

CHAPTER 106

COLLECTION OF SOLID WASTE

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106.01 COLLECTION SERVICE. The City shall provide for the collection of all solid waste except bulky rubbish as provided in Section 106.05 within the City. To insure the uniform, safe and sanitary treatment of solid waste in the City, it is mandatory that any person owning, occupying or managing any premises in the City which produces or generates solid waste subscribe to the collection services by the City. It is unlawful for any person, other than the City, to collect, haul, convey or transport any solid waste; provided, however, construction rubbish and excavation debris may be removed from a building site by operating building contractors; and provided further, individual persons for noncommercial purposes and not for pecuniary profit may remove, convey and transport yard waste only from their residences to a yard waste disposal site.

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 shall be collected by the City in accordance with the following procedures:

1. In the spring and fall of each year the City will provide free pick up of up to 2 garbage truck hoppers (approximately 1½ yards each) of bulky rubbish from all residential premises, except appliances, e-waste (such as computer equipment and photocopiers) and construction debris, with the exact schedule and time of such pick ups to be determined and announced by the City Administrator. Amounts picked up in excess of 2 hoppers will be charged at the rate of \$25.00 per hopper or part thereof. Residents having items to be picked up at these times shall place such items on the parking in front of their premises by 6:00 a.m. of the scheduled pick up day. Appliances, e-waste (such as computer equipment and photocopiers) and construction debris may be set out for collection during the free pick up period and will be collected by the City, but such items shall be billed for in accordance with the special items charges under this chapter.

(Ord. 540 – Oct. 16 Supp.)

2. Persons desiring to have bulky rubbish picked up at times other than the spring and fall free pick ups must make prior arrangement with the sanitation department or the office of the Clerk for the collection of the same. Collection of such items will be billed on a per-collection and per-item basis.

3. Persons conducting construction or remodeling projects on their premises which will generate construction debris and materials exceeding the amount that can normally be picked up at regularly scheduled times shall make prior arrangements with the sanitation department or the office of the Clerk for the collection of the same. The sanitation department may in such cases either require the person to temporarily rent a dumpster, in which case the dumpster rental fees and pick up charges provided for in this chapter shall be billed, or if the scope of the project is determined by the sanitation department, in its sole discretion, to be too large, it may require such person to obtain the services of a commercial sanitation or refuse hauler for the removal of the same.

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 RECYCLING PROGRAM. The City shall provide for the collection of recyclable materials from residential premises in accordance with the rules and regulations set by resolution of the Council. Owners or occupants of residential premises shall separate all recyclable materials from other solid waste in accordance with such rules and regulations.

106.08 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. Residential Fees. The residential fees for solid waste collection and disposal service, used or available, are:

A. For each residential premises and for each dwelling unit of a multiple-family dwelling containing two or three dwelling units – a fee of \$9.95 per month.

B. For each dwelling unit of a multiple-family dwelling containing four or more apartments or dwelling units – a fee of \$6.43 per month per apartment or dwelling unit. If collection for such units is made through the use of a dumpster the charges shall be \$5.23 per month per apartment or dwelling unit.

C. For each mobile home in a mobile home court or mobile home park – a fee of \$9.95 per month per mobile home. If collection for the mobile home units is made through the use of a dumpster the charge shall be \$7.59 per month per mobile home.

(Ord. 539 – Oct. 16 Supp.)

D. The residential fees provided above shall cover a maximum of two garbage cans or four garbage bags per week. Additional cans or separate bags picked up in any week will be billed at the rate of \$5.00 each.

E. Landfill fee of \$2.50 per month.

F. Recycling fee of \$3.50 per month.

2. Commercial. The commercial fees for solid waste collection and disposal service, used or available, are:

A. A base fee of \$9.95 per month for each commercial premises.

(Ord. 539 – Oct. 16 Supp.)

B. An additional monthly charge shall be made for commercial premises where dumpsters are being used, which shall be calculated by multiplying the number of pick ups per month (which shall be determined by multiplying the normal number of pick ups per week times four) times the following amounts, based on the size of dumpster picked up:

<u>Size</u>	<u>Amount</u>
1 yard	\$ 6.30
1½ yards.....	\$ 7.35
2 yards.....	\$ 8.40
2½ yards.....	\$ 9.45
3 yards.....	\$ 10.50

C. Landfill fee of \$2.50 per month.

3. Yard Waste. The charges for collection of yard waste are:

A. The charge for yard waste stickers to be used for pick up of yard waste bags or bundles shall be \$1.00 per sticker.

B. For all yard waste that is not placed in bags or bundles as required by this chapter or by resolution, there will be a charge imposed on the basis of \$20.00 per hour per person required to make such pick up, with a minimum charge of \$5.00.

4. Special Items. The following charges apply to special items:

A. For each refrigerator, freezer, dehumidifier, air conditioning unit and equipment, and other appliance or equipment containing Freon..... \$ 40.00

B. For each stove, microwave, washer, dryer, hot water heater and other appliance not containing Freon \$ 25.00

C. For each chair, recliner, hide-a-bed, sofa, love seat, television, and other item of comparable size..... \$ 10.00

D. For each window..... \$ 5.00

E. Carpeting and pad (for each 12 x 12-foot piece or part thereof) \$ 20.00

F. For each computer mouse, circuit board, CD-Rom drive, hard drive, keyboard, pair of speakers, cellular phone, pager, external modem, external drive, network hub or router, laptop battery, telephone, CPU for desktop computer, VCR and typewriter..... \$5.00

G. For each computer monitor less than 19 inches, TV less than 19 inches, printer for computer, computer server, laptop or portable computer, Macintosh computer/ screen, fax machine, scanner and UPS \$15.00

H. For each computer monitor 19 inches and up, TV 19 inches and up and cash register..... \$25.00

I. For each photocopier \$50.00

J. For each mainframe computer \$75.00

K. For collection of construction or demolition debris, such as from fences, decks, buildings and remodeling projects, there shall be a charge of \$20.00 per hour per person required to make such collection.

L. Miscellaneous items which do not fit any of the above descriptions (for each garbage truck hopper or part thereof)..... \$ 10.00

5. Dumpster Rental. Persons who rent a dumpster on a temporary basis shall be charged rental of \$35.00 for each month or part thereof used plus the following fee for each collection, based on dumpster size:

Size	Amount
1½ yards	\$20.00
2 yards	\$30.00
3 yards	\$50.00
4 yards	\$75.00

Dumpsters may not be rented for more than two months.

(Ord. 521 – June 11 Supp.)

6. 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.

106.09 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 shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

(Code of Iowa, Sec. 384.84)

106.10 APPEAL PROCESS ON RATE DETERMINATION. If a customer believes that the rate for solid waste collection has not been correctly determined, the customer may appeal to the City Administrator by written notice within ten days of the rate notification. The City Administrator shall make a decision within five days. If the customer is not satisfied with said determination, further appeal may be taken to the Council by written notice within ten days of the City Administrator’s decision. The Council shall set a date for a hearing and thereupon its determination shall be final.

106.11 (Repealed by Ord. 548 – Oct. 16 Supp.)

106.12 DISCONTINUANCE OF SERVICE. In the event that any person is in violation of the provisions of this chapter, the City may elect, in addition to any other remedies, to withhold solid waste and yard waste collection services from that person’s premises. Election to withhold services shall not prevent the City from taking additional action which is allowable under this chapter or other law. The City’s election to withhold services shall not relieve the responsible person from liability for payment of

the monthly collection fee, nor shall it relieve such person from the duty to not permit the accumulation of solid waste on such premises.