

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 06/08/2009
Item No.: 13.b

Department Approval

City Manager Approval

P. Trudgen

W. Mahinen

Item Description: Adopt Ordinance to Amend to Title 4 of the City Code Regarding Yard Requirements and Regulation of Residential Composting

1.0 BACKGROUND

1.1 Chapter 407 of the Roseville City Code regulates nuisances within the City. Section 407.02 regulates nuisances affecting the health, safety, comfort, or repose of residents. The following report describes two recommended clarifications to Section 407.02 related to yard vegetation and compost bins and the addition of a new chapter to more fully detail regulations on residential compost bins.

1.2 Staff brought draft language for the City Council to review at the April 13, 2009 City Council meeting. At that meeting Council Members identified a number of concerns related to the proposed amendments. Based on this discussion, staff has reviewed the language and made several modifications. Attachment A is the revised draft code amendments.

A. Yard Cover: A key concern related to the yard cover proposal was that it may be too limiting for residents who are implementing natural landscaping or other alternatives to a typical grass yard. As it was not staff's intent to limit allowable landscaping to grass turf, staff revised the draft by adding three new definitions to Section 407.01 for groundcover, natural areas, and natural landscaping, and added clarifying language in Section 407.02(C) in regards to natural landscaping. Finally, the proposed addition of a yard cover requirement was redrafted to state what the City does not want—bare soil—in addition to stating the requirement of groundcover.

B. Composting: A key concern identified by City Council members was the specificity in which the draft described as compost materials. Staff has adjusted language in the revised draft to reduce the specificity of the language used to regulate what can and cannot be composted. In addition, this ordinance has also been limited to parcels zoned R1 Single Family Residential.

12.0 POLICY OBJECTIVE

2.1 Both proposed ordinance amendments more clearly set forward expectations for property owners and allows City staff to have unambiguous rules to enforce.

28 **3.0 BUDGET IMPLICATIONS**

29 3.1 The proposed amendments are not expected have an impact on the City's budget.

30 **4.0 STAFF RECOMMENDATION**

31 4.1 Staff recommends that the City Council pass an ordinance adopting the draft nuisance
32 code language. Without an ordinances requiring permanent yard vegetation and
33 composting specifics, the City cannot cite property owners with bare dirt yards or non-
34 compliant composting.

35 **5.0 REQUESTED COUNCIL ACTION**

36 5.1 Adopt an ordinance amending Title 4, Section 407.02 of the Roseville City Code and
37 adding Chapter 409.

Prepared by: Jamie Radel, Community Development

Attachments: A: Draft City Ordinance Amendment
B. Draft Ordinance Summary

1 City of Roseville
2 ORDINANCE NO. XXXXX

3
4 AN ORDINANCE
5 AMENDING TITLE 4, SECTION 407.02
6 NUISANCES AFFECTING HEALTH, SAFETY,
7 COMFORT OR REPOSE
8 AND ADDING CHAPTER 409
9 RESIDENTIAL COMPOSTING
10

11 THE CITY OF ROSEVILLE ORDAINS:

12
13 SECTION 1: Title 4, Chapter 407 and Chapter 409 of the Roseville City Code are
14 amended to read as follows:

15
16 **407.01: DEFINITIONS:**

17 GROUND COVER: Vegetation and landscaping that covers the ground surface or topsoil and
18 has the effect of reducing erosion
19

20 NATURAL AREAS: Natural, restored, or recreated woodlands, savannahs, prairies, meadows,
21 bogs, marshes, and lake shores
22

23 NATURAL LANDSCAPING: Planned landscaping designed to replicate a locally native
24 plant community by using a mix of plants, shrubs, and trees native to the area.
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26 **407.02: NUISANCES AFFECTING HEALTH, SAFETY, COMFORT OR REPOSE:**

27 C. Weeds: All noxious weeds are prohibited. Tall Grasses, nuisance weeds and rank vegetative
28 growth shall be maintained at a height of eight inches or less in locations closer than 40 feet to:

- 29 1. An occupied principal structure;
30 2. Any property line with an occupied structure on abutting property; and
31 3. A public road pavement edge.
32

33 This section shall not apply to:

- 34 1. Natural areas, ~~such as woods, bogs, marshes, ground covers, wildflower or prairie restoration~~
35 ~~and~~ public open space or park lands, as determined by the city forester or naturalist designated by
36 the city manager. (Ord. 1136, 2-28-1994; Amd. XX-XX-XXXX)
37 2. Yard areas with natural landscaping that follow the City Park Department policy for natural
38 landscaping (Ord. XXXX, X-XX-XXXX)
39

40 F. Backyard Composting: All composting consisting of yard waste and/or kitchen waste which
41 have been left unattended and which cause offensive odors, attract rodents and/or pests or are
42 unsightly, or do not meet the requirements of Section 409. (Ord. 1092, 6-10-91, amended 00-00-
43 2009)
44

45 R. Yard Cover: The yard area of a lot shall not be bare soil, shall be covered by a groundcover
46 and shall be maintained as set forward in Section 407.02(C). (Ord. XXXX, XX-XX-2009)
47

CHAPTER 409: RESIDENTIAL COMPOSTING

SECTION:

409.01: Definitions

409.02: Applicability

409.03 Compost Containers

409.04: Location on Property

409.05: Compost Materials

409.06: Maintenance

409.07: Abatement

409.01: DEFINITIONS:

COMPOSTING: a microbial process that converts plant materials to a usable organic soil amendment or mulch.

409.02: APPLICABILITY:

Rules set forward in Chapter 409 are applicable only to parcels designated R-1 Single-Family Residential under Chapter 1004.

409.03: COMPOST CONTAINERS:

Composting shall be conducted within an enclosed container(s) not to exceed five feet in height, length, and width, and no more than two containers per lot. Containers shall be of a durable material; including, but not limited to, sturdy woven wire fencing, rot-resistant wood, or a commercially purchased composting unit which will provide for adequate aeration. Containers shall be constructed and maintained in a structurally sound manner.

409.04: LOCATION ON PROPERTY:

Compost container(s) shall be located in the rear yard no closer than one foot to any rear or side property line and no closer than twenty (20) feet to any habitable building, other than the resident's own home.

409.05: COMPOST MATERIALS:

Material such as grass clippings, leaves, soft-bodied plant materials, straw, sawdust, fruit or vegetable scraps, flowers, lake plants, coffee grounds, eggshells, and commercially available compost ingredients may be placed in compost container(s). Material such as meat, bones, fat, oils, grease, dairy products, brush greater than one-fourth inch in diameter, feces, plastics or synthetic fibers shall not be placed in compost container(s).

409.06: MAINTENANCE:

Compost materials shall be aerated, moistened, turned and managed to promote effective decomposition of the materials in a safe, secure and sanitary manner.

409.07: ABATEMENT:

All compost containers and/or compost materials not in compliance with this section shall be declared a nuisance and are subject to abatement as provided in Chapter 407 of this Code.

SECTION 2: Effective date. This ordinance shall take effect upon its passage and publication.

Passed by the City Council of the City of Roseville this ____ day of _____ 2009.

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Ordinance – Title of Ordinance _____ -

(SEAL)

CITY OF ROSEVILLE

BY: _____
Craig D. Klausing, Mayor

ATTEST:

William J. Malinen, City Manager

City of Roseville

ORDINANCE SUMMARY NO. ____

**An Ordinance Summary Relating to
Amendments to Title 4 of the City Code Regarding
Yard Vegetation Requirements and
Residential Composting Regulation**

The following is the official summary of Ordinance No. _____ approved by the City Council of Roseville on April 13, 2009:

The Roseville City Code is amended by establishing a requirement for yard vegetation and more specific regulations for residential composting.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary shall also be posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2180 Hamline Avenue North, and on the internet web page of the City of Roseville (www.ci.roseville.mn.us).

Attest: _____

William J. Malinen, City Manager

Summary of Ordinance Publication Format