CHAPTER 105

SOLID WASTE COLLECTION AND DISPOSAL

105.01  DEFINITIONS.  The following terms are defined for use in this chapter and in Chapters 106 and 107:

1. “Can” means one of the following containers, provided that it is no larger than 33 gallons and weighs no more than 40 pounds when filled: a watertight, rodent and vermin proof container for the temporary storage of solid waste, made substantially of galvanized iron or other non-rusting material, equipped with a handle and tight-fitting cover and of a size which may be conveniently handled by a collector, or a watertight, rodent and vermin proof plastic bag, box, or receptacle of a size which may be conveniently handled by a collector. As applied to multiple-family and nonresidential premises, “can” also means a watertight, rodent and vermin proof common container, receptacle or dumpster, made substantially of galvanized iron or other non-rusting material, with suitable equipment to allow handling and dumping by hydraulic mechanism mounted on a collector’s vehicle.

2. “Collector” means a person collecting or transporting solid waste.

3. “Garbage” means all solid and semi-solid, putrescible animal and vegetable wastes resulting from the handling, preparing, cooking, storing, serving and consuming of food or of material intended for use as food, and all Ifal, excluding useful industrial byproducts, and includes all such substances from all public and private establishments and from all residences.

4. “Hazardous material” means explosive materials, materials contaminated by infectious or contagious disease, fly ash or other fine or powdery material, and other material which may present a special hazard to sanitary landfill personnel or equipment or to the public.

5. “Refuse” includes but is not limited to all garbage, rubbish, ashes or other substances offensive to sight or smell, dangerous to the public health or detrimental to the best interests of the community.

6. “Rubbish” includes all other refuse not falling within the term “garbage” except those objects too large to be placed in cans.
7. “Solid waste” means garbage, refuse, trash, rubbish and other similar discarded solid or semi-solid materials, whether or not resulting from industrial, commercial, agricultural or domestic activities. “Solid waste” does not include “recyclable materials” or “yard waste” as defined in Sections 107.01 of this Code of Ordinances.

105.02 DUTIES OF OWNERS AND OCCUPIERS OF PREMISES.

1. Each person shall provide cans for the storage of solid waste (except solid waste not to be placed in cans as specified herein) accumulating on premises owned or occupied by such person and shall keep such cans covered or closed and clean. On collection days such cans shall be placed at the street curb abutting the premises (except for common containers, receptacles or dumpsters) and shall be readily accessible to collectors.

2. All solid waste shall be drained of excess liquids.

3. All solid waste shall be placed and stored in a can, except:
   
   A. Hazardous materials shall not be placed in a can but shall be transported and disposed of as required by State and Federal law.
   
   B. Solid waste which is not easily placed in cans may be tightly wrapped and bundled, provided same can be manually lifted and placed in a collector’s vehicle with reasonable ease and safety by a single person.
   
   C. Dirt and construction wastes which might be fill aggregate, which shall be transported and disposed of by the person owning or occupying the premises.
   
   D. Appliances, equipment, furniture and other refuse which cannot be lifted manually and placed in a collector’s vehicle with reasonable ease and safety by a single person. Such items shall be transported and disposed of by the person owning or occupying the premises.
   
   E. Solid waste burned pursuant to Chapter 106.

Notwithstanding the foregoing, garbage shall always be placed, stored and collected in a can. “Garbage” as used herein means any animal, fruit, vegetable, and other refuse resulting from the preparation or consumption of food or drink.
4. It is unlawful for any person to permit to accumulate on any premises, improved or vacant, or on any public place, such quantity or quality of solid waste that constitutes a health, sanitation or fire hazard.

105.03 DUTIES OF COLLECTORS.

1. No person shall collect or transport solid waste from residential premises, except his or her own or on his or her own premises, unless under contract with the City.

2. Solid waste shall be collected and transported from dwellings at least once each week, and from other premises as often as the City Council designates by resolution.

3. No collector shall haul or transport solid wastes upon the streets, alleys or public places of the City in any manner except in a vehicle or container equipped to prevent escape of the contents.

4. No collector shall permit collected solid waste to accumulate so as to constitute a health, fire or sanitation hazard.

105.04 ENFORCEMENT. Enforcement of this chapter shall be by the City Council or by a City employee designated by the City Council.

105.05 RULES AND REGULATIONS. The City Council, may by resolution provide rules and regulations for the collection and disposal of solid waste, including but not limited to rules regarding containers, collection vehicles, routes, manner of transportation, disposal, and the terms and conditions for obtaining and retaining permits. Such rules and regulations shall be kept in the office of the City Clerk and available for public inspections.

105.06 RATES. The following charges for solid waste collection shall be assessed each month by the City:

1. From each owner or occupant of a residence served with only alley or curb pickup collection at such property each week, whether the service is utilized or not, $7.55 for one (1) can and for any additional cans to which have been attached a garbage tag purchased as provided in subsection 5 of this section. In the event that the owner has notified the City in advance of the vacancy of the property and the property is in fact vacant during the entirety of the month and the service is not utilized, the charge for that vacant property for the month shall be $3.00.

2. From the occupant for each apartment served with one alley or curb pickup collection at the apartment each week, whether the service is utilized or not, $7.55 for one (1) can and for any additional cans to which
have been attached an official garbage tag purchased as provided in subsection 5 of this section. The apartment owner shall be liable if the occupant does not pay the fee. In the event that the owner has notified the City in advance of the vacancy of an apartment and the apartment is in fact vacant during the entirety of the month, the charge for that vacant apartment for that month shall be $3.00.

3. For each apartment building receiving common refuse container service and pickup collection once per week, whether the service is utilized or not, $102.16 for a four (4) yard dumpster; and $.75 per apartment for billing charges.

4. For each apartment building receiving common refuse container service and pick up collection whether the service is utilized or not;
   A. Once per week; Six (6) yard dumpster - $122.96;
   B. Twice per week; Six (6) yard dumpster - $245.00.

   (Subsection 4 – Ord. 2-2020 – Aug. 20 Supp.)

5. The fee for each garbage tag is $1.25. One garbage tag is good for one (1) pickup for one (1) can. Garbage tags may be purchased at City Hall or at private businesses designated by resolution of the Council.

   (Ord. 4-08 – May 10 Supp.)

105.07 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 90.17 of this Code of Ordinances. Solid waste collection service may be discontinued in accordance with the provisions contained in Section 90.18 if the combined service account becomes delinquent, and the provisions contained in Section 90.21 relating to lien notices shall also apply in the event of a delinquent account.

105.08 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for solid waste collection service charges to the premises. Solid waste collection service charges 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)