

CHAPTER 106

COLLECTION OF SOLID WASTE

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106.01 COLLECTION SERVICE. The City shall provide by contract for the collection of solid waste, except bulky rubbish as provided in Section 106.05, from single family and two family residential premises only. The owners or operators of multiple-family dwelling, commercial, industrial or institutional premises shall provide for the collection of solid waste produced upon such premises.

106.02 COLLECTION VEHICLES. Vehicles or containers used for the collection and transportation of garbage and similar putrescible waste or solid waste containing such materials shall be leakproof, durable and of easily cleanable construction. They shall be cleaned to prevent nuisances, pollution or insect breeding and shall be maintained in good repair.

(IAC, 567-104.9[455B])

106.03 LOADING. Vehicles or containers used for the collection and transportation of any solid waste shall be loaded and moved in such a manner that the contents will not fall, leak, or spill therefrom, and shall be covered to prevent blowing or loss of material. Where spillage does occur, the material shall be picked up immediately by the collector or transporter and returned to the vehicle or container and the area properly cleaned.

106.04 FREQUENCY OF COLLECTION. All solid waste shall be collected from residential premises at least once each week and from commercial, industrial and institutional premises as frequently as may be necessary, but not less than once each week.

106.05 BULKY RUBBISH. Bulky rubbish which is too large or heavy to be collected in the normal manner of other solid waste may be collected by the collector upon request in accordance with the terms established by the collector.

106.06 RIGHT OF ENTRY. Solid waste collectors are hereby authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this chapter; however, solid waste collectors shall not enter dwelling units or other residential buildings.

106.07 CONTRACT REQUIREMENTS. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste from single family and two family residential premises for the City without first entering into a contract with the City. This section does not prohibit an owner from transporting solid waste accumulating upon premises owned, occupied or used by such owner, provided such refuse is disposed of properly in an approved sanitary disposal project. Furthermore, a contract is not required for the removal, hauling, or disposal of earth and rock material from grading or excavation

activities, provided that all such materials are conveyed in tight vehicles, trucks or receptacles so constructed and maintained that none of the material being transported is spilled upon any public right-of-way.

106.08 RECYCLING PROGRAM. The City shall provide for the collection of recyclable material from single family and two family residential premises through its contract collector. The owners or operators of multiple-family dwellings shall provide facilities for the separation and collection of recyclable material generated on the premises. Persons participating in the recycling program shall separate and prepare recyclable material for collection in accordance with the rules and regulations as established by the Metro Waste Authority and the collector.

106.09 COLLECTION FEES. The collection and disposal of solid waste as provided by this chapter are declared to be beneficial to the property served or eligible to be served and there shall be levied and collected fees therefor in accordance with the following:

(Goreham vs. Des Moines, 1970, 179 NW 2nd, 449)

1. Schedule of Fees. The fees for solid waste collection and disposal service, used or available, for each single family and two family residential premises are:

- A. 30 - 40 gallon container - \$6.40 per month.
- B. 60 - 70 gallon container - \$6.88 per month.
- C. 90 - 105 gallon container - \$7.03 per month.
- D. Extra Bags - \$1.00 each.
- E. "Compost It" Bags - \$7.75 for 5 bags.
- F. "Compost It" Stickers - \$1.00 each.
- G. Bulk Waste Stickers - \$5.00 each.

(Ord. 768 – Sep-07 Supp.)

2. Payment of Bills. All fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 of this Code of Ordinances. Solid waste collection service may be discontinued in accordance with the provisions contained in Section 92.05 if the combined service account becomes delinquent, and the provisions contained in Section 92.08 relating to lien notices shall also apply in the event of a delinquent account.

3. Temporary Vacancy. A resident may request that solid waste collection service be temporarily discontinued when the property is expected to be vacant for an extended period of time and the collection fees will be waived during such absence.

106.10 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof are jointly and severally liable for fees for solid waste collection and disposal. Fees remaining unpaid and delinquent shall constitute a lien upon the premises served and may be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

(Code of Iowa, Sec. 384.84)

106.11 SOLID WASTE COLLECTOR'S LICENSE.

1. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste from multiple-family dwellings and commercial, industrial or institutional premises within the City without first obtaining an annual license from

the City. The Clerk shall issue said license provided that the applicant agrees to the conditions set forth in this section.

2. All vehicles used in the collection and transportation of solid waste shall be covered or constructed so as to prevent spillage, drainage or other loss of contents, to prevent offensive odors and to otherwise avoid nuisances.

3. Each application for a license shall be made with the understanding to the effect that as a condition of the grant of the license, the licensee shall deliver or cause to be delivered all solid waste coming within the licensee's control or dominion to a solid waste disposal site owned or controlled by the Metro Waste Authority and to hold the City harmless from any claims by the Metro Waste Authority against the City based upon failure of the licensee to do so.

4. The licensee shall also comply with all of the provisions of this Code of Ordinances, state law and regulations of the County Health Department.

5. Upon payment of a ten dollar fee, the Clerk shall issue said license which shall be valid for one year from the date of issuance.

6. Failure on the part of any licensee to comply with the provisions of this section, or other applicable law, shall be cause for the Council on reasonable notice and hearing to revoke a license issued under the provisions of this section. In the event a license is revoked by the Council for such cause, the licensee shall be ineligible for reinstatement or renewal thereof, or for a new license for a period of thirty days from the date of such revocation and thereafter only upon posting a bond with the City in an amount sufficient to hold the City harmless from any and all claims which might be expected from the Metro Waste Authority for revenue loss which would follow from a future violation of the delivery requirement for a twelve-month period based upon the volume of solid waste proposed to be handled by the licensee for the twelve-month period succeeding the proposed license date.

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