

**ORDINANCE NO. O2022-002**

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,  
AMENDING SECTIONS 51.01 AND 51.04 OF THE SHAKOPEE CITY CODE  
PERTAINING TO FLEXIBLE OR COMPACT DUMPSTERS**

**The City Council of Shakopee, Minnesota ordains:**

Section 1. Section 51.01 of the Shakopee City Code is amended to read as follows:

**51.01 Definitions**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates otherwise or requires a different meaning.

**CANS.** All disposable containers made and fabricated primarily of metal, aluminum, and tin.

**COMPACT DUMPSTER.** A metal, composite or other hard-side container for refuse disposal that does not exceed five cubic yards capacity.

**FLEXIBLE DUMPSTER.** A container that has a holding capacity not exceeding five cubic yards and used for temporary storage of special pick-up materials. A FLEXIBLE DUMPSTER is commonly referred to or known as a dumpster bag, soft-side dumpster, or waste removal bag and used in place of a metal front-load, rear-load, or roll-off dumpster.

**GLASS.** Includes products used as bottles, jars, and other glass containers, excluding however, blue and flat glass commonly known as "window glass".

**NEWSPAPER.** Paper of the type commonly referred to as newsprint.

**RECEPTACLE.** Means, with respect to refuse receptacles, individual containers constructed of weather-proof, insect- and rodent-proof materials such as plastic or metal for refuse and recycling purposes and, with respect to recycling receptacles, individual containers constructed of a durable material such as plastic or metal suitable for holding recyclable materials.

**RECYCLABLE MATERIALS.** Materials which can be reused through recycling, including newspaper, glass, cans, and yard waste.

**RECYCLING.** Any process by which materials which would otherwise become solid waste are collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

**REFUSE.** Includes garbage, refuse, and litter, but shall exclude construction materials.

**REFUSE/RECYCLING SERVICE AREA.** The area in which the city shall contract for the collection and disposal of refuse, recyclable materials, and yard waste, defined as the area within the city's metropolitan urban service area.

**SPECIAL PICK-UP MATERIALS.** Any collection of materials, other than refuse and recyclables, that includes white goods (such as large appliances), furniture, oversized materials, construction debris and other materials collected, processed and disposed of as separate waste

streams.

**YARD WASTE.** Grass clippings and leaves.

Section 2. Section 51.04 of the Shakopee City Code is amended to read as follows:

**51.04 Kind And Placement Of Receptacles**

- A. *Residential units.* The refuse hauler shall provide separate refuse and recycling receptacles to each living unit in a single-family dwelling, duplex, or triplex. The refuse receptacles shall be made of plastic and equipped with handles. These receptacles shall be water-tight and use a substantially tight-fitting cover to prevent the disturbance of contents thereof by cats and dogs, and to prevent the propagation of, and infestation by, rats, flies, and other vermin. The refuse hauler also shall provide each living unit with a recycling receptacle that shall be constructed of weather-proof; insect- and rodent- proof material such as plastic. The cost of the receptacles shall be included in the refuse and recycling collection fees and receptacles shall not exceed 95 gallons in capacity.
- B. *Commercial and industrial establishments.* The owner of any residential unit larger than a triplex, and the manager of any business shall provide refuse receptacles. The refuse receptacle or receptacles shall be in excess of 65 gallons in capacity and shall be of sufficient size and/or number to handle the accumulation of refuse between collections by the hauler. These receptacles shall be water-tight and equipped with substantially tight-fitting covers to prevent the disturbance of contents, and to prevent the propagation of, and infestation by rats, flies, and other vermin. They shall be well maintained and bear identification of the refuse hauler supplying the containers, including the phone number.
- C. *Placement of receptacles.* Insofar as practical, receptacles shall be kept in the rear yard of homes and other places served as near to the alley and accessible to the collector as possible, and in those instances where homes and other places are not adjacent to alleys, the receptacles shall be placed on the driveway or other place convenient to the collector by 6:00 a.m., on the designated day of collection. Receptacles shall be removed by 7:00 p.m. on the designated day of collection and shall not otherwise be stored in areas of the front yard visible from the front curb line.
- D. *Wrapped.* All refuse from residential units shall be wrapped.
- E. *Flexible dumpster or compact dumpster.* A flexible dumpster or compact dumpster may be placed and used on a property subject to the following requirements:
  - A. No garbage, recyclables, or swill, as the terms are defined in this chapter, or other liquid waste shall be placed into a flexible dumpster or compact dumpster for disposal. Only materials that are of a solid physical form or matter such as construction or demolition debris, discarded household goods or wares, cardboard or packaging waste or the like, shall be placed or disposed into a flexible dumpster or a compact dumpster..

- B. A flexible dumpster or compact dumpster shall not exceed a five cubic yard capacity.
- C. No flexible dumpster or compact dumpster shall be placed within the roadway surface of any street and shall be located behind the street curb. No flexible dumpster or compact dumpster shall be placed within or as to block any portion of a sidewalk, path or trail.
- D. No flexible dumpster or compact dumpster shall be placed within 15 feet of a water/fire hydrant.
- E. No flexible dumpster or compact dumpster shall remain on a property more than 14 days from the date it was placed at the property.
- F. A flexible dumpster or compact dumpster shall be collected by a waste hauler or otherwise removed within one week after the container is to its capacity.
- G. All material shall be completely and securely placed within the container; no material shall be sticking out or exceeding above the top of the container sides. No material placed in the container shall exceed outside the container beyond the plane of the street curb line. It is the property owner's and occupant's responsibility to ensure that any material that falls or is blown out of the container is promptly collected and properly stored into the container.
- H. All sellers of flexible dumpsters must place a sign in a conspicuous location near the flexible dumpsters that includes the following information: there is an additional fee to the hauler for pickup and that they may only remain outside for fourteen (14) days from the date it was placed at the property.

Section 3. Effective Date. This ordinance becomes effective from and after its adoption and publication.

*Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.*

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Mayor of the City of Shakopee

Attest:

\_\_\_\_\_  
Lori Hensen, City Clerk

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