

## CHAPTER 106

### COLLECTION OF SOLID WASTE

106.01 Collection Service  
106.02 Collection Vehicles  
106.03 Loading  
106.04 Frequency of Collection  
106.05 Bulky Rubbish

106.06 Right of Entry  
106.07 Collector's License  
106.08 Collection Fees  
106.09 Lien for Nonpayment  
106.10 Dumpsters and Other Equipment

**106.01 COLLECTION SERVICE.** The City shall provide by contract for the collection of recyclable materials from residential units only and 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.

**106.05 BULKY RUBBISH.** Bulky rubbish which is too large or heavy to be collected in the normal manner of other solid waste may be collected once each year as part of a special collection of large and heavy non-recyclable materials for a fee, to be determined by the City. The limit on the size, amount and character of these materials shall be determined by the City and the franchise collector before the collection date and the public will be informed of the restrictions.

**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 COLLECTOR'S LICENSE.** No person shall engage in the business of collecting, transporting, processing or disposing solid waste or recyclable materials or the selling of approved plastic bags as provided for in Chapter 105 of this Code of Ordinances,

other than the contract collector specifically authorized and franchised by the City, without first obtaining from the City an annual license in accordance with the following:

1. Application. Application for the license shall be made to the City Clerk and provide the following:
  - A. Name and Address. The full name and address of the applicant, and if a corporation, the names and addresses of the officers thereof.
  - B. Equipment. A complete and accurate listing of the number and type of collection and transportation equipment to be used.
  - C. Collection Program. A complete description of the frequency, routes and method of collection and transportation to be used.
  - D. Disposal. A statement as to the precise location and method of disposal or processing facilities to be used.
  
2. Insurance. No collector's license shall be issued until and unless the applicant therefor, in addition to all other requirements set forth, shall file and maintain with the City a certificate of insurance which specifically gives evidence of the following forms of insurance protection:
  - A. Public liability insurance covering all operations performed by persons employed by the collector, by a subcontractor or his/her employees, or by an independent contractor.
  - B. Motor vehicle bodily injury liability insurance and property damage liability insurance on all motor vehicles employed on the work, whether owned by the collector or by other persons, firms, or corporations.
  - C. The minimum protection shall be as follows:
 

General Liability Insurance .....	\$1,000,000 per person
Auto .....	\$1,000,000 per person
Umbrella Policy .....	\$1,000,000

Each insurance policy required hereunder shall include as 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.
  
3. License Fee. A license fee in the amount of \$100.00 plus \$10.00 for each collection vehicle shall accompany the application. In the event the requested license is not granted, the fee paid shall be refunded to the applicant.
  
4. License Issued. If the Council, upon investigation, finds the application to be in order and determines that the applicant will collect, transport, process or dispose of solid waste or recyclable materials without hazard to the public health, damage to the environment and in compliance with State and federal regulations.
  
5. License Renewal. A renewal license may be granted simply upon payment of the required fee, provided the applicant agrees to continue to operate in substantially the same manner as provided in the original application.
  
6. License Not Transferable. No license authorized by this chapter may be transferred to another person.

7. Owner May Transport. Nothing herein is to be construed so as to prevent the owner from transporting solid waste or recyclable materials originating from and accumulated upon premises owned, occupied and used by such owner, provided such refuse is disposed of properly in the official Public Sanitary Disposal project, a licensed recycling center or by other lawful means.

8. Grading or Excavation Excepted. No license or permit is required for the removal, hauling or disposal of earth and rock material from grading or excavation activities; however, all such materials shall be conveyed in tight vehicles, trucks or receptacles so constructed and maintained that none of the material being transported spills upon any public right-of-way, street, or other public property.

**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. Monthly fees for residential solid waste collection and disposal shall be assessed as follows:

A. Fee Established by Contract. A monthly fee established by contract with the Contract Collector pursuant to Section 106.01 of this chapter.

B. Fee for Bulky Rubbish and Yard Waste. A monthly fee of \$2.45 for collection and disposal of bulky rubbish, pursuant to Section 106.05 of this chapter, and for the collection and disposal of yard waste.

C. Fee for Administration. A monthly fee of \$.45 for administrative expense.

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 92.08 relating to lien notices shall also apply in the event of a delinquent account.

**106.09 LIEN FOR NONPAYMENT.** Except as provided for in Section 92.07 of this Code of Ordinances, the owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for solid waste collection charges to the premises. Solid waste collection charges 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 DUMPSTERS AND OTHER EQUIPMENT.** No dumpster, temporary refuse container, or any other non-registered, non-self-propelled equipment shall be placed or allowed to stand upon any public property or right of way without first obtaining a permit from the Zoning Administrator of the City of Charles City. All equipment shall be placed and maintained in accordance with the permit requirements. No equipment shall be placed on a public sidewalk or within twenty-five (25) feet of an intersecting street right-of-way. The owner of each storage container shall be responsible for obtaining a permit in accordance with this section.

*(Ord. 1158 – Aug. 22 Supp.)*

[The next page is 545]