

Chapter 408. - Recycling Collection Center/Recycling Processing Center

FOOTNOTE(S):

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Editor's note—Ord. No. 17787, § 1, adopted Nov. 15, 1990, repealed Ch. 408, junkyards and junk dealers, §§ 408.01—408.06, in its entirety. Prior to this repeal, Ch. 408 was derived from §§ 341.01—341.08 of the city's 1956 Code and from Ord. No. 16774, adopted Mar. 19, 1981; Ord. No. 16882, adopted Feb. 11, 1982; and Ord. No. 16977, adopted Nov. 30, 1982.

Sec. 408.01. - License required.

No person shall engage in the business of operating a recycling collection center or a recycling processing center within the city without a license. A separate license shall be held for each business premises or auxiliary location within the city.

(Ord. No. 17787, § 1, 11-15-90; C.F. No. 94-539, § 1, 5-18-94)

Sec. 408.02. - Definitions.

For the purposes of this chapter, the following terms shall have the meaning indicated in this section:

Mixed municipal solid waste shall mean garbage, refuse and other solid waste from residential, commercial, industrial and community activities which is generated and collected in aggregate, but does not include recyclable materials, auto hulks, street sweepings, ash, construction debris, mining waste, sludge, tires, lead acid batteries, used oil, infectious waste and other materials collected, processed and disposed of as separate waste streams.

Recyclable material is reusable material including, but not limited to, glass, plastics and synthetic materials, paper products (such as newspapers, stationery, scrap paper, computer paper and corrugated cardboard), rubber, batteries, ferrous and nonferrous metals, concrete, asphalt, wood and building materials, tree wastes but not including yard waste or mixed municipal solid waste.

Recycling collection center is a recycling collection facility in a building for the acceptance by donation, redemption or purchase of recyclable materials. Such a facility may allow limited compacting or crushing of recyclable materials.

Recycling drop-off station is a facility consisting of reverse vending machines or unattended weather-resistant containers that are provided for the collection of recyclable materials. Any such recyclable material collected shall be of a size permitting it to be placed completely inside an enclosed reverse vending machine, weather-resistant container or trailer so that said materials are not exposed to the elements. Such a facility may be established in conjunction with and accessory to an existing commercial or industrial use. The term "recycling drop-off station" shall not include temporary mobile collection containers.

Recycling processing center is a recycling facility that accepts, stores and processes recyclable

materials whether or not maintained in connection with another business. Processing includes, but is not limited to, bailing, briquetting, crushing, compacting, grinding, shredding, sawing, shearing and sorting of recyclable materials and the heat reduction of such materials.

Yard waste is lawn cuttings, leaves, weeds, garden wastes and soft bodied plants.

(Ord. No. 17787, § 1, 11-15-90; C.F. No. 94-539, § 2, 5-18-94)

Sec. 408.03. - Fees.

The annual license fee for a recycling collection center and the annual license fee for a recycling processing center shall be established by ordinance as specified in section 310.09(b).

(Ord. No. 17787, § 1, 11-15-90; C.F. No. 94-539, § 3, 5-18-94)

Sec. 408.04. - License requirements.

(a) *Application*. An applicant for an initial license under this chapter shall submit to the department of safety and inspections a written application signed by himself or herself if an individual, by all partners if a partnership, or by the president or chief executive officer if a corporation. The application shall be signed under oath and shall contain the following information:

- (1) Name, residence and telephone number of every person having an interest in the business in excess of ten (10) percent ownership.
- (2) The trade name and address of the business on behalf of which the application is made and its telephone number.
- (3) Exact address and property description of the premises in Saint Paul where any part of the business is to be carried on, together with a diagram of the premises showing, with exactness, the location of the abutting roads, properties, buildings and uses, and the location, materials and design of all buildings to be used in the licensed business, including structures required hereunder.
- (4) Such other information as the inspector may reasonably require to assist the council.

(b) *Investigation*. Upon receipt of an initial application, the department of safety and inspections shall complete due investigation and will report to the council within forty-five (45) days.

(Ord. No. 17787, § 1, 11-15-90; C.F. No. 94-539, § 4, 5-18-94; C.F. No. 07-149, § 149, 3-28-07)

Sec. 408.05. - License regulations.

(a) *Recycling collection center*. Every licensee of a recycling collection center must comply with the following conditions:

- (1) The required license, name and phone number of the facility operator, and the hours of operation must be prominently displayed.
- (2) The use of power-driven equipment shall be limited to within a building(s) except for the once-a-day transfer of deposited recyclable materials in containers from exterior dropoff stations on the premises to storage locations within the building(s).
- (3) All exterior storage of material and goods for dropoff stations must be in durable, waterproof and rustproof containers or enclosures that are covered so that such materials and goods are not exposed to the elements. All containers or enclosures must be secured from unauthorized

entry or removal of goods or material, attractively painted, maintained in good condition, and of a capacity sufficient to accommodate all such materials. The collection schedule must also be posted in full view of the public at all times.

- (4) The containers used for recycling dropoff stations must be clearly marked to identify the type of material and goods that may be deposited and shall display a notice stating that no material or goods shall be left outside the recycling containers. There shall be a sign indicating that cans and bottles should be rinsed prior to deposit at the dropoff station or the collection center.
 - (5) The recycling collection center shall not operate between 7:00 p.m. and 7:00 a.m. if the facility is located within five hundred (500) feet of residentially zoned or residentially used property, measured from the property line of the recycling collection center to the property line of the nearest residentially zoned or residentially used property.
 - (6) No fire hazards shall exist on the premises.
 - (7) The premises shall be maintained in a clean and orderly condition free of rats and other vermin, wastes and standing water. No oil, grease, petroleum products or other harmful, hazardous or noxious liquids shall be allowed to run off the property or absorb into the ground.
 - (8) Noise levels shall not exceed the limits set forth in Chapter 293 of this Legislative Code.
 - (9) Weeds and grass on the premises shall be maintained in accordance with Chapter 45 of this Legislative Code.
 - (10) No material used in the business shall rest on or protrude on any public property or be permitted to be blown off the premises.
 - (11) No activity required by this chapter to be licensed shall be conducted any place except upon the premises described in a license, other than necessary transport of materials to or from licensed premises.
- (b) *Recycling processing center.* Every licensee of a recycling processing center shall comply with the following conditions (NOTE: a recycling processing center that collects recyclable materials shall be subject only to the following conditions and not those stated above for a recycling collection center):
- (1) The required license, name and phone number of the facility operator, and the hours of operation must be prominently displayed.
 - (2) All exterior storage and processing areas must comply with the requirements for containers and screening set forth in section 60.612(18) and section 60.613(3)(a) if in an I-1 zoning district or section 60.624(1) if in an I-2 zoning district.
 - (3) There shall be no open burning of any material and no fire hazards shall exist on the premises. The use of cutting torches, furnaces and other equipment which produce a flame shall not be construed to constitute open burning.
 - (4) The premises shall be maintained in a clean and orderly condition free of rats and other vermin and free of standing water. No oil, grease, petroleum products or other harmful, hazardous or noxious liquid shall be allowed to run off the property or absorb into the ground.

- (5) Noise levels shall not exceed the limits set forth in Chapter 293 of this Legislative Code.
- (6) Weeds and grass on the premises shall be maintained in accordance with Chapter 45 of this Legislative Code.
- (7) No material used in the business shall rest on or protrude on any public property or be permitted to be blown off the premises.
- (8) No activity required by this chapter to be licensed shall be conducted any place except upon the premises described in a license, other than necessary transport of materials to or from licensed premises.

(Ord. No. 17787, § 1, 11-15-90; C.F. No. 94-539, § 5, 5-18-94)

Sec. 408.06. - Record keeping.

- (a) *Transactions for which records required to be maintained.* Licensees shall maintain records on the premises for at least one (1) year for the following transactions:
 - (1) *Purchases from minors.* Purchases of all materials, excluding beverage containers and paper products, from persons under age of eighteen (18). In addition, each licensee shall obtain written consent of a parent or guardian of the minor before purchasing any materials for which records of purchases are required. The written consents shall also be maintained by the licensee for one (1) year.
 - (2) *Purchases over two hundred dollars (\$200.00).* Purchases of all materials, excluding beverage containers and paper products, for an amount of two hundred dollars (\$200.00) or more from any person.
- (b) *Information recorded.* Records for materials purchased shall be made at the time of the purchase and shall provide an accurate account or description of the materials purchased. Each record shall be clearly and legibly written in the English language and shall include the amount paid, the date and time of the receipt, the seller's identification including the seller's name and address. Records shall be open to inspection at all reasonable times by the inspector or designee or any member of the police department.
- (c) *Restriction on selling or removing goods and materials purchased.* If probable cause exists that specific goods or materials are stolen contraband or have been used in the commission of a crime and a representative of the police department notifies the licensee of such, the licensee shall not sell or permit to be sold, remove or permit to be removed, such goods and materials until such time as may be determined by the chief of police or his or her representative, provided that such time shall in no case exceed the period of ninety (90) days from the time of notification.

(Ord. No. 17787, § 1, 11-15-90; C.F. No. 94-539, § 6, 5-18-94)

Sec. 408.07. - License not transferable.

Licenses issued hereunder shall not be transferable.

(Ord. No. 17787, § 1, 11-15-90; C.F. No. 94-539, § 7, 5-18-94)

Sec. 408.08. - Renewal; transition provisions.

- (a) *Renewal.* Any person to whom an initial license has been issued may obtain the annual renewal of the license by filing with the inspector an application which specifies any changes in the

information submitted with the initial application and the annual license fee. The inspector shall process the application in the manner specified in section 408.04 and the council shall consider the application in the manner specified in section 310.04.

- (b) *Transition provisions.* Applications for renewal by persons holding a license under the provisions of Chapters 408 or 420, as of the effective date of this ordinance [Ordinance No. 17787, as amended by C.F. No. 94-539], with respect only to existing premises, shall be treated as a renewal rather than an initial license; provided, that the persons agree to abide by the terms of this chapter within ninety (90) days from the expiration of the original license.
 - (c) *Adverse action.* The council may take adverse action on any license in accordance with the procedures set forth in Chapter 310.
- (Ord. No. 17787, § 1, 11-15-90; C.F. No. 94-539, § 8, 5-18-94)