

## 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.

**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** Bulky waste shall be collected by arrangement with the collector. "Bulky waste" means large household appliances, such as stoves, refrigerators, television sets, washing machines, dryers, logs and other items of similar size and fixtures and materials too large to fit into a bag of the allowed size. Bulky waste does not include tires, hazardous substances, dead animals and batteries. Fees for the collection of these materials must be negotiated with the collector. The City is not responsible for the collection or the pricing of the collection of these items by the collector.

**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. Fee for Collection. The monthly fee for solid waste collection and disposal service, used or available, for each residential premises and for each dwelling unit of a multiple-family dwelling, is \$15.25. Such fee shall be established by ordinance of the Council once each fiscal year and the established rate shall be posted in the office of the Clerk. This collection fee will include weekly pickup of one thirty-gallon bag, not to exceed 40 pounds. For each additional bag of garbage or solid waste, a City-approved tag must be affixed. The cost of these tags will be approved once each fiscal year by ordinance of the Council, and the established rates shall be posted in the office of the Clerk and/or other sites as designated by the Council.

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 92.03 of this Code of Ordinances. Solid waste collection service may be discontinued in accordance with the provisions contained in Section 92.04 if the combined service account becomes delinquent, and the provisions contained in Section 92.07 relating to lien notices shall also apply in the event of a delinquent account.

**106.09 DUMPSTERS.** Rates for dumpsters will be charged by direct billing from the collector in accordance with the collector's schedule of fees. These fees will be in addition to the basic monthly collection fee charged by the City.

**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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