Council File #_____
Green Sheet #_____

ORDINANCE
CITY OF SAINT PAUL, MINNESOTA

Presented by_____

An administrative ordinance to amend Saint Paul Legislative Code Chapter 32, Collection of Municipal Solid Waste for Residential Properties and User Charge, to facilitate title changes and administrative reorganization.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

Section 32, Collection of Municipal Solid Waste for Residential Properties and User Charge, of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 32.06. Cost; collection.

(a) *Cost.* The costs of contracting for such garbage services shall include the actual fees charged by licensed haulers for garbage collection as well as the city's administrative costs associated with contracting with licensed refuse haulers to provide the service to property owners. If the city provides garbage service pursuant to section 357.07, the costs shall include the city's costs in providing such a service to the property including, but not limited to administrative costs as defined in section 32.02.

(b) *Cost records.* The department of safety and inspections shall keep a record of the fees for garbage services, the name and address of the owner, and costs associated with providing the service to the property owner, and shall report such information to the director of financial services.

(c) *Resolution approving total amount, setting date of public hearing.* On or before October 1 of each year, the ~~division of~~ real estate section of the office of financial services shall notify the city council of the total cost of garbage services provided during the previous year and the portion of such costs to be assessed against each lot and parcel of property benefitted from such service. Upon receipt thereof, the council shall by resolution fix a date for a hearing before the legislative hearing officer pursuant to section 32.06(d) and a date for public hearing at which time the council shall consider adopting and levying the service charges. The date of public hearing shall be at least twenty (20) days after adoption of said re~~v~~solution.

(d) *Legislative hearing officer.* Prior to the public hearing, the legislative hearing officer appointed by the council president shall hold a meeting to discuss the assessments to the affected property. The legislative hearing officer may submit to the council a recommendation based on information obtained at such a meeting.

(e) *Notice of council hearing.* Following the adoption of the resolution provided in paragraph (c) above, the ~~division of~~ real estate section of the office of financial services~~,~~ shall publish a notice of the hearing in a daily newspaper of the city at least five (5) days prior to the public hearing before council. The notice shall state the date, time and place of hearing, the purpose of the hearing, identify the services provided and the property to be assessed a service charge therefor and shall state the proposed rates of service charges to be considered by the council.

(f) *Notice to owner(s).* At least ten (10) days before the hearing, notice thereof shall be mailed by first class mail to every known owner subject to the assessment, at his or her last known address. Such notice shall also inform the recipient of the notice (i) of the procedures he or she must follow under the charter in order to appeal the assessments to the district court, and (ii) of the provision of Minnesota Statutes, Section 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto.

(g) *Public hearing; adoption of assessment roll.* On the date of public hearing the council shall meet to consider the adoption of the proposed service charges. The council shall hear all interested parties concerning the proposed charges. At such meeting or at any adjournment thereof, the council may amend the proposed service charges, and shall, by resolution, adopt the service charges as a special assessment against the properties deemed benefitted by the service.

(h) *Certification to county for collection with taxes.* After adoption by resolution of the service charges and assessment rates thereof, and no later than November 15, the ~~division of~~ real estate section of the office of financial services shall transmit a certified copy of the resolution to the Ramsey County Department of Property Records and Revenue to be extended on the property tax list of the county and collected the following year along with current taxes.

(i) *Appeal.* Within twenty (20) days after adoption of the resolution adopting the service charges, any person aggrieved may appeal to the district court in the manner set forth in chapter 14 of the City Charter.

Section 2

That this ordinance shall take affect and be in force thirty (30) days after its passage, approval and publication.

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Adopted by Council: Date _____

Adoption Certified by Council Secretary

By: _____

Approved by Mayor: Date _____

By: _____

Requested by Department of:

_____

By:

Approved by the Office of Financial Services

By: _____

Approved by City Attorney

By: Lisa K. Veith 4/08/09

Approved by Mayor for Submission to Council

By: _____