

## **TITLE VI PHYSICAL ENVIRONMENT**

### **CHAPTER 5 SOLID WASTE CONTROL**

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#### **ARTICLE B COLLECTION AND TRANSPORTATION**

6-5B-1 DEFINITIONS For use in this article the following terms are defined:

1. “Residential premises”: means a single family dwelling and any multiple family dwelling up to and including four (4) separate quarters. Garden type apartments and row type housing units shall be considered residential premises regardless of the total number of such apartments or units which may be included in a given housing development.
2. “Collectors”: shall mean any person authorized by this article to gather solid waste from public and private places.
3. “Dwelling Unit”: Shall mean any room or group of rooms located within a structure and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.
4. “Single family dwelling”: shall mean structure containing one dwelling unit only.
5. “Multiple family dwelling”: shall mean a structure containing more than one dwelling unit.

6. "Property served": shall mean any property which is being used or occupied and is eligible to receive solid waste collection and disposal service as provided herein.

6-5B-2 COLLECTION SERVICE The collection of solid waste within the City shall be only by collectors licensed by the City. There shall be two categories of licensed collectors - curbside collection service and general clean up service. Regulations specified in this subchapter shall apply to both categories, unless so stated and shall include curbside collection of recyclable items.

(Ord. No. 951, 2-19-01)

6-5B-3 COLLECTION VEHICLES Vehicles or containers used for the collection and transportation of garbage 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. Persons licensed for curbside collection service shall use a truck that will not leak or allow refuse to otherwise escape the truck. A covered vehicle shall be used to haul the material to the transfer station.

(Ord No 952 5-7-01)

6-5B-4 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.

6-5B-5 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. Curbside collection service shall include a collection for recyclable items .

(Ord. 951, 2-19-01)

6-5B-6 LOCATION OF CONTAINERS Containers for the storage of solid waste awaiting collection shall be placed out-of-doors at some easily accessible place by the owner or occupant of the premises served.

6-5B-7 BULKY RUBBISH Bulky rubbish which is too large or heavy to be collected in the normal manner of other solid waste shall be collected by the collector upon request in accordance with procedures established by the City's Solid Waste Management Plan as approved by Resolution of the City Council.

6-5B-8 TREE LIMBS AND BRUSH (Eliminated)

6-5B-9 YARD WASTE (Eliminated)

6-5B-10 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 article, however solid waste collectors shall not enter dwelling units or other residential buildings.

6-5B-11 COLLECTOR'S LICENSE No person shall engage in the business of collecting, transporting, processing or disposing of solid waste or recyclable materials than his/her own within the City without first obtaining from the City an annual license in accordance with the following:

1. APPLICATION Application for a solid waste collector's license shall be made to the Clerk and provide the following:

A. NAME AND ADDRESS The full name and address of the applicant, and if a corporation, the name 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 and agree to accept yard waste for disposal in accordance with Section 6-5A-13.

2. INSURANCE No collectors license shall be issued until and unless applicant, in addition to all other requirements set forth, shall file and maintain with the City evidence of satisfactory public liability insurance covering all operations of the applicant pertaining to such business and all equipment and vehicles to be operated in the conduct thereof in the following minimum amounts.

A. Curbside Collection Service  
Bodily injury-\$1,000,000 per person  
\$1,000,000 per occurrence  
Property Damage-\$200,000

B. General Cleanup Service  
Bodily Injury-\$500,000 per person  
\$500,000 per occurrence  
Property Damage-\$200,000

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 10 days prior to the effective date of such action.

3. LICENSE FEE A license fee in the amount of \$75.00 shall accompany the application, in the event the requested license is not granted, the fee paid shall be refunded to the applicant.

(Ord. 855, 4-17-95)

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 without hazard to the public health or damage of the environment and in conformity with law and ordinance the requested license shall be issued to be effective for the calendar year in which issued.

5. LICENSE RENEWAL An annual license may be renewed simply upon payment of the required fee if operated in substantially the same manner as provided in the original application and by providing the City Manager with a current listing of vehicles, equipment and facilities in use.

6. LICENSE NOT TRANSFERABLE No license authorized by this article 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 accumulating upon premises owned, occupied or used by him/her, provided such refuse is disposed of properly in an approved sanitary disposal site.

8. GRADING OR EXCAVATION EXCEPTED No license or permit shall be 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 shall spill upon the public right of way.

9. BUILDERS EXEMPTED No license or permit shall be required for the removal, hauling, or disposal of building materials from construction activities, however, all such materials shall be conveyed in light vehicles, trucks or receptacles so constructed and maintained that none of the materials being transported shall spill upon the public right of way.

(Ord. 799, 12-21-92)

6-5B-12 LANDFILL ASSESSMENT FEE In order to collect sufficient revenues to pay the annual assessment for the operation of the Jackson County Sanitary Landfill, the City Clerk shall collect a monthly fee of Two Dollars and Eighty Four (\$2.84) from every residential dwelling unit, commercial business, and industry located within the City of Maquoketa effective the July 1, 1998 billing period.

The billing and collection of landfill assessment fees, including the collection of delinquent accounts and the perfection of liens on property for delinquent accounts, shall be governed by the procedures of Iowa Code §384.84.

(Ord. 832, 3-21-94)

(Ord. 893, 4-20-98)

(Ord. 965, Passed 5-20-02)

6-14-18 LICENSE FEE AND INSURANCE REQUIREMENTS It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing trees within the City without first applying for and procuring a license.

The license fee shall be seventy-five dollars (\$75.00) annually in advance.

No license shall be required of:

1. Any public service company, or City employee, doing such work in the pursuit of their public service endeavors.
2. Any person with reference to tree or trees on his/her own premises.
3. Any individual performing labor or services on or in connection with trees at the direction and under the personal supervision of a licensed tree trimmer while in the performance of such function.
4. Any public utility, including its authorized employees and agents, when engaged in the tree trimming and/or tree removal for the purpose of line clearance, and in order to insure the continuity of utility service to the public.

Before any license shall be issued, each application shall first file evidence of possession of liability insurance with an insurance company of good standing and authorized to do business in the State of Iowa, in the minimum amounts as follows:

|   |             |
|---|-------------|
| General Aggregate                           | \$1,000,000 |
| Products and Completed Operations Aggregate | \$1,000,000 |
| Personal and Advertising Injury             | \$500,000   |
| Each Occurrence                             | \$500,000   |
| Fire Damage (any one fire)                  | \$50,000    |
| Medical Expense( any one person)            | \$5,000     |
| (Ord 856, 04-17-95)                         |             |
| (Ord. 861, 11-20-95)                        |             |
| (Ord. No. 958 10-15-01)                     |             |