

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

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17-101. Definitions. (1) "Refuse" shall mean and include all garbage, rubbish, and waste, as those terms are generally defined, except that dead animals and fowls and body wastes are expressly excluded therefrom and shall not be stored therewith.

(2) "Director" shall mean the director of refuse collection. (1970 Code, § 8-101)

17-102. Premises to be kept clean. All persons within the city are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse except when stored as provided in this chapter. (1970 Code, § 8-102)

¹Municipal code reference

Property maintenance regulations: title 13.

17-103. Storage. Each owner, occupant, or other responsible person using or occupying any building or other premises within the city where refuse accumulates or is likely to accumulate, shall provide and keep covered an adequate number of refuse containers. Refuse containers shall have a capacity of not less than twenty (20) nor more than thirty-two (32) gallons, and shall be strong, durable, and rodent and insect proof; plastic bags of a type approved by director may be used. Furthermore, the combined weight of any refuse container and its contents shall not exceed seventy-five (75) pounds. These capacity and weight limits shall not apply to containers which the city or county handles mechanically. No refuse shall be placed in a refuse container until such refuse has been drained of all free liquids. (1970 Code, § 8-103)

17-104. Location of containers. Where alleys are used by the city refuse collectors, containers shall be placed on or within six (6) feet of the alley line in such a position as not to intrude upon the traveled portion of the alley. Where streets are used by the city's refuse collectors, containers shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there be no curb, at such times as shall be scheduled by the city for the collection of refuse therefrom. As soon as practicable after such containers have been emptied (which in no event shall be longer than twelve (12) hours) they shall be removed by the owner to within, or to the rear of, his premises and away from the street line until the next scheduled time for collection. (1970 Code, § 8-104)

17-105. Disturbing containers. No unauthorized person shall uncover, rifle, pilfer, dig into, turn over, or in any other manner disturb any refuse container, including dumpster units. No unauthorized person shall use any refuse container belonging to another. This section shall not be construed to prohibit the use of public anti-litter cans for the deposit of refuse commonly recognized as litter. (1970 Code, § 8-105)

17-106. Exclusive city function. Except as otherwise herein provided only the city shall engage in the business of collecting, removing, or disposing of refuse within the corporate limits. The city may provide such service either with its own forces or by contractors. (1970 Code, § 8-106)

17-107. Frequency of collection. The director is authorized and directed to prepare schedules for regular collection of refuse throughout the city. Refuse shall be collected from residences and from businesses and other non-residential producers at least weekly and otherwise as often as reasonably necessary to protect against health and fire hazards. (1970 Code, § 8-107)

17-108. Service fees for collection, removal, and disposal. The following monthly fees are established for the collection, removal, and disposal of refuse by the municipality:

- (1) Residential units (including single family dwellings, mobile homes, duplexes, triplexes and quadruplexes) for each unit thereof \$10.00
- (2) Apartment houses for each unit thereof \$10.00
- (3) Churches and other institutions \$10.00
- (4) Business and commercial and any non-residential uses not set

forth:

- (a) Those having a dumpster with private removal . . . \$25.00
- (b) Those without private removal \$50.00

(1970 Code, § 8-108, as amended by Ord. #205, May 2000, and replaced by Ord. #285, Sept. 2015)

17-109. Special collection services. The director may provide other collection and removal services, to meet unusual circumstances and conditions, in accordance with regulations and fees recommended by him and approved by the municipal governing body. (1970 Code, § 8-109)

17-110. Billing of service fee. The service fee for collection, removal, and disposal of refuse by the city shall be included as a separate item each month on the bills rendered by the city for water and sewer service. Said charges shall be rendered on the first water bill sent on and after August 1, 1974, and for each month thereafter. The accounts shall be paid monthly at the same time water bills are paid.

Water service shall be discontinued for failure to pay the refuse service fee by the delinquency date prescribed for the water bill.

When service commences or ceases, applicable fees may be prorated. If water services shall be supplied to a location, the occupant or tenant of which has vacated said premises, and the city is satisfied that there has been a termination of the need for refuse collection, then the city, on application of the owner or agent therefor, may suspend liability for such refuse fees, and said fees shall be reinstated with the next water bill rendered to an occupant or tenant of the premises.

In the case of premises containing more than one dwelling unit or place of business, and each is billed separately for water by the city, such fees shall be billed to each person in possession, charge, or control who is a water customer of the city. In the case of premises containing more than one dwelling unit or place of business which are served through a single water meter, so that the occupants or tenants cannot be billed separately by the city, the customer responsible for the water bill shall be liable for the refuse service fees for the premises. (1970 Code, § 8-110)

17-111. Special rules, regulations, and charges authorized for certain refuse. Collection, removal, and disposal of the following types of refuse shall be subject to reasonable rules and regulations and special charges recommended by the director and approved by resolution of the municipal governing body:

- (1) Building or construction debris.
- (2) Trees, tree trimmings.
- (3) Dangerous materials or substances such as poisons, acids, or caustics, or refuse which is highly infectious or combustible.
- (4) Junk automobiles, refrigerators, and other bulk items. (1970 Code, § 8-111)

17-112. Exceptions. Nothing in this chapter shall prevent:

- (1) Any refuse producer from collecting, removing, and disposing of his own refuse, provided he does so in such manner as not to create a nuisance and provided further that he pays all applicable disposal fees.
- (2) Any licensed junk dealer from collecting refuse recognized as having a salvage value, provided such dealer may collect such salvageable material only from premises where he has a written invitation from the occupant.
- (3) Any refuse producer or owner from selling or giving salvageable materials to licensed junk dealers for collection, removal, and disposal. (1970 Code, § 8-112)

17-113. Implementing authority of director. The collection, removal, and disposal of refuse from premises in the city shall be under the supervision and control of the director. He shall recommend to the governing body such reasonable rules and regulations, not inconsistent with the provisions of this chapter, as he deems to be necessary or desirable, which shall become effective when approved by resolution of the governing body. (1970 Code, § 8-113)

17-114. Violations. Any person violating or failing to comply with any provision of this chapter or any lawful regulation of the director shall be subject to a penalty under the general penalty clause for this municipal code. (1970 Code, § 8-114)