

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 residential premises only. The owners or operators of commercial, industrial or institutional premises shall provide for the collection of solid waste produced upon such premises. Mobile home parks are considered as commercial premises for the purpose of solid waste collection.

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 WASTE. The owner of the premises served shall contact the collector to make a special arrangement for collection of any object too large or too heavy to be picked up on the normal collection route. The property owner shall be billed directly by the contractor for this service.

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 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 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. Fees. The fees for combined solid waste, recycling of solid waste and yard waste collection and disposal service, used or available, for each residential premises and for each dwelling unit of a two unit multiple-family dwelling shall be:
 - A. Thirty-five (35) gallon garbage container - \$17.00 per month
 - B. Sixty-five (65) gallon garbage container - \$17.00 per month
 - C. Ninety-five (95) gallon garbage container - \$21.00 per month
(Ord. 666-13-Oct. 13 Supp.)
 - D. In addition to the above garbage collection fees, the Council may by resolution adopt a garbage collection fuel surcharge which shall be added to the monthly bill and collected in the same manner as the garbage collection fee.
2. Solid Waste Over Maximum. Refuse and garbage that cannot be fully contained in the garbage container may be disposed of in one of the following ways:
 - A. Study garbage bags provided by the collector and clearly marked are available for purchase through the City. The cost includes the collection of the extra volume. These bags will be collected along with the regular garbage collection.
 - B. A second garbage container can be requested for a minimum of one month's use. Occupants must notify the City when they desire to terminate the second garbage container usage. Fees will be charged as described above. No prorated fees for partial month's usage.
 - C. Excess garbage set outside of the garbage container shall be charged \$4.00 per bag, billed with the regular monthly container fee.
3. 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 IRREGULAR USE OF SERVICE. No reduction or suspension of any of the solid waste collection charges shall be granted any patron because of irregular use occasioned by vacations or extended absences from the City.

106.11 INACTIVE ACCOUNTS. The fees set forth in Section 106.08 of this chapter shall be charged in all circumstances, except that if the household has arranged for shut off of water

service from the City and the water service has in fact been shut off, then no solid waste fee shall be charged.