

ORDINANCE NO. 66

AN ORDINANCE RELATING TO AND REGULATING COMPOSTING SITES IN THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA, AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF

THE TOWN BOARD OF THE TOWN OF WHITE BEAR ORDAINS:

SECTION 1. PURPOSE. This Ordinance is adopted for the following purposes:

1-1. To protect the public health, safety, comfort, convenience, and the general welfare of the citizens of the Township.

1-2. To establish powers, duties, rules, regulations, and standards for the storage of recyclable materials and yard waste.

1-3. To set minimum standards and requirements established by State and Federal rules, and to provide for the administration of this Ordinance.

1-4. To promote a program of waste reduction through source separation of recyclable materials and yard wastes.

SECTION 2. DEFINITIONS. Certain words used in this Ordinance are defined herein. Words used in the present tense shall include the future; the singular shall include the plural and the plural the singular; and the word "shall" is mandatory, and not permissive.

2-1. **COMPOST.** A mixture of decayed organic matter.

2-2. **RESIDENTIAL COMPOSTING.** Any above ground microbial process that converts yard waste to organic soil amendment or mulch by decomposition of material through an aerobic process providing adequate oxygen and moisture.

2-3. **GARDEN.** Ground area for cultivation of flowers, vegetables and shrubs.

2-4. **YARD WASTE.** Means grass/lawn clippings, leaves, weeds, garden waste (tomato vines, carrot tops, cucumber vines, etc.), soft body plants (flowers and vegetable plants), small non-woody shrub trimmings or twigs (1/4 inch diameter maximum), pine cones and needles.

2-5. **COMPOST MATERIAL.** Yard waste which may consist of leaves, grass clippings, sawdust, wood chips, and herbaceous plant materials, but does

not include brush and tree trimmings. It also means household waste which may consist of fruit and vegetable waste, egg shells and coffee grounds.

2-6. COMPOST SITE. The location used for the compost site.

SECTION 3. COMPOSTING REQUIREMENTS. Composting is permitted only in residential properties of up to four (4) dwelling units provided that all of the following conditions are met:

3-1. YARD WASTE ACCUMULATION. It is unlawful to accumulate or permit to accumulate any yard waste on any property in the Township which might constitute a nuisance as described in Ordinance No. 16 (Nuisance) by reason of appearance, odor or sanitation.

3-2. PERMITTED COMPOSTING MATERIALS. Only yard waste, straw, fruit and vegetable scrap, egg shells or coffee grounds generated from within the boundaries of the parcel in which the compost area is located, may be used.

3-3. PROHIBITED MATERIALS. The following materials shall not be placed in the composting container: meat, bones, whole eggs, dairy products, unshredded branches or logs, weeds heavily loaded with seeds, plastics, synthetic fibers, human or pet wastes, diseased plants and any other garbage or refuse, except for those permitted in Section 3-2 above.

3-4. LOCATION. Composting areas shall be located and designed so that seepage from the compost will not run off into public or private streets, storm sewers, drainage ditches, water retention basins, streams or lakes. No person shall rake or deposit grass clippings, weeds, noxious weeds, leaves, chemicals, sand or other refuse on or into a public or private street, storm sewer, drainage ditch, water retention basin, stream or lake.

3-4.1. No compost site may be closer than five (5) feet from any rear or side property line and shall not be located in any front yard, or closer than twenty-five (25) feet from any residential dwelling except the dwelling occupied by the landowner.

3-4.2. No compost materials may be stored within 50 feet of any body of water or any area designed as flood plain, shoreland or state protected wetlands.

3-4.3. No lot may contain more than one (1) compost site.

3-4.4. All piles and structures used in composting shall be removed when the composting process is discontinued.

3-5. SIZE. No compost pile may exceed 25 square feet in area or exceed 4 feet in height.

3-6. COMPOSTING CONTAINMENT STRUCTURE. All compost sites must be totally contained within a structure which may be constructed of wood, wire mesh or a combination of wood and wire or commercially fabricated compost bins designed to contain composting materials, in accordance with Section 3-5.

3-7. HERBICIDE/PESTICIDE USE. No compost may be treated with any kind of herbicide or pesticide.

3-8. NUISANCE. A compost area must not be established or maintained in a manner such that it creates a nuisance as described in Ordinance No. 16 (Nuisance), to adjacent properties and any composting operations shall be suspended or terminated if at any time it is deemed that conditions exist constituting a fire hazard or health hazard or if there is a threat to surface or groundwater from run-off or leaching.

3-9. MAINTENANCE. As part of regular maintenance, the compost area must periodically be mixed to promote efficient biological deterioration.

SECTION 4. PENALTIES. Every person convicted of a violation of any provision of this Ordinance shall be punished as provided in Ordinance No. 26.

SECTION 5. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 19th day of June, 1995.

APPROVED:

ROBERT J. WEISENBURGER, Chairman

ATTEST:

WILLIAM F. SHORT, Clerk-Treasurer

Board of Supervisors:
ROBERT J. WEISENBURGER, Chairman
RICHARD A. SAND, Supervisor
LINDA J. FORD, Supervisor

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Historical Notes

1995

Ordinance, Title, and Sections 1, 2, 3, 4, 5, and 6 passed June 28, 1995, and effective June 28, 1995 by Weisenburger (Chair); Sand and Ford; Short (Clerk-Treasurer).