

CHAPTER 106

COLLECTION OF SOLID WASTE

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106.01 COLLECTION SERVICE. The collection of solid waste within the City from three or more multi-family residential, business or commercial and industrial establishment shall be only by collectors licensed by the City. The City shall provide for municipal collection of solid waste within the City from single-family residential, two-family residential, and City Hall, which collection shall be only by a collector contracted with by the City. Residents living in single-family residential or two-family residential dwellings shall only utilize the service of the municipal collector, or may personally deliver their solid waste to the Cedar Rapids/Linn County Solid Waste Agency. (Ordinance No. 1106, 8-22-11)

In order to facilitate the transition to a municipal collection system a moratorium is hereby established and all collectors of solid waste within the City shall cease entering into new contracts for one and two-family residential collections upon the effective date of this ordinance. Collections under existing contracts for one and two-family residential collections for month to month contracts with no specific expiration date on October 1, 2011, or upon the expiration of the collector's permits on June 30, 2012. This section shall not be a permanent part of the Code of Ordinances. (Ordinance No. 1106, 8-22-11)

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 leak-proof, 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.

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 buildings.

106.07 COLLECTOR'S LICENSE. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste other than waste produced by that person 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 names 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 that the collector shall dispose of all solid waste at the Bluestem Solid Waste Agency.

2. Insurance. No collector's license shall be issued until and unless the applicant therefor, 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:

Bodily Injury: – \$500,000 per person.

– \$1,000,000 per occurrence.

Property Damage: – \$ 100,000.

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 ten (10) days prior to the effective date of such action.

3. License Fee. An annual license fee in the amount of one hundred eighty dollars (\$180.00) per vehicle shall be paid in July of each year. The license fee shall accompany the application. If the application is submitted prior to or after the annual renewal date, the license fee shall be prorated accordingly. In the event the requested license is not granted, the fee paid shall be refunded to the applicant.

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 and recyclables without hazard to the public health or damage to the environment and in conformity with law and ordinance, the requested license shall be issued.

5. License Expiration. All licenses shall expire on June 30 of each year and shall not be automatically renewed. Any new provisions or changes to the collection of solid waste shall become effective no later than the collector license renewal.

6. License Not Transferable. No license authorized by this chapter may be transferred to another person or collector.

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 such owner, provided such refuse is disposed of properly in an approved sanitary disposal project.

8. Grading or Excavation Excepted. No license or permit is 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 spills upon any public right-of-way.

9. Bulky Rubbish and Yard Waste Exception. No license or permit shall be required for the removal, hauling or disposal of bulky rubbish which is too large or heavy to be collected by licensed collectors, or of yard waste, provided all such bulky rubbish and yard waste is conveyed so that none of such rubbish or yard waste is spilled upon the public right-of-way.

10. Record Keeping. Collectors shall keep records of all yard waste tonnage, recycling tonnage and solid waste tonnage collected and shall prepare and submit to the City, a minimum of twice a year, by June 30 and December 30, landfill diversion charts and recycling information required by the Department of Natural Resources and Linn County. This shall include, but not be limited to, information regarding equipment, volume of the waste streams and any other information that is requested. The collector agrees that this will be accurate information and any misrepresentation of such will be cause for termination of the collector's license.

106.08 SOLID WASTE TAGS. Solid waste tags shall be required per residential collection for the following:

1. Any collection bags or rigid containers over the limit of one (1) allowable per week, and
2. Any collection bags or rigid containers weighing over 40 lbs.

Collectors may impose additional solid waste tag requirements for solid waste collection at the collector's discretion. The sale of solid waste tags is the responsibility of the collector. The solid waste tags may be purchased directly from the collector or a collector-designated outlet. The City is exempt from solid waste tag requirement.

106.09 RECYCLING. Recycling is a voluntary curbside program where recyclables are separated from solid waste and stored in a collector-approved container. Collectors shall provide a means of collecting and hauling recyclables. Storage and handling requirements shall be determined by the collector, however, the recyclables shall be moved in such a manner that the contents will not fall or spill over upon the public right-of-way.