

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 106.06 within the City. Such collection shall be conducted by the department of sanitation subject to the supervision of the City Manager.

106.02 PERMIT REQUIRED. No person other than City employees shall collect or transport solid waste within the corporate limits of the City unless the City Manager issues a permit authorizing such collection or transportation of solid waste. Any person desiring a permit to collect or transport solid waste within the corporate limits of the City shall apply to the City Manager therefor and shall provide the following information:

1. Apply for a one year license with a fee of \$100 per year to renew July 1st of each year.
2. List type of vehicle to be used to collect solid waste.
3. List location of compactor or dumpster with City approval of site and container, new containers and or compactors must be approved by the City Manager and Sanitation Department Head 45 days before being installed.
4. All businesses and residents will be charged the current residential rate per month if they choose to have a different City approved hauler.
5. Temporary construction dumpsters would be allowed as long as approved by the City Manager and Sanitation Department Head for a specific project.
6. Location or place of disposition of solid waste.

The City Manager may issue a permit to such person if the City Manager is satisfied that: (i) the issuance of the permit and transportation of the solid waste would not cause the contributor of the solid waste to avoid charges for the use of the sanitary landfill or recycling facilities; (ii) disposition of the solid waste to be transported is in compliance with Federal, State and Local law; and (iii) the conditions of the application for the permit continue to be observed by the applicant and such disposition is not harmful to the City or the residents thereof. In the event any of the conditions of the permit are violated after issuance, the City Manager may, without notice, revoke the permit. Thereafter, solid waste shall be transported as required in this chapter. No City employees shall collect solid waste outside the City limits of the City.

(Ord. 1051 – Oct. 14 Supp.)

106.03 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])

106.04 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.

106.05 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.

106.06 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 procedures therefor established by the Council.

106.07 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.

106.08 SCHEDULE OF CHARGES. Unit based pricing shall apply to the residential dwelling/unit charges listed below for collection not utilizing a dumpster. The City will collect from each such location one container as defined in Section 105.10. Any additional containers shall be collected at a cost of \$3.00 per container. All such additional containers shall have identification obtained from the City. The following charges shall be assessed by the City for its services in collecting solid waste in approved containers on the basis of one pickup per week:

1. Description of Charges.

Description	Total Per Month
Single-family Residential Dwelling (minimum based on one container). Additional residential containers each \$3.00	\$17.25
Multi-family Residential Unit (minimum based on one container). Additional residential containers each \$3.00	\$17.25
Multi-family Residential Structure collectively utilizing a dumpster	\$56.00
Additional pickups each dumpster if more than one pickup per week	\$14.00
Commercial establishment utilizing one 35-gallon container	\$17.25
Additional 35-gallon containers each, if more than one	\$17.25
Commercial establishment utilizing a single dumpster	\$56.00
Additional pickups each dumpster if more than one pickup per week	\$14.00
Separate commercial establishments located within the same structure or located on contiguous property electing to collectively utilize a dumpster	\$56.00
Additional pickups each dumpster if more than one pickup per week	\$14.00

Such elections shall be made in writing to the Clerk and one commercial establishment where the dumpster is located shall be designated to be billed for charges to all electing commercial

establishments and shall be considered as the property served for the purpose of assessment of unpaid charges. Whenever a commercial establishment is located in a single-family dwelling which is located in a residential zoning district, only one rate shall be charged in lieu of the commercial and single-family dwelling rate.

When a commercial establishment is located in a single-family dwelling which is located outside residential zoning districts, or where commercial establishments are located in the same structure as multi-family dwellings, such structures shall be charged both the commercial rate and the residential charges.

(Ord. 1102 – Jan. 18 Supp.)

Single-family residential dwellings are not allowed to have a permanent dumpster unless the residence has a home occupancy permit for a business located in the house.

(Added Paragraph – Ord. 1147 – Aug. 21 Supp.)

2. Low Income Families. For low income families, the solid waste collection fee shall be in accordance with the following schedule:

Family Size	Annual Family Income	Monthly Collection Fee
1	Less than \$3,000	\$1.25
1	\$3,000 to \$4,000	\$3.96
2	Under \$4,000	\$1.25
2	\$4,000 to \$5,000	\$3.96
3 or more	Less than \$5,000	\$1.25
3 or more	\$5,000 to \$6,000	\$3.96

3. Dumpsters. For an individual, business or commercial establishment requesting and utilizing a dumpster, a charge of \$13.00 per month shall be assessed for the use of a City-owned dumpster in addition to the normal collection charge.

(Ord. 1102 – Jan. 18 Supp.)

1. Additional Charges. In the event that customers fail to properly dispose of solid waste in approved containers, the City shall pick up all solid waste at the time of collection and shall assess a charge equivalent to the actual cost to the City for cleanup and collection. In the event that dumpster lids cannot be closed due to excessive amounts of garbage the owner shall be charged for an additional pickup.

(Ord. 1102 – Jan. 18 Supp.)

2. Special Dumpster Use. Dumpsters may be used for a 2-week time period. There is a \$25.00 delivery charge and a \$25.00 fee for each time the dumpster is emptied. If there is construction debris in the dumpster it will be billed on a weight basis at the current rate being charges by the landfill plus \$5.00.

(Subsection 5 – Ord. 1164 – Oct. 22 Supp.)

6. Industrial Activities. In addition to the charges in subsection 5 for special pickups, all special pickups which involve solid waste generated from construction activities, manufacturing activities or industrial activities shall be assessed a per-ton charge per pickup per dumpster. The per-ton charge shall be equivalent to any current charge being assessed to the City as the tipping fee at the Hardin County Landfill. The weight charge for an individual pickup will be based on an average weight per dumpster established from a weight audit conducted by the sanitation department.

7. Leaf and Brush Pickup. Every residential property shall be assessed a fee of \$1.00 per month for curbside pickup of brush and leaves. The frequency of collection of leaves and brush will be determined by the City annually. *(Ord. 981 – Nov. 10 Supp.)*

106.09 ASSESSMENT OF COLLECTION FEES.

1. Fees for services shall be assessed against all premises served within the City, unless such premises are unimproved premises upon which no solid waste is generated or accumulated. Such charges shall be assessed regardless of whether the service is actually requested or utilized.

2. In the event that premises are vacant for more than ninety (90) consecutive days and no solid waste is generated during the vacancy, and in the event the owner of the premises so vacated shall inform the City Manager of the commencement and termination of such vacancy in advance, the premises shall be entitled to a one hundred percent (100%) exemption in solid waste fees.

3. Charges shall be subject to a penalty in an amount equal to ten percent (10%) per month of such charges if not paid within twenty (20) days from the date charges are billed. Unpaid charges for any services herein are hereby declared to be a lien upon the real property served and upon certification by the City of the charges and the description of the real property served to the County Treasurer, such charges to be collected in the same manner and with the same priority as real estate taxes on the premises as authorized by law. *(Ord. 1152 – Aug. 21 Supp.)*

(Code of Iowa, Sec. 384.84)

4. Fees assessed herein shall be subject to review annually by the Council and shall be modified by ordinance.

(Ord. 1075 – Nov. 15 Supp.)