

APPLICATION FOR A CITY LICENSE

License Types: Recyclable Hauler \$25.00 _____
(Mark Garbage and Refuse \$100.00 _____
Requested) Yard Waste \$15.00 _____

Name of Business: _____

Address of Business: _____

Business Telephone: _____

Owner(s) of Business: _____

Home Address of Owners: _____ Home Phone of Owners: _____

If incorporated, is business authorized to transact business in the State Of Iowa? _____

Sales Tax Number: _____

If title is a trade name, has such name been registered under Chapter 547 Code of Iowa? _____

Date of commencement of business: _____

Has Owner(s) ever been convicted for violation of the law other than minor traffic offenses?

Yes _____ No _____ (A conviction record will not necessarily be a bar to approval. Factors such as nature and seriousness of the violation, age at time of the offense, and rehabilitation will be taken into account.) If you answered yes or if you are unsure, please explain: _____

EQUIPMENT TO BE USED:

VEHICLES/MAJOR EQUIPMENT	LICENSE PLATE NUMBERS	MAKE/MODEL/YEAR

An Up-To-Date Certificate of Insurance showing liability insurance and worker's compensation coverage must be filed with the City Clerk prior to issuance of a City License.

Name and address of insurance carrier: _____

Do you have individual insurance for each motor vehicle or fleet coverage? _____

Amount of Workman Compensation Insurance: _____

Public Liability Insurance: _____

Motor Vehicle Liability Insurance: _____

Property Damage: _____

Does your insurance certificate or affidavit fully describe each motor vehicle which you will use? _____

Have you paid to the City of Marshalltown the license fee? _____

Are you familiar with the terms and regulations of the Yard Waste Ordinance? _____

Are you familiar with the terms and regulations of the Garbage Collection and Disposal Ordinance? _____ Are you familiar with the terms and regulations of the Recyclable Haulers Ordinance? _____

By signing this application you agree to fully comply with said ordinances and regulations.

Applicant

Co-Applicant

Date: _____

Paid _____

City Clerk

REFUSE VEHICLE INSPECTION CHECKLIST

Date: _____ Company: _____

Please inspect each vehicle. If you need more space, information can be written on the reverse.

Condition of Packer:			
Truck & Packer – Make & Model:			
Pass	Y	Fail	Y
		Passed after Repair	
		Y N	
Box Water Tight:	Y N	Seal Leak Free	Y N
		Hydraulic System Leak	
		Free	
		Y N	
Additional Comments: _____			

Condition of Packer:			
Truck & Packer – Make & Model:			
Pass	Y	Fail	Y
		Passed after Repair	
		Y N	
Box Water Tight:	Y N	Seal Leak Free	Y N
		Hydraulic System Leak	
		Free	
		Y N	
Additional Comments: _____			

Condition of Packer:			
Truck & Packer – Make & Model:			
Pass	Y	Fail	Y
		Passed after Repair	
		Y N	
Box Water Tight:	Y N	Seal Leak Free	Y N
		Hydraulic System Leak	
		Free	
		Y N	
Additional Comments: _____			

Condition of Packer:			
Truck & Packer – Make & Model:			
Pass	Y	Fail	Y
		Passed after Repair	
		Y N	
Box Water Tight:	Y N	Seal Leak Free	Y N
		Hydraulic System Leak	
		Free	
		Y N	
Additional Comments: _____			

I hereby certify that the above listed vehicles have been inspected by myself or under my supervision and that each vehicle's box is watertight, the seal does not leak, and the hydraulic system does not lose fluids. I understand that it is a Municipal Infraction to operate equipment that leaks or allows garbage or refuse to spill from said equipment.

Inspector

Date

Owner

Date

CHAPTER 50: GARBAGE AND REFUSE

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GENERAL PROVISIONS

§ 50.001 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AREA. The legally defined boundaries of the city.

COMMERCIAL AND INDUSTRIAL UNITS/OCCUPANTS. All locations within the city that are not considered residential units/occupants under this chapter. Mobile home parks where a single meter meters water services are considered **COMMERCIAL**. All rental units or complexes of four or more residential rental units are considered **COMMERCIAL UNITS**. **COMMERCIAL AND INDUSTRIAL UNITS** are subject to this chapter.

COMMISSION. The Solid Waste Management Commission of the county.

COMPOSTABLE MATERIAL. All yard wastes, except tree limbs, bark or branches from trees or shrubs with any diameter of one-fourth inch or more.

CONTAINERS or **BINS.** Those containers and bins for collection of garbage or recyclables.

CURBSIDE. The portion of the right-of-way adjacent to paved or traveled city roadways contiguous to the frontage of properties in the city. The term **CURBSIDE** also means at any point

further than five feet from the front line of any dwelling, structure, business or building. See the definition of the term “front” in this section.

CURBSIDE COLLECTION. The collection of all garbage or recyclables placed curbside or in front of the house as near to the street as possible if no curb exists.

FRONT. The operation of a dwelling, business or other structure facing any street, highway or other place. A structure may have more than one **FRONT** if it faces on more than one street, highway or other place; for example, a corner lot. On a structure that has no lines parallel to the street, highway or other place, the **FRONT** shall be that portion most nearly parallel to the street, highway or place and, if the sides are equally parallel to the street, highway or other place, the two sides shall both be the **FRONT**. Where the front line is uneven, the term **FRONT** means the most forward portion of the structure.

GARBAGE and REFUSE. Every waste accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruit or vegetables. Dead animals are not included in the term **GARBAGE**. The term **REFUSE** means all other miscellaneous waste materials not specifically defined as “garbage” or specifically defined as “recyclable”.

MEMBER. The city.

PERSON. Any individual, firm, association, syndicate, co-partnership, corporation, trust, other legal entity having proprietary interest in premises or other legal entity having responsibility for an act.

RECYCLABLES. Those items defined as recyclables:

- (1) Tin;
- (2) Clear glass bottles and jars;
- (3) Plastic milk jugs designated No. 2 H.D.P.E.;
- (4) Newsprint;
- (5) Office paper;
- (6) Cardboard (corrugated);
- (7) Magazines, slicks and catalogues (no phone books);
- (8) Waste oil in leak-proof containers; and
- (9) Lead-acid batteries (casing undamaged).

RECYCLABLES HAULER. Any person desiring to pick up and transport for processing any recyclable in the city. Anyone subcontracting to perform any such recycling pick-up or transportation task is also considered a **RECYCLABLES HAULER** under this definition.

RECYCLABLES TRANSPORTATION VEHICLE or VEHICLE. A vehicle, as defined by state law, which is or is intended to be used to transport recyclables.

RESIDENTIAL UNIT/OCCUPANT. Each single-family home or multifamily dwelling located within the corporate limits of the city and occupied by a person or group of persons, except mobile home parks as described in the definition of “commercial and industrial units” in this section. However, all residential rental structures or residential complexes of four or more rental units are considered commercial units. Any home occupation (Class 1 or Class 2) found in areas zoned R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A and R-5, all as defined by Ch. 156 of this code of ordinances,

shall be considered a **RESIDENTIAL UNIT/OCCUPANT** under this chapter for purposes of disposal of garbage and recyclables generated by the home occupation.

SOLID WASTE. Garbage, refuse, rubbish and other similar discarded solid or semi-solid materials, including, but not limited to, such materials resulting from industrial, commercial, agricultural and domestic activities.

TREE PROCESSING MATERIAL. Yard wastes which are not compostable material and tree stumps.

VOLUME-BASED GARBAGE SYSTEM. A system with an ever-increasing charge based upon number of containers utilized or upon actual weight of garbage generated.

YARD WASTE. Organic debris produced as part of yard and garden development and maintenance, such as grass clippings, leaves, bark, branches, twigs, flowers, fruit, vegetables and trees.

(2013 Code, § 13-1) (Ord. 10761A, passed 5-24-1965; Ord. 11654, passed 4-22-1970; Ord. 12788, passed 9-22-1975; Ord. 12797, passed 10-16-1975; Ord. 12993, passed 9-27-1976; Ord. 14340, passed 12-27-1990; Ord. 14472, passed 8-25-1994; Ord. 14473, passed 8-8-1994; Ord. 14710, passed 3-24-2003)

§ 50.002 RESERVATION OF CITY'S RIGHTS.

The city reserves the right to enter into contract at any time with any license holder or others for the collection and disposal of garbage and refuse within the city or may itself operate and maintain such service.

(2013 Code, § 13-2) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14710, passed 3-24-2003)

§ 50.003 RECEPTACLES REQUIRED; SPECIFICATIONS.

Except as provided under § 50.004 of this chapter, it shall be unlawful for any person, firm or corporation to deposit or place any garbage in any street, alley, lane, public place or private property outside of buildings within the city unless the garbage is enclosed in a water-tight metal or plastic receptacle and the receptacle is provided with handles or bales and a tight-fitting cover and with a capacity not exceeding 30 gallons, except commercial dumpsters and the like furnished by the collectors to commercial customers.

(2013 Code, § 13-3) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14710, passed 3-24-2003) Penalty, see § 50.999

§ 50.004 RECEPTACLE WITH PAPER OR PLASTIC BAG INSERTS.

If the receptacle required under provisions of § 50.003 of this chapter consists of a tight-fitting metal cover and an approved metal stand or cabinet, water-tight, leak-proof paper or plastic bags may be used for the retention and disposal of garbage or refuse, but shall only be used as inserts. The capacity of the paper or plastic bag insert shall not exceed 36 gallons.

(2013 Code, § 13-4) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14710, passed 3-24-2003) Penalty, see § 50.999

§ 50.005 PREPARATION OF REFUSE FOR COLLECTION.

Refuse shall be placed in baskets or boxes, and the baskets or boxes shall be provided with handles. Newspapers and magazines shall be bundled and tied. Hedge and tree trimmings shall be securely tied in bundles not more than six feet in length or more than two feet in diameter.

(2013 Code, § 13-5) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14710, passed 3-24-2003) Penalty, see § 50.999

§ 50.006 APPROVED METHODS OF DISPOSAL.

(A) Garbage or refuse may be disposed of by householders or the occupant of any building or place of business by:

(1) Delivery to a licensed collection agency;

(2) Hauling to state-approved landfill disposal area and dumping there as directed by the custodian in charge; provided that, the containers are covered and water-tight; and/or

(3) Disposal of garbage in a home garbage disposal unit.

(B) It shall be unlawful for any person, firm or corporation to dispose of yard waste, except as follows:

(1) All yard waste shall be separated by the owner or occupant of the premises from garbage and refuse, as defined in § 50.001 of this chapter, accumulated on the premises and shall be composted on the premises, transported to a City Council approved composting/tree processing facility or otherwise be legally disposed of, and no yard waste shall be deposited in a landfill. All yard waste transported to City Council approved composting/tree processing facilities shall be separated into compostable material and tree processing material.

(2) It shall be unlawful for any licensed hauler to collect compostable yard waste unless contained in the city logo bags.

(3) It shall be unlawful to place any material other than compostable material in such bags.

(4) All tree processing materials shall be separated from all compostable materials and bundled in a manner suitable for handling.

(5) Fees for the use of the city-owned composting/tree processing facility shall be adopted by resolution of the City Council.

(6) Hours of operation of the city composting/tree processing facility shall be established by the Director of Public Works/City Engineer, and it shall be unlawful to dump or dispose of yard waste at such facility, except during hours of operation, or without specific approval by the city's Engineering Department.

(C) It shall be unlawful for any person to dispose of garbage or refuse, yard waste or recyclables in any manner other than provided in this section.

(D) Garbage or refuse, yard waste or recyclables shall not be burned.

(2013 Code, § 13-6) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14710, passed 3-24-2003; Ord. 14830, passed 5-12-2008) Penalty, see § 50.999

§ 50.007 HOUSEHOLDER TO PROVIDE AND MAINTAIN RECEPTACLE; WRAPPING REQUIRED.

(A) (1) The proper receptacle for the receiving and holding of garbage shall be furnished by the householder or the occupant of any building or place of business, and the receptacle shall be kept covered and in a sanitary condition at all times. Responsibility for providing receptacles for rental property shall be the landlords.

(2) Garbage shall be wrapped when placed in the receptacle.

(B) It shall be the duty of any person, firm or corporation using or maintaining a garbage receptacle to cause the receptacle to be emptied of its contents before it is so full that the cover will no longer fit tightly.

(C) All garbage or refuse placed for pick-up by any commercial, industrial or residential unit/occupant must be in a plastic bag, if contained in a container other than a garbage can or bin.

(2013 Code, § 13-7) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976) Penalty, see § 50.999

§ 50.008 LOCATION OF RECEPTACLE.

(A) All garbage or refuse, yard waste or recyclables, whenever practical, shall be delivered by the householder or the occupant of any building or place of business to the ground level for collection, and the receptacle therefor must be kept in a location convenient for collection.

(B) It shall be unlawful for any person to place, set or throw or otherwise put garbage or any paper, metal, plastic or any other material receptacle containing garbage between the line of any street, highway or other place and the front line of any dwelling, business or other structure, except on collection day when it can be placed no more than five feet in front of the front line of the dwelling, business or other structure. For purposes of this section, the front line shall be extended from the structure corner to the side lot lines.

(C) (1) It shall be unlawful for any person, firm or corporation, licensed to collect garbage or refuse, yard waste or recyclables within the city, to pick up, collect or take into possession any garbage, as defined by § 50.001 of this chapter, paper, metal, plastic or any other material found between the line of any street, highway or other place and five feet in front of the front line of any dwelling, business or other structure.

(2) For purposes of this section, the front line shall be extended from the structure corner to the side lot lines.

(D) (1) The city can provide a waiver, at the city's sole discretion, for the placement of garbage receptacles or refuse in front of a dwelling, business or other structure if the placement of the receptacle or refuse is for the community benefit, or a one time occurrence.

(2) Examples may include receptacles downtown on Main Street, the city's annual spring clean-up or a construction dumpster.

(3) Said waiver shall also allow for the lawful collection of said material by the city or a licensed garbage or refuse hauler.

(2013 Code, § 13-8) (Ord. 10761A, passed 5-24-1965; Ord. 12788, passed 9-22-1975; Ord. 12993, passed 9-27-1976; Ord. 14462, passed 6-13-1994) Penalty, see § 50.999

§ 50.009 LITTERING.

It shall be unlawful for any person, firm or corporation to deposit, throw or place any refuse or garbage in any street, alley, lane, public place or private property outside of buildings within the city unless the refuse or garbage is to be hauled away and, pending hauling, is kept in such a manner as in no way to constitute a nuisance, hazard or annoyance to others.

(2013 Code, § 13-9) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976) Penalty, see § 50.999

LICENSING AND COLLECTION REGULATIONS

§ 50.020 LICENSE TO COLLECT GARBAGE OR REFUSE, YARD WASTE AND RECYCLABLES REQUIRED.

It shall be unlawful for any person, firm or corporation to collect garbage or refuse, yard waste or recyclables within the city, except from his or her own residence or business property, without first obtaining a license from the city.

(2013 Code, §§ 13-10, 13-53 and 13-83) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14340, passed 12-27-1990; Ord. 14472, passed 8-25-1994) Penalty, see § 50.999

§ 50.021 APPLICATION FOR LICENSE; APPROVAL.

(A) Application for a license to collect garbage or refuse, yard waste or recyclables shall be made at the office of the City Clerk on forms provided by the Clerk. The applicant shall file with his or her application a certificate or affidavit of insurance, as set forth in § 10.999 of this code, shall pay the required license fee and garbage haulers present current proof of having passed inspection.

(B) Upon receipt of such application and accompanying documents properly executed and otherwise proper and accurate, including, but not limited to, the certificate or affidavit of insurance, upon receipt of the license fee and upon inspection approval, the City Clerk shall issue the license for no more than one year, as set forth in § 10.999 of this code.

(C) If the Clerk denies the license, the applicant may appeal to the City Council by the procedure provided in § 110.003 of this code of ordinances.

(2013 Code, § 13-11) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14609, passed 12-30-1998)

§ 50.022 INSURANCE REQUIRED OF LICENSEE; CERTIFICATE; LIABILITY COVERAGE.

The garbage or refuse hauler, yard waste hauler or recyclable hauler shall not be permitted to commence work under this chapter until he or she has obtained all required insurance and filed proof of such with the City Clerk, pursuant to § 10.009 of this code of ordinances.

(2013 Code, § 13-12) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976)

§ 50.023 LICENSE EXPIRATION.

All licenses issued pursuant to this chapter shall expire pursuant to § 10.009 of this code of ordinances.

(2013 Code, § 13-13) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14609, passed 12-30-1998)

§ 50.024 LICENSE FEE.

The fee for the license issued under this chapter shall be set by City Council resolution.

(2013 Code, § 13-14) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976)

§ 50.025 LICENSE RENEWAL.

The annual license of all persons licensed under this chapter shall be automatically renewed from year to year upon the payment of the fee provided in this chapter, filing of certificate of proper insurance coverage and filing of an approved vehicle inspection for garbage haulers.

(2013 Code, § 13-15) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976)

§ 50.026 LICENSE REVOCATION.

The City Council may, for a violation of the provisions of this chapter, revoke any license granted in this chapter, after notice and public hearing, upon compliance with the procedures set out in this chapter.

(2013 Code, § 13-16) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976)

§ 50.027 FREQUENCY OF COLLECTION.

(A) Collections of garbage or refuse from private residences shall be made not less than one time per week.

(B) Collections of garbage from hotels, restaurants, clubs, boardinghouses or other places of like character, where considerable garbage is produced daily, shall be made on a more frequent basis.

(2013 Code, § 13-17) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976)

§ 50.028 COLLECTION VEHICLES; SPECIFICATIONS, MAINTENANCE AND LOADING.

(A) All vehicles used in the transportation of garbage or refuse, yard waste or recyclables within the city shall be kept in a sanitary and safe condition and shall be so constructed as to prevent leakage in transit, wholly enclosed and covered. The city may inspect any vehicle used by any hauler to see that it is in compliance with this chapter.

(B) All persons licensed under the terms of this chapter shall use packer-type trucks for normal garbage or refuse collection purposes. Such vehicles shall include a mechanical device for

packing or compressing garbage or refuse, which device shall be used and operated at all times in collection and disposal of garbage or refuse and kept in good working order. All truck bodies used for the disposal of garbage and refuse shall be washed out periodically to minimize odors.

(C) Recyclables and yard waste shall be transported in a vehicle, trailer, bin or container, which is enclosed, covered, leak resistant and of an easily cleanable construction. If such vehicles are also used for garbage or refuse collection, they shall be cleaned and disinfected prior to use for yard waste collection.

(D) If the city determines that a refuse hauler is responsible for the loss of any refuse within the city, the hauler shall be responsible for the pick-up and clean-up of the refuse. If the city is required to pick up or clean up the refuse, the responsible hauler shall pay the cost of doing such.

(2013 Code, § 13-18, 13-20 and 13-115) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14473, passed 8-8-1994; Ord. 14876, passed 7-12-2010; Ord. 14913, passed 11-26-2012) Penalty, see § 50.999

§ 50.029 PICK-UP SERVICE; SERVICING OF COMPLAINTS.

Each garbage or refuse collector shall maintain an adequate and prompt pick-up service. He or she shall service all complaints from patrons on missed service and improper handling. Such service shall be promptly available for servicing complaints from the office of the City Clerk for any material improperly deposited within the limits of streets or highways during transit.

(2013 Code, § 13-19) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976) Penalty, see § 50.999

§ 50.030 ALTERNATE DROP-OFF SITE.

If a private recyclable drop-off site is not available to all city citizens and within the city limits, individual recyclables haulers shall, either individually or in concert (one or more recyclables haulers) or by contract with a private entity, provide a drop-off site for recyclables that shall be available to all city citizens. If required to provide a drop-off site, each person making an application for a recyclables hauler's license shall file, in writing, a statement setting out the location and hours of service for such voluntary drop-off site. The charge made for recyclables received at the drop-off site is to be set by the recyclables hauler.

(2013 Code, § 13-114) (Ord. 14732, passed 1-12-2004)

§ 50.031 PARKING OF COLLECTION VEHICLES IN RESIDENTIAL DISTRICTS.

(A) No vehicle used in the transportation of garbage and refuse within the city shall be parked or left standing in any residential district, as defined or delineated in Ch. 156 of this code of ordinances, as amended, except for the loading or picking up of garbage or refuse.

(B) This section shall not apply to the driver of any such vehicle that is disabled while in the residential district to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such district.

(C) In no event shall any such disabled vehicle remain over 12 hours.

(2013 Code, § 13-21) (Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976) Penalty, see § 50.999

§ 50.032 INSPECTION OF EQUIPMENT.

(A) Every application for a license required by this chapter or a license renewal shall contain a certification by the applicant that the applicant has inspected the equipment to be used in the transportation of garbage or refuse and that the equipment is in good mechanical condition and free of leaks.

(B) It shall be a municipal infraction to operate equipment that leaks or allows garbage or refuse to spill from the equipment.

(2013 Code, § 13-22) (Ord. 12993, passed 9-27-1976; Ord. 14310, passed 1-8-1990) Penalty, see § 50.999

VOLUME-BASED GARBAGE COLLECTION; SPECIFIC RECYCLABLES

§ 50.045 VOLUME-BASED CHARGES.

Any individual or entity holding a license to haul garbage and refuse in the city shall charge based upon the volume of garbage and refuse generated. These volume-based charges may be made through the number of containers or bins utilized or based upon actual weight collected.

(2013 Code, § 13-77) (Ord. 14472, passed 8-25-1994; Ord. 14710, passed 3-24-2003)

§ 50.046 RECYCLING REQUIRED.

(A) Each commercial, industrial and residential unit/occupant in the city shall recycle those items designated as recyclables in § 50.001 of this chapter. Those items designated as recyclables shall not be disposed of, except by delivery by the commercial, industrial or residential unit/occupant or by a licensed recyclable hauler to an individual or entity engaging in recycling of the item involved.

(B) No recyclables shall be disposed of by depositing the recyclables with garbage or refuse, and no licensed hauler shall pick up any recyclable commingled with garbage or refuse.

(C) No licensed recyclable hauler is required to pick items designated as recyclables in § 50.001 of this chapter as a part of its regular customer pick-up. However, any licensed recyclable hauler making any scheduled recyclable pick-up shall pick up items designated as recyclables in § 50.001 of this chapter.

(2013 Code, § 13-78) (Ord. 14472, passed 8-25-1994) Penalty, see § 50.999

§ 50.047 RIGHT OF CITY TO DESIGNATE RECYCLABLES.

The city reserves the right to add other items as designated recyclables at a later date, including, but not limited to:

- (A) Aluminum;
- (B) Bimetal cans;
- (C) Brown and green glass; and

(D) No. 1 P.E.T.E. plastics and other No. 2 H.D.P.E. plastics.

(2013 Code, § 13-80) (Ord. 14472, passed 8-25-1994)

§ 50.048 PUBLIC EDUCATION.

(A) (1) The recyclables hauler will develop a plan of education so as to inform his or her clientele of the requirements of this subchapter imposed upon the collection of garbage, refuse and recyclables.

(2) This plan of education shall be submitted, along with the license application, for review and approval as a part of the licensing process.

(3) As a part of this educational effort, the recyclable hauler will distribute, in printed form, a statement of his or her collection schedule as well as a statement of items that are recyclable and an explanation concerning how the garbage/refuse and recyclable system is to operate. This printed statement shall be distributed to existing and new customers in either English and Spanish language form as required.

(4) Any cost associated with the educational effort shall be the exclusive responsibility of the recyclables hauler.

(B) The city shall make available unrented advertising space, as is available to the city, without cost for use as a part of this educational effort and shall provide such other assistance as is reasonably possible at no cost to the city.

(2013 Code, § 13-106) (Ord. 14473, passed 8-8-1994)

§ 50.049 FILING OF VOLUME-BASED PLAN AND REPORTING TONNAGE.

(A) All garbage haulers shall file, in writing, a description of their volume or weight based system concerning garbage and refuse. Such a volume or weight based system shall create a financial incentive to recycle and reduce the volume of garbage and refuse generated. Filing of this required written statement is a condition that must be satisfied prior to the issuance of a recyclables hauler's license.

(B) All recyclables haulers shall report to the Solid Waste Management Commission of the county on a monthly basis the tonnage figures representing the actual weight of all recyclables picked up by the recyclables hauler during that respective month. This report shall be in writing.

(2013 Code, § 13-113) (Ord. 14473, passed 8-8-1994)

SANITARY LANDFILL

§ 50.065 DESIGNATION AS PUBLIC DISPOSAL SITE.

By virtue of contract (28E Agreement) approved between the member and the Solid Waste Management Commission, the sanitary landfill sites operated by the Commission are designated as the public disposal sites for all garbage, solid waste and refuse collected within the corporate limits of the member.

(2013 Code, § 13-35) (Ord. 12797, passed 10-16-1975)

§ 50.066 RULES AND REGULATIONS GOVERNING USE.

The rules and regulations governing the use of the sanitary landfill sites shall be as determined by the "Commission" to be in the best interests of the member.

(2013 Code, § 13-36) (Ord. 12797, passed 10-16-1975)

§ 50.067 DAYS OF OPERATION.

The landfill sites shall normally be open to the public on such days and hours as the "Commission" may designate; however, the "Commission" may alter the days and hours so scheduled to satisfy unusual conditions or emergencies.

(2013 Code, § 13-37) (Ord. 12797, passed 10-16-1975)

§ 50.068 OPERATION.

(A) The "Commission" shall be responsible for the operation of the landfill sites in a manner which will ensure sanitary and safe conditions at all times.

(B) The operation of the landfill sites shall comply with all regulations of all local, state, county or federal agencies, which may have jurisdiction over such operation.

(2013 Code, § 13-38) (Ord. 12797, passed 10-16-1975)

§ 50.069 DISPOSAL OF SOLID WASTE ON DESIGNATED SITE.

No person shall permanently dispose of solid waste of any kind upon any land within the corporation limits of the member unless the commission has designated such land as a public landfill site approved by the state's Department of Natural Resources. However, the prohibition contained in this section shall not apply to the deposit of inert wastes, not potentially injurious to health or the public welfare where permission to make such a deposit has been obtained from the owner or responsible agent, nor to the filling in or grading of property with earth, mud, ashes or similar materials; provided, however, that, all applicable local and state laws have been complied with.

(2013 Code, § 13-39) (Ord. 12797, passed 10-16-1975)

§ 50.070 COMPLIANCE WITH COMMISSION'S INSTRUCTIONS.

No person shall deposit any solid waste at any "Commission" landfill site, except in compliance with posted instructions or instructions of an attendant in charge.

(2013 Code, § 13-40) (Ord. 12797, passed 10-16-1975) Penalty, see § 50.999

§ 50.071 EXCLUSION OF CERTAIN MATERIALS.

Certain materials may be excluded from those refuse materials which may be deposited at a "Commission" landfill site. These excluded materials may include junk automobile bodies and similar bulky objects which may require special processing prior to disposal; trees and tree limbs;

burning materials or materials containing hot or live coals; hazardous materials; and other materials which the Commission deems necessary to exclude.

(2013 Code, § 13-41) (Ord. 12797, passed 10-16-1975)

§ 50.072 PRIVATE PAYMENT FOR DISPOSAL.

(A) It shall be unlawful for any person, other than the "Commission" or a member on its behalf, to receive payment of any kind or request payment of any kind for the disposal of any solid waste at any sanitary landfill site.

(B) The charging of a fee for the collection of any garbage or other solid waste from a customer by a private refuse collector shall not be construed as a violation of this section, since the disposal is considered to be incidental to the total collection and disposal service; provided, however, such collection and disposal shall be conducted entirely by forces with equipment owned or operated by the private refuse collector.

(2013 Code, § 13-42) (Ord. 12797, passed 10-16-1975) Penalty, see § 50.999

§ 50.073 FEES FOR USE OF FACILITIES.

Fees paid to or for the benefit of the "Commission" for the use of the public landfill facilities shall be in accordance with the posted and/or published schedule of fees of the "Commission" or the member, as provided in the contract referred to in § 50.065 of this chapter.

(2013 Code, § 13-43) (Ord. 12797, passed 10-16-1975)

§ 50.074 ENFORCEMENT.

It shall be the duty of the Police Department and all police officers of the member to enforce the provisions of this chapter.

(2013 Code, § 13-44) (Ord. 12797, passed 10-16-1975)

§ 50.999 PENALTY.

(A) Any person who violates the provisions of this chapter for which no specific penalty is prescribed shall, upon conviction, be punished by a penalty as provided in § 10.999(A) of this code of ordinances. In addition to the criminal penalty set forth in this division (A), a violation of this chapter for which no specific penalty is prescribed is a municipal infraction.

(2013 Code, § 13-60)

(B) (1) The fine for each violation of § 50.028 of this chapter shall be \$65, plus surcharges.

(2) The method and procedure of payment and collection for each violation of § 50.028 of this chapter shall be the same as that provided for the payment collection of fines for violation of city ordinances under state law.

(2013 Code, § 13-18)

(Ord. 10761A, passed 5-24-1965; Ord. 12993, passed 9-27-1976; Ord. 14340, passed 12-27-1990; Ord. 14473, passed 8-8-1994; Ord. 14472, passed 8-25-1994; Ord. 14830, passed 5-12-

2008; Ord. 14876, passed 7-12-2010; Ord. 14913, passed 11-26-2012; Ord. 14933, passed 9-8-2014; Ord. 14970, passed 11-27-2017)