

## 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 106.06, from single and two-family residential premises. The City may also provide collection of solid waste from owner-occupied multi-family townhome or condominium (as defined by Section 165.04 of the zoning code) associations if they make a request in writing, all units participate and are billed for the service and it is determined that the collection vehicles have adequate access to provide curbside collection. 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 FREQUENCY OF COLLECTION. All solid waste shall be collected from residential premises at least once a week and from commercial, industrial and institutional premises as frequently as may be necessary, but not less than once a week.

106.04 LOCATION OF CONTAINERS. Containers for the storage of solid waste awaiting collection shall be placed at the curb or alley line by the owner or occupant of the premises served. Containers or other solid waste placed at the curb line shall not be so placed more than twenty-four (24) hours in advance of the regularly scheduled collection day and shall be promptly removed from the curb line following collection. Yard waste containers or bundles must be placed three to six feet from other solid waste containers. There is no limit to the number of containers.

a) Yard debris will be collected from residential premises only in bags. Containers, boxes, or bundles designated for that purpose as provided in this section. All persons owning or residing in residential premises shall dispose or provide for the disposal of yard debris by placing the yard debris for curbside collection by the city in separate bags, solid waste containers, or boxes designated as provided in subsection (b) or this section for the collection of yard debris, or in bundles, or, for single-family residences, by composting the yard debris upon such premises as provided in this section.

(b) Yard debris may be placed for collection at curbside on any regular collection day along with other solid waste in:

(1) A degradable bag bearing the Compost It! Logo of the Metro Waste Authority and sold for that purpose by the Metro Waste Authority;

(2) A standard 30-36 gallon solid waste container bearing an annual sticker issued by the Metro Waste Authority designating such container for use for collection of yard debris.

(3) A cardboard box not larger than 24 x 24 x 36 inches or degradable store brand yard waste paper bag bearing a sticker issued by the Metro Waste Authority designating such box or bag for use for collection of yard debris; or

(4) A bundle of tree limbs or brush no larger than 48 inches long and 18 inches in diameter secured by twine or cord and Christmas trees each bearing a Metro Waste Authority yard debris sticker.

Such bags, containers, boxes, or bundles, when placed for collection, shall not contain more than 40 pounds of yard debris.

(c) There shall be no limit to the number of bags, containers, boxes, or bundles of yard debris that may be placed for collection on a single collection day, unless a limit is temporarily imposed by the city administrator in an emergency situation.

(d) As an alternative to the placement of yard debris in bags, containers, boxes, or bundles for curbside collection, persons owning or residing in single-family residences may dispose of yard debris by composting, if such composting meets the following requirements:

- (1) Composting may be conducted on the premises of a single-family residence only if the lot upon which the residence is located has an area of not less than 5,000 square feet.
  - (2) A compost pile shall not be located less than 20 feet from any neighboring dwelling.
  - (3) Each compost pile shall be fenced to screen it from view from neighboring residences and to prevent wind from scattering debris.
  - (4) Compost piles shall be established and maintained in accordance with recognized guidelines or those provided to the city's solid waste collection customers or otherwise published by the public works department; provided, however, that household food waste, scrap food or garbage shall not be composted with or added to a yard debris compost pile.
  - (5) Compost piles which are not properly fenced resulting in the dispersal of debris or which create odors resulting in complaints by neighboring residents or which, in the judgment of the public works department sanitation superintendent or the office of environmental health, create a risk of fire or other threat to public health, safety, or welfare, shall, when so ordered by the sanitation superintendent or the office of environmental health, be removed from the premises and disposed of by curbside collection as provided in this section.
  - (6) Yard debris that did not originate upon or which was not collected from the residential lot upon which a compost pile is established shall not be added to such compost pile; provided, however, that a communal compost pile may be established and shared by two or more single-family residences upon approval by the Public Works Director.
- (e) The city may refuse to collect any bag or container of yard debris if it contains material other than yard debris or if it contains more than 65 pounds of yard debris.
- (f) The City Council, by Resolution, may establish guidelines whereby bags bearing the Compost It! Logo or MWA stickers are issued with minimal or no cost.

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 REQUIREMENTS FOR COLLECTORS UNDER CONTRACT. Any person wishing to contract with the City for the collecting, transporting, processing or disposing of solid waste from residential premises shall provide the City with the following:

1. Name and Address. The full name and address of said person, and if a corporation, the names and addresses of the officers thereof.
2. Equipment. A complete and accurate listing of the number and type of collection and transportation equipment to be used.
3. Collection Program. A complete description of the frequency, routes and method of collection and transportation to be used.
4. Disposal. A statement as to the precise location and method of disposal or processing facilities to be used.
5. Insurance. Evidence of satisfactory public liability insurance covering all operations of said person pertaining to such business and all equipment and vehicles to be operated in the conduct thereof in the following minimum amounts:

Bodily Injury        - \$1,000,000 per person.  
                             - \$1,000,000 per occurrence.  
Property Damage - \$100,000.

Each insurance policy required hereunder shall include as a part thereof provisions requiring the insurance carrier to notify the City of the expiration, cancellation or other termination of coverage not less than ten (10) days prior to the effective date of such action.

6. Yard Waste. In addition to meeting all other requirements, persons collecting and hauling yard waste shall provide the City a detailed description of the manner in which the collector intends to separately collect and haul away yard waste. The collector shall haul the yard waste to a compose site approved by the City and shall keep an accurate

accounting of the amount of such yard waste and submit an annual written report to the City detailing the amount of such yard waste that has been collected and delivered for composting during each month of the reporting year. No collector shall mix yard waste and solid waste together.

106.09 PERMIT TO HAUL COMMERCIAL OR INDUSTRIAL SOLID WASTE. No person shall engage in the business of removing or hauling commercial or industrial solid waste from the premises of others unless such person first has applied for and received a permit to do so from the City.

1. Application. Application for such permit shall specify the equipment or the vehicles to be used. General information concerning the route to be traveled and the places to be served and the name and address of the applicant.
2. Fee. Such person shall pay an annual permit fee of \$5.00 per year for each vehicle engaged in such business, to be paid at the office of the Clerk.
3. Display of Permit Number. All vehicles referred to in this section shall prominently display the permit number of the left and right sides of the vehicle in letters not less than three (3) inches high.

Any person authorized as an agent under contract with the Des Moines Metropolitan Area Solid Waste Agency or Organic Technologies Corporation is considered as having met the provisions of this section and no further permit is required.

106.10 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 2<sup>nd</sup>, 449)

1. Fee. The fee for solid waste collection for each residential premises and for each dwelling of a multiple-family dwelling is \$7.00 per month.
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.

106.11 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[1])

