

SUBCHAPTER 5B SOLID WASTE AND RECYCLING 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 and recycling 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 and/or recycling collection and disposal service as provided herein, including commercial and industrial properties.
7. "Recyclable Materials" shall mean materials, including, but not limited to, food container glass, aluminum, steel (tin) cans, #1 through #7 plastic bottles, uncontaminated newspapers, box board (cereal boxes,) cardboard, office paper and glossy paper (magazines). Newspapers and glossy paper shall be considered uncontaminated if they have not been exposed to substances or conditions rendering them unusable for recycling.
8. "Recycling Facility" shall mean any facility employing a technology that is a process that separates or recovers reusable materials that can be sold or reused by a manufacturer as substitute for or a supplement to virgin raw materials.

6-5B-2 RECYCLING REQUIRED. Whether recyclable materials are placed for curbside collection or transported by a property owner to a recycling facility, all residents are required to separate recyclable materials from solid waste. Recyclable materials shall be further separated according to product type, such as, but not limited to metals, glass, plastics, and cardboard.

6-5B-3 LICENSED HAULERS. All licensed recycling haulers must utilize a recycling facility as the destination of collected recyclable materials. No hauler shall mix separated recyclable materials with solid waste. Recyclable materials shall be collected and delivered to a recycling facility by product type.

6-5B-4 COLLECTION SERVICE. The collection of solid waste and recyclable materials within the City shall be only by collectors licensed by the City. There shall be three categories of licensed collectors – curbside collection service, general clean up service and recycling service. Regulations specified in this subchapter shall apply to both categories, unless so stated and shall include curbside collection of recyclable items. (Ord. 951, 2-19-2001)

6-5B-5 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 provides for the separation of recyclable materials and 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 and/or recycling facility.

6-5B-6 LOADING. Vehicles or containers used for the collection and transportation of any solid waste and/or recyclable materials 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-7 FREQUENCY OF COLLECTION. All solid waste and/or recyclable materials 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.

6-5B-8 LOCATION OF CONTAINERS. Containers for the storage of solid waste and/or recyclable materials awaiting collection shall be placed out-of-doors at some easily accessible place by the owner or occupant of the premises served.

6-5B-9 BULKY RUBBISH. Bulky rubbish which is too large or heavy to be collected in the normal manner of the 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-10 TREE LIMBS AND BRUSH. (Eliminated)

6-5B-11 YARD WASTE. (Eliminated)

6-5B-12 RIGHT OF ENTRY. Collectors are hereby authorized to enter upon private property for the purpose of collecting solid waste and recyclable materials therefrom as required by this article, however collectors shall not enter dwelling units or other residential buildings.

6-5B-13 COLLECTOR'S LICENSE. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste or recyclable materials other 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/recycling 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 address 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.
 - e. Revocation. A statement that a permit may be revoked by the city council following notice and hearing for one or more violations of this chapter.

2. Insurance. No collector's 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
 - b. General Cleanup Service (Includes Solid Waste & Recycling)
 - Bodily Injury - \$1,000,000 per person
 - Bodily Injury - \$500,000 per person
 - \$1,000,000 per occurrence \$500,000 per occurrence
 - Property Damage - \$200,000 Property Damage - \$200,000
 - c. 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.

4. Licensed 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 and recyclable materials 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, unless revoked upon notice and hearing by the city council for one or more violations of this chapter.

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.

6-5B-14 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 1056, 07-21-2008)

TITLE VI PHYSICAL ENVIRONMENT

CHAPTER 5 SOLID WASTE

