

CHAPTER 106

COLLECTION OF SOLID WASTE

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106.01 COLLECTION SERVICE.

1. Residential Collection. The City shall provide by contract for the collection of solid waste, except bulky rubbish as provided in Section 106.05, from residential premises, including all multi-family units, within the City which are in compliance with the provisions and regulations of Chapter 105 of this Code of Ordinances.
2. Collection from Commercial Premises. The owners or operators of commercial, industrial, or institutional premises shall provide for the collection of solid waste produced upon such premises.
3. Construction Premises. The owner or contractor of any premises upon which construction or demolition shall take place shall be responsible for the collection and transportation of all of the building demolition materials on said premises.
4. Governmental Premises. Governmental entities which own or lease premises in the City shall be responsible for the collection and transportation of all solid waste resulting from the operation on said premises.

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, weather and calamities allowing, and from commercial, industrial and institutional premises as frequently as may be necessary, but not less than once each week.

106.05 BULKY RUBBISH. Appliances, tires, and bulky rubbish discarded from use at residential premises shall be collected by the City contractor but only upon prior request and arrangement with the City contractor. The resident, owner, operator, or occupant shall be responsible for payment for the collection and disposal of such appliances, tires and bulky rubbish.

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 LANDFILL PERMIT. No person shall engage in the business of transportation of nonresidential solid waste, building demolition materials, bulky rubbish, hazardous waste, commercial solid waste or special waste from the City unless such person possesses a valid annual permit from an approved landfill which allows the permit holder to dispose of solid waste in the approved landfill. This section does not prohibit the owner of a commercial premises from hauling commercial solid waste from the premises to an approved landfill.

106.09 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. Fee. The fee for solid waste collection and disposal service, used or available, is \$16.00 per month. The purposes of this fee are to pay for garbage collection and to pay for sidewalk repairs. *(Ord. 2021-03 – Sep. 21 Supp.)*

2. 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.

106.10 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)

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