

CHAPTER 106

COLLECTION OF SOLID WASTE

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106.01 COLLECTION SERVICE. The City shall provide for the collection of all solid waste except bulky rubbish as provided in Section 106.05 within the City. The City shall also provide for the collection of certain recyclable solid waste materials within the City.

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, but not less than once each week.

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 by the collector upon request in accordance with procedures therefor established by the Council.

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 and commercial buildings.

106.07 COLLECTION FEES. The collection and disposal of solid waste as provided by this chapter are declared to be beneficial to the property served. There shall be levied and collected fees therefor in accordance with the following:

(Goreham vs. Des Moines, 1970, 179 NW 2nd, 449)

1. Solid Waste Collection Fees. Where, in the judgment of the City, special conditions exist to the extent that the application of the current normal user charges (established by resolution of the Council) would be inequitable or unfair to either the City or the customer, a rate shall be proposed and submitted to the Council for approval by resolution.

(Ord. 777 – Jul. 02 Supp.)

2. Payment of Fees. The fees provided herein are due and payable at the office of the Clerk on or before the 20th of each month.

3. Service Discontinued. Solid waste, sewer availability and water service to delinquent customers shall be discontinued in accordance with the following:

(Code of Iowa, Section 384.84)

A. Notice. The Water Department shall notify each delinquent customer that service will be discontinued if payment of the combined service account, including late payment charges, is not received by the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance.

B. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord.

C. Hearing. If a hearing is requested within ten (10) days after notice of the proposed disconnection, the Clerk, Water Superintendent and Water Pollution Control Director shall conduct an informal hearing and shall make a determination as to whether the discontinuance of service is justified. The decision of this panel is final, with no appeal process allowed.

D. Fees. A fee of twenty-five dollars (\$25.00) per service shall be charged before service is restored to a delinquent customer. No fee shall be charged for the usual or customary trips in the regular changes of occupancy of property.

4. Collection Requirements. To insure the uniform, safe and sanitary treatment of solid waste in the City, it is mandatory that any

person on the Perry Municipal Water System owning, occupying or managing any premises in the City which produces or generates solid waste subscribe to the solid waste collection services provided by the City and pay the charges therefor prescribed, with the exceptions of premises that consistently produce or generate material that cannot be safely handled by City personnel and equipment and the use of single-use construction dumpsters in excess of the yard-and-a-half size. Such exceptions are to be authorized at the discretion of the City staff.

106.08 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for garbage charges to the premises. Garbage collection charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the City Clerk, Finance Officer or Water Clerk to the County Treasurer for collection in the same manner as property taxes. *(Ord. 805 – Nov. 03 Supp.)*
(Code of Iowa, Sec. 384.84)

106.09 LIEN NOTICE. A lien for delinquent service charges shall not be certified to the County Treasurer unless prior written notice of intent to certify a lien is given to the customer. If the customer is a tenant and if the owner or landlord of the property has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than thirty (30) days prior to certification of the lien to the County Treasurer.
(Code of Iowa, Sec. 384.84)