

505. Curbside Recycling Scavenging Prohibited

§505.010 Purpose. This section is designed to prevent unauthorized collections of recyclable materials which are set out by City residents as part of a designated recycling program. Unauthorized collection or "scavenging" may reduce the volumes of materials collected as part of a designated program and thereby threaten the economic viability of the authorized program. Scavenging may also cause confusion among participating residents and thereby disrupt the publicity and educational processes of an authorized program. This section is also designed to insure that a designated recycling program will be implemented in an orderly fashion to avoid adverse effects on the public health, welfare, safety and environment.

505.020 Definitions.

"**Recyclable materials**" shall mean all items of refuse designated by the City Manager to be part of an authorized recycling program and which are intended for transportation, processing, and remanufacturing or reuse.

"**Authorized or designated recycling program**" shall mean a program for the collection and recycling of recyclable materials which is instituted, sponsored and controlled by the City of White Bear Lake.

"**Scavenging**" shall mean the unauthorized collection of recyclable materials that have been set out by residents of the City specifically for participating in curbside recycling programs.

505.030 Designation of Items. The City Manager shall prepare a list of refuse items designated to be part of an authorized recycling program. Such items must be ones which are generally accepted by the recycling industry for remanufacture and reuse, which can be cleaned, prepared, and stored in a manner to protect the public health, welfare, safety or environment, and which can be collected and recycled without threatening the economic viability of an authorized recycling program. This list shall be filed with the City Clerk after two weeks published notice in the official newspaper. The City Manager may modify the items on this list as circumstances warrant by following the procedure specified for the original designation.

505.040 Ownership. Ownership of recyclable materials set out for the purpose of participating in curbside recycling programs shall remain with the person or household from which the materials originated until collected by authorized collector. Upon removal by the City or its designated agents or contractors from a designated collection point, ownership of properly prepared and stored re-and stored recyclable materials intended for a City authorized collection program shall be vested in the authorized collector. Materials not prepared, cleaned or stored according to City specifications shall remain the responsibility and property of the individuals or household from which the materials originated. Nothing in this ordinance shall abridge the right of any individual or household to give or sell their recyclable materials to any recyclable materials program.

(Reference Ord. No. 771, 10/11/88)

Added 10/11/88

§505.050

PUBLIC HEALTH, WELFARE AND SANITATION

§504.050

505.050 Unauthorized Collection. It shall be unlawful for any person who is not authorized by the City or County to take or collect recyclable material set out for authorized collection programs within the City.

Any person violating this provision shall, upon conviction thereof, be punished by a fine not to exceed two hundred dollars (\$200.00).

Conviction of a second or subsequent violation or offense within five (5) years shall be a misdemeanor and shall be punished by a fine not to exceed seven hundred dollars (\$700.00) and/or imprisonment in the County Jail or Women's Detention facility for a period not to exceed ninety (90) days.

(Reference Ord. No. 771, 10/11/88)

Added 10/11/88