

Chapter 3-1

GARBAGE STORAGE AND COLLECTION

Sections:

3-1-1	Purpose
3-1-2	Definitions
3-1-3	Duty To Provide Cans
3-1-4	Accumulation And Deposit Of Garbage Or Recyclable materials Prohibited
3-1-5	Optional Means of Collection
3-1-6	Necessity Of Permit
3-1-7	Minimum Collection Service
3-1-8	Separation Of Yard Waste
3-1-9	Bagging Of Recyclable Materials
3-1-10	Fee Structure - Residential Customers
3-1-11	Collection Equipment
3-1-12	Alley Embargo
3-1-13	Disposal
3-1-14	Municipal Infraction

Section 3-1-1 Purpose

The purpose of this Chapter is to eliminate unhealthy, unsanitary and unsightly conditions in the City caused by deposits and accumulation of garbage and to regulate the collection of same.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-2 Definitions

For use within this Chapter the following terms are hereby defined:

- (A) "CAN": A container for the storage of garbage or recyclable materials which is provided with a handle and tight-fitting cover; is watertight; is substantially made of galvanized iron, plastic or rubber or other non-rusting material; and of a size that may be conveniently handled by the collector.
- (B) "COLLECTOR": Any person, business, private contractor, specifically including the City of Storm Lake, which picks up and removes garbage, recyclable materials, or yard waste for a fee.
- (C) "GARBAGE": All animal, fruit, vegetable and other waste material resulting from the preparation of food and drink together with other discarded items that do not fall into the category of recyclable material or yard waste.
- (D) "PERSON": Any individual, firm, corporation, trust or other organized group, or any governmental unit.

- (E) "RECYCLABLE MATERIAL": Materials which may be designated as recyclable by the Buena Vista County Recycling Center such as cardboard, clean newspapers, magazines, number one and two plastic, tin cans, clear and amber glass; subject to such additional items or deletions of items that the Recycling Center may make from time to time.
- (F) "RESIDENTIAL CUSTOMER": Any property involving three or fewer residential units.
- (G) "YARD WASTE": Yard waste shall have such definition as is given to it by the Iowa Department of Natural Resources, but in any case shall include grass clippings, leaves, garden waste and branches from trees and shrubs.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-3 Duty To Provide Cans

Each person who shall store garbage or recyclable materials out of doors on premises owned or occupied by that person shall provide and use cans suitable in capacity for the storage of garbage and recyclable materials accumulating in a normal collection period. The foregoing shall not be construed as requiring a can of sufficient capacity for the occasional discarded item which is too large for a can if discards of this type are not regularly reoccurring.

All cans provided shall be kept covered and reasonably clean at all times. They shall be placed in a position readily accessible to the collector outside of buildings but not in alleys or streets; provided, however, that persons storing garbage in commercially zoned districts or residential complexes of 4 or more units may store garbage and recyclable materials discretely on their own property or in the alley in cans or other commercial containers if such cans or containers are stored immediately adjacent to the adjoining building.

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-4 Accumulation And Deposit Of Garbage Or Recyclable materials Prohibited

No person shall permit garbage or recyclable materials to accumulate upon premises owned or occupied by him or her if such accumulation would violate the purpose of this Chapter as set out in 3-1-1 nor shall any person deposit any garbage or recyclable materials upon any other premises except the County Landfill unless such person has been authorized by the owner of the premises to deposit such materials there.

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-5 Optional Means of Collection

It shall be optional whether the City:

- (A) Collects garbage, recyclable materials and yard waste with its own equipment and employees;
- (B) Makes a contract with a qualified person to collect garbage, recyclable materials, or yard waste;
- or

(C) Issues a permit to a qualified person to collect garbage, recyclable materials and yard waste.

The Council by resolution shall elect the method or methods to be used in the collection of garbage, recyclable materials and yard waste.

If the City, by proper action of its Council, elects to own the equipment or to contract for the collection of garbage, recyclable materials and yard waste, it shall defray this cost as provided by State law.

If the City, by action of its Council, elects to permit the collection of garbage, recyclable materials and yard waste other than by contract, the Council may issue permits to applicants upon the payment of a permit fee, in the amount set by Council Resolution. Each permit shall expire one year from the date of issuance. No person may be issued a permit for the collection of garbage, recyclable materials and yard waste unless the person shall demonstrate that he or she has a proper vehicle, as described in Section 3-1-11, duly registered and licensed, and that in addition such person has General Liability Insurance-Combined Single Limit for Bodily Injury and Property Damage Liability (including Premises and Operations, Products and Completed Operation and Contractual Liability) in an amount not less than of One Million Dollars (\$1,000,000.00) per occurrence plus Automobile Liability Insurance in an amount not less than One Million Dollars (\$1,000,000.00) per accident plus Worker's Compensation Insurance with Employer's Liability limits of at least Five Hundred Thousand Dollars (\$500,000.00)/Five Hundred Thousand Dollars (\$500,000.00)/Five Hundred Thousand Dollars (\$500,000.00). The General Liability and Automobile Liability policies must name the City of Storm Lake, Iowa as an additional insured. The period of the insurance coverage required shall be at least sufficient to coincide with the period being requested. The Council may also establish other regulations necessary to protect the public health which each permit holder must obey. Upon the holder's failure to comply with the rules established or the provisions of this Chapter, the Council may revoke the permit.

(Ord. 12-O-2004-2005, Amended, 12/06/2004; Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-6 Necessity Of Permit

No person shall collect garbage or recyclable materials except his own unless authorized by contract or permit.

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-7 Minimum Collection Service

Every collector of garbage and recyclable materials shall at a minimum collect garbage not less than once a week, recyclable materials not less than once a week, and have the capability to pick up yard waste and discarded items too large for garbage cans for which special arrangements have been made at least once weekly (other than weeks that involve a major holiday).

(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-8 Separation Of Yard Waste

Each person intending to have yard waste removed from the property owned or occupied by that person shall insure that yard waste is separated from all other forms of garbage or recycling materials. Each such person shall further insure that all yard waste that is bagged will be clearly identifiable as yard waste so

that said yard waste will not be mistakenly collected at such times as garbage or recyclable materials are collected by the garbage collection services.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-9 Bagging Of Recyclable Materials

All persons residing in residential units desiring to have recyclable materials picked up on the day designated for recyclable materials shall bag such recyclable materials only in clear or color transparent plastic bags so that the collector can readily identify the contents of the bags as recyclable materials.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-10 Fee Structure - Residential Customers

Every collector from residential customers shall establish a monthly collection fee in an amount to be determined by the collector which will entitle the customer to have picked up on average three 33 gallon bags of garbage per week, or such equivalent amount as would fit within three 33 gallon cans and with no bag or can weighing more than 25 lbs. apiece. This same base fee shall entitle the customer to have picked up an unlimited amount of recyclable materials unless the collector determines in its own judgment that the amount of recyclable materials is excessive for a given residential unit. Each collector shall also establish a pricing system to charge for additional quantities of garbage over and above the weekly average limit and which price shall be sufficient to encourage customers to separate and recycle to the greatest extent possible. All solid waste haulers must provide evidence of unit based pricing to do business within the City limits of Storm Lake.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-11 Collection Equipment

All garbage and recyclable materials as well as yard waste must be transported in factory-made compaction equipment as recognized by the waste industry.
(Ord. 15-O-2003-2004, Amended, 06/21/2004)

Section 3-1-12 Alley Embargo

The Mayor is hereby authorized to place an embargo on the use of all unpaved alleys for the purpose of collection of garbage, recyclable materials and yard waste when weather and ground conditions are such that the use of the alleys by garbage collection equipment would cause unusual damage to the alley. When such embargoes are in effect, all persons shall, on collection days, place their garbage cans or bags next to the street for collection.
(Ord. 15-O-2003-2004, Add, 06/21/2004)

Section 3-1-13 Disposal

All persons collecting garbage, recyclable materials and yard waste by contract or under permit shall utilize an approved landfill or other approved disposal facility for the deposit of such collected garbage and rubbish.
(Ord. 15-O-2003-2004, Add, 06/21/2004)

Section 3-1-14 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa."

(Ord. 15-O-2003-2004, Add, 06/21/2004)