

Comments to Community Development and Regulatory Committee

**Subject: Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code**

**244.770 – Composting**

I am Allan Robinson and am addressing you on behalf of my family and the members of the Windom Park Citizens in Action Neighborhood Association who support our position.

I am the owner of April, the dog featured in an article in the Minneapolis Star and Tribune on February 27, 2015. April was poisoned from eating some of the contents of our neighbor's compost pile, carried into our fenced in yard by squirrels or other vermin. There was also by-products from home beer brewing in the bin, some of which were hops and barley; hops are not just harmful to dogs but are **lethal**. April was rescued from a kill shelter in Ohio and we can't keep her safe in her own fenced in yard.

In the story, Council members Reich and Gordon are quoted as saying **“they're both interested in reviewing the city's current rules and potentially making tweaks that could do more to protect pets and wildlife from waste.” “I don't think we were initially talking or analyzing or taking into consideration this issue of pet safety, it might be a newer concern that we are discovering now, and I think we should take it into account and review the ordinance.”**

The proposed amendments to the ordinance do not provide protection to pets or children or other wildlife (we now have three fox, a coyote, a raccoon, skunk and rats in our alley, three miles from downtown Minneapolis, on Stinson Parkway which have appeared since composting has begun in our neighborhood. We have lived in our house for 16 years and the only wild animals besides squirrels in our neighborhood have been turkeys.) A cover needs to be required on backyard composting bins, minimally; a resin bin would prevent exposure. Hops and barley from home beer brewing need to be specifically prohibited from backyard compost bins and also allowing these materials to enter the sewer system from cleaning brewing utensils and vessels with garden hoses into alley ways. Our neighbors stated to us that they were in compliance with the city ordinance and they considered the matter closed.

The guidelines for composting contained on the City's web site are that, only guidelines and not enforceable by city inspectors. Our situation was finally brought to a head, not by the city inspectors but by the 2<sup>nd</sup> Precinct of the Minneapolis Police Department. I think our officers have more important things to be doing with their time than negotiating composting issues between homeowners.

The other issue of improper composting is the odor caused and the lack of common courtesy. We believe common courtesy must be called for and be contained in the Ordinance.

Our requests are supported by members of the Windom Park Citizens in Action Neighborhood Association. We obtained, through a data privacy request, a list of the complaints received by

the 311 operators concerning backyard composting. Ours is not an isolated incident. There are 175 complaints to 311 operators concerning backyard composting issues, including pet poisoning, rats and other vermin, odor and appearance. Research proves that for every one complaint voiced, three to five people have not complained.

We have provided notebooks of documentation to both council members Reich and Gordon and volunteered to assist their staff by providing volumes of research we have done on the toxins in backyard compost bins and the dangers connected with them. The City, through the City Attorneys' Office, has been advised of our concerns and although they could not issue an opinion to private citizens, the city could be liable for damages if a pet or child were injured or killed because they knowingly allowed toxins to be put and contained in backyard compost bins. The small backyard compost bins are no different in danger than the large facilities. The toxins are airborne and can cause injury. They are also odorous. We were unable to enjoy our backyard and deck this past summer because of the noxious odor brought into our space by the prevailing SE winds. I am 70 years old and would like to be able to enjoy my remaining years in my home and believe I have the right of "quiet enjoyment" under the law. We are at the mercy of our neighbor as to covering their backyard bin. We feel if we complain to the Environmental people at the City we will get pushback from our neighbor and if their bin is not covered again, our dog is again at risk of another poisoning.

Our request is for further review of the composting ordinance and further prohibitions as to what is allowable to be put into bins and secondly requiring a cover on all backyard bins. A cover is a very affordable item and easily obtained.

Thank you for your consideration.