

## 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. Type or kind of solid waste to be transported.
2. Type of vehicle or container in which such solid waste is to be transported.
3. 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.

**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 \$2.00 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 \$2.00	\$16.81
Multi-family Residential Unit (minimum based on one container) Additional residential containers each \$2.00	16.81
Multi-family Residential Structure collectively utilizing a dumpster	52.00
Additional pickups each dumpster if more than one pickup per week	13.00
Commercial establishment utilizing one 35-gallon container	16.81
Additional 35-gallon containers each, if more than one	16.81
Commercial establishment utilizing a single dumpster	52.00
Additional pickups each dumpster if more than one pickup per week	13.00
Separate commercial establishments located within the same structure or located on contiguous property electing to collectively utilize a dumpster	52.00
Additional pickups each dumpster if more than one pickup per week	13.00

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. 1004 – Dec. 11 Supp.)*

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

<b>Family Size</b>	<b>Annual Family Income</b>	<b>Monthly Collection Fee</b>
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 \$10.00 per month shall be assessed for the use of a City-owned dumpster in addition to the normal collection charge.

*(Ord. 1004 – Dec. 11 Supp.)*

4. 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 of the waste. Such additional charges shall be invoiced to the customer.

5. Special Pickup Services. For the provision of special pickup services to residential or commercial establishments, a dumpster rental/drop off fee of twenty dollars (\$20.00) will be charged for each dumpster provided. Additionally, a \$20.00 dumping/emptying charge per pickup per dumpster will be assessed. Special pickup shall be defined as service requested for delivery, return and emptying of dumpsters which is temporary in nature, less than ninety (90) days in duration, and/or is not provided on a predetermined regular schedule at time of service initiation.

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 AND COLLECTION OF 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 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 forty percent (40%) rebate in solid waste fees assessed for the first ninety (90) days of such continuous vacancy. In the event that the vacancy shall continue beyond ninety consecutive days and the customer shall so inform the City Manager in advance, the premises shall be entitled to a one hundred percent (100%) rebate in solid waste fees for all consecutive days of vacancy beyond ninety days.

3. Charges shall be subject to a penalty in an amount equal to five percent (5%) per month of such charges if not paid within ten (10) 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.

*(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.