
Emergency Executive Order 2025-01

March 31, 2025

I, Melvin Carter, Mayor of the City of Saint Paul, on March 31, 2025, pursuant to Saint Paul Legislative Code Section 13.06, do hereby issue the following Executive Order:

WHEREAS, on March 29, 2024, after a year and a half of community engagement and a public request for bids, the City executed a contract with FCC Environmental Services, LLC ("FCC") allowing FCC to begin citywide solid waste and yard waste services beginning on April 1, 2025, at the conclusion of the previous citywide coordinated garbage collection contract; and

WHEREAS, on August 28, 2024, FCC entered into a private land sale and purchased property at 560 Randolph Avenue in Saint Paul, Minnesota, which FCC intended to use this property as a truck dispatch and maintenance facility in order to carry out its obligations under its solid waste contract with the City; and

WHEREAS, based on the request of FCC, on January 10, 2025, the City's Zoning Administrator issued a Statement of Clarification determining that FCC's proposed use of 560 Randolph Avenue as a truck dispatch and maintenance facility is substantially similar in character and impact to a public works yard or maintenance facility, which is a permitted use in the I-1 industrial zone; and

WHEREAS, on March 19, 2025, after an appeal from the nearby community council challenging the Zoning Administrator's statement of clarification, the Saint Paul City Council ("Council") granted the appeal and overturned the Zoning Administrator's decision; and

WHEREAS, there are no immediate alternatives to provide citywide solid waste service on April 1, 2025, and this puts the City at risk of violating Minnesota Statutes section 115A.941, which requires the City to "ensure that every residential household and business" in the City has solid waste collection service; and

WHEREAS, Minnesota Statutes section 443.34 allows the City and its administration to enact regulations in addition to any provisions in its charter or code in order to protect the "health, safety, welfare, convenience, and prosperity" of the City; and

WHEREAS, failure to meet its state-law duty to ensure citywide solid waste services occur on April 1, 2025, poses a threat to the maintenance and safeguarding of an essential public service and risks the health, safety, and welfare of City residents; and

WHEREAS, on March 31, 2025, I issued an Emergency Declaration declaring a local state of emergency in order to ensure that FCC could fulfill its contractual obligations and provide citywide solid waste services on April 1, 2025, to which I have requested the City Council convene an emergency session to consent to this declaration; and

WHEREAS, the Emergency Declaration at Paragraph 2 directs City departments to review ordinance and regulatory requirements that can and should be adjusted or suspended, or to enact emergency regulations to protect the public health and welfare of the residents of the City; and

WHEREAS, the Zoning and Planning Administrators, through their respective Directors for the departments of Safety and Inspection and Planning and Economic Development, in response to the Emergency Declaration, have advised that certain requirements in the City's zoning and licensing ordinances must be suspended so that the City can comply with state law and permit FCC to provide citywide solid waste service; and

WHEREAS, Saint Paul Leg. Code Chapter 13.06(b) provides, "whenever necessary to meet an emergency ... for which adequate regulations have not been adopted ... , the mayor may by executive order promulgate regulations ... respecting ... the use of property during emergencies; the repair, maintenance and safeguarding of essential public services; emergency health, fire and safety regulations; and all other matters which are required to protect public safety, health and welfare in emergencies;" and

WHEREAS, in order to meet and prepare for this emergency, and to protect the health, safety, welfare, convenience, and prosperity of City residents, the City must enact emergency regulations to ensure solid waste services occur citywide on April 1, 2025.

NOW, THEREFORE, I, MELVIN CARTER, MAYOR OF THE CITY OF SAINT PAUL, DO HEREBY ISSUE THE FOLLOWING EMERGENCY EXECUTIVE ORDERS:

1. All sections or regulations contained in the City's Zoning Code as they relate to FCC's use and operation of the property at 560 Randolph Avenue are now suspended.
 2. Saint Paul Legislative Code, section 61.106 (Similar use determination) is now suspended as it applies to FCC's use of the property at 560 Randolph Avenue as a truck dispatch and maintenance facility in order for FCC to provide citywide solid-waste collection services; and
 3. Saint Paul Legislative Code sections 61.400, *et seq.* (Site Plan Review) is now suspended as it applies to FCC's use of the property at 560 Randolph Avenue as a public works yard or maintenance facility in order for FCC to provide citywide solid waste collection services; and
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4. FCC is permitted to use its property located at 560 Randolph Avenue to store, maintain, fuel, and repair vehicles needed to perform trash hauling services for the City of Saint Paul without first obtaining a site plan approval as required by the City's Zoning Code; and

Under Chapter 13 of the City's Legislative Code, the above Executive Order will become effective 12:01 a.m., April 1, 2025, and will remain in effect through any renewals as provided by applicable law. This Executive Order will expire as provided for by law.

Signed: March 31, 2025



Melvin Carter
Mayor of the City of Saint Paul