- e) A list of rates to be charged for services;
- f) The place to which refuse is to be hauled;
- g) The manner in which refuse is to be hauled;
- h) A description of the type of container to be used to receive and contain refuse between collections;
- i) The location of the principal site from which applicant will conduct business, including address and legal description;
- j) Information concerning applicant's experience in the collection, hauling, and disposal of solid waste;
- k) List of date, name, and place, if any, where applicant has ever had a license revoked or rejected by municipal, state, or federal authority;
- l) List date and places, if any, where the applicant has been convicted for the violation of any law of the United States or of any state, or for the violation of any municipal ordinance; and
- m) Names and addresses of at least three business references with brief statement of the nature and extent of the business relations.

Each application shall be submitted to the City Administrator and will be forwarded to the City Council for their review. The Council has the authority to approve or reject any and all applications.

Subdivision 2. Insurance. Solid Waste Collectors shall obtain all insurance required herein. All such insurance contracts shall be maintained throughout the life of this license, and shall be so evidenced by insurance certificates filed with the City.

Insurance specified herein shall be minimum requirements, and the solid waste collector is responsible for providing any additional insurance deemed necessary to protect the solid waste collector's interest from other hazards or claims in excess of the minimum coverage. The liability of the solid waste collector to the City is not limited to the solid waste collector's insurance coverage.

The amounts of such insurances are as follows:

Description of Policy	Limits of Liability
Worker's Compensation	Statutory
Comprehensive General Liability including contractual:	
Bodily Injury	\$1,000,000 aggregate \$500,000 per occurrence
Broad Form Property Damage	\$500,000 per occurrence
Personal Injury	\$500,000 per occurrence
Automobile including owned, non-owned and hire vehicles:	
Bodily Injury/Property Damage	\$750,000 combined limit

Subdivision 4. License Fees. All license fees are payable in advance at the time of issuance of a license in accordance with Section 210.01 of the City Code.

501.05 Charges for Solid Waste Collection Services

Subdivision 1. Residential and Commercial Charges. Every licensed solid waste collector in the City of Detroit Lakes shall charge all of its customers for solid waste collection service based on the weight or volume of garbage and rubbish collected. Such volume based charge system to be approved by the City Council. Volume based fees shall be effective by March 1, 1992. Collectors of mixed solid waste shall not impose a greater charge on their customers who recycle than on those who do not recycle.

Subdivision 2. Miscellaneous Charges. A separate fee may be charged for bulky waste construction debris, yard waste, tires, batteries, and waste oil disposal. The user of such services shall be billed separately by the solid waste collector.

Subdivision 3. Report Fee Schedule to the City. Every licensed solid waste collector in the City of Detroit Lakes shall provide the City Administrator with a schedule of all its collection fees at least annually in January of each year and at any time there is a rate change.

501.06 Solid Waste Collection Required.

Subdivision 1. Prohibited Disposal. No person, corporation, business entity, or commercial

establishment shall bring solid waste into the City of Detroit Lakes for disposal.

Subdivision 2. Unauthorized Use Prohibited. No person shall dump or place solid waste in or by the garbage cans, dumpster, or other waste container without the permission of the owner, tenant, or other person who has control over the container.

Subdivision 3. Prohibited Deposit. No solid waste materials shall be deposited on any street, alley, or public place or upon any private property except in proper containers for collection. No person shall throw or deposit any solid waste in any stream, lake, or other body of water.

Subdivision 4. Contract Required. Every residential household or commercial establishment is required to contract with a licensed solid waste collector for solid waste collection service; however, upon approval by the Council, a residential household or commercial establishment may be exempt from the requirement to have solid waste collection service if the household or commercial establishment ensures that an environmentally safe alternative is used.

501.07 Containers.

Subdivision 1. Container Requirements. All solid waste must be presented for collection in properly closed refuse bags or refuse bags placed inside covered reusable containers. Containers shall be water tight and impervious to insects and rodents. Any apartment building, business, or commercial/industrial establishment may provide a bulk or box type container provided that such containers are maintained in a safe and sanitary condition.

Subdivision 2. Maintenance of Containers. Each container shall have a tight fitting cover and shall have two handles on opposite sides of the container. Whenever a container, from wear, tear, or otherwise, shall leak or if the can or cover is so damaged that the cover does not fit tightly, or if the container or cover has dangerously sharp or jagged edges, a new container shall be provided by the owner.

Subdivision 3. Containers for Recyclables. Recyclables shall be set out in recycling containers initially provided to each dwelling by the City of Detroit Lakes. Persons whose recycling container is lost, stolen, or destroyed or who desire additional containers shall be required to purchase said containers.

501.08 Anti-Scavenging Provision. All recyclable materials are private property. No person shall collect, carry off, or dispose of recyclable materials which are set out for collection in the recycling containers.

501.09 Separation of Solid Waste.

Subdivision 1. All persons, businesses, and commercial establishments in the City of Detroit Lakes are encouraged to separate their solid waste into the following categories:

1. Recyclables;
2. Garbage and rubbish;

3. Construction debris;**
4. Yard waste;**
5. Bulky waste;
6. Tires;
7. Batteries;
8. Waste oil; and
9. Household hazardous waste**

** Not allowed in County Transfer Station

Subdivision 2. All recyclables presented for collection must be in the following condition:

1. Aluminum must be free of dirt and liquid, but need not be crushed;
2. Tin cans must be rinsed, have paper labels removed, and be flattened, if possible;
3. Glass must have all metal or plastic lids and rings removed. Paper labels need not be removed and glass must not be broken. All colors of glass can be placed in a single container;
4. Newspapers must be kept dry and stored so as not to blow about; and
5. Plastics must have all lids and rings removed and need to be rinsed and flattened, if possible, and secured so as not to blow about.

501.10. Duties and Obligation of Licensed Collectors. A licensed collector of garbage, rubbish, recyclables, or solid waste operating in the City of Detroit Lakes must comply with the following operational requirements:

1. The licensee shall comply with all federal, state, county, and local laws and regulations.
2. To collect at least once weekly the refuse and garbage from all its residential and commercial customers.
3. To collect from its customers twice each month at least four types of recyclables set out for collection in the containers initially provided by the City to each residential unit. Recyclables to be collected include, but are not limited to, newspaper, glass, aluminum and tin cans, and plastic bottles and jugs (No. 1 PET or No. 2 HDPE).
4. To collect twice each month, from May 1 to November 1, the yard waste set out for collection by its customers.
5. To collect all residential solid waste made available to them, by their customers, at the curbside or in the alley behind the residences if such alley is available.
6. To collect and transport bulky wastes and to coordinate such special pickups with the customer.

7. To keep all equipment used in the performance of this contract in a clean and sanitary condition.

8. To use an enclosed truck or trailer for solid waste collection.

9. To dispose of garbage and rubbish at the transfer station and to transport recyclable materials to a recycling center.

10. Solid waste collectors shall not landfill or incinerate any recyclable materials or deliver such materials to any person or business for the purposes of landfilling or incinerating said material.

11. To comply with all environmental, hazardous waste, and waste disposal laws of the local, state, and federal governments and shall hold the City harmless from any and all claims and actions arising out of the violation of any of those rules and regulations and from any costs involved in the defense of any civil or criminal claims.

12. To notify each customer in writing at least once per year of the proper placement of refuse, recyclables, and yard waste for collection.

13. To notify customers in writing of any rate changes.

14. To submit an annual report to the City that identifies separately the weight, in tons, of refuse, recyclables, yard waste, and special pick-up materials that were collected by the licensee from Detroit Lakes sources. The report shall also identify the weight of each type of collected recyclable derived via actual weighing of each individual material or through the application of recyclable waste stream percentages acceptable to Becker County. The report shall distinguish residential collection tonnage from commercial/industrial tonnage and shall also include a brief description of the methodology used in computing the reported weights. The City reserves the right to request additional relevant information from the licensee as deemed necessary in order to plan for and evaluate its waste disposal system.

15. To report fee schedule to the City annually in January and at any time there is a rate change.

501.11 Dates and Times of Solid Waste Recyclable Collection.

All solid waste, and recyclables shall be set at curbside or other location agreed to between customer and the solid waste collector on the times and dates agreed to between the customer and solid waste collector. All reusable containers must be removed from the curbside as soon as possible after pick up.

501.12 Required Destination of Solid Waste and Recyclables.

Subdivision 1. All garbage and rubbish collected and picked up within the City of Detroit Lakes shall be hauled and transported to the Transfer Station.

Subdivision 2. All recyclables collected and picked up in the City of Detroit Lakes shall be transported to a Recycling Center. Recyclables shall not be landfilled or incinerated or given

to another person for the purpose of landfilling or incinerating.

Subdivision 3. Yard waste only may be taken to the compost site as designated from time to time by action of the Becker County Board of Commissioners or the City. No plastic bags or other containers shall be deposited at the compost site and no other solid waste shall be dumped or disposed of at said site. In addition the City may establish special collection dates for the collection of leaves and brush in the spring and fall of the year.

Subdivision 4. All other solid waste such as bulky waste, construction debris, batteries, tires, and waste oil shall be dis-posed of by the contractor or individuals in deposit sites approved by the City of Detroit Lakes, Becker County, the State of Minnesota and/or the Federal Government. Hazardous wastes shall also be properly disposed of in accordance with all applicable laws.

501.13 Penalties for Violation of Ordinance.

Subdivision 1. Any violation of the provisions of this Ordinance shall constitute a misdemeanor.

Subdivision 2. Each day on which such violation continues shall constitute a separate offense.

501.14 Provisions Severable. The provisions, sections, and subdivisions of this Ordinance are severable, and in the event that the court shall find any section or part thereof to be invalid for any reason, such finding shall not affect any other section or part thereof.

501.15 Effective Date. This Ordinance shall become effective on January 1, 1992.
Amended: 11/05/91 Ord. 68