

TITLE VI PHYSICAL ENVIRONMENT

CHAPTER 4 UTILITIES - REFUSE COLLECTION

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6-4-1 **DEFINITIONS.** For use within this chapter, the following terms are defined:

1. "Biodegradable" means degradable through a process in which fungi or bacteria secrete enzymes to convert a complex molecular structure to simple gasses and organic compounds

2. "Container" means a can for the storage of garbage or rubbish which is either:

a. Provided with a handle and tight-fitting cover, watertight, substantially made of galvanized iron or other nonrusting material and of a size that may be conveniently handled by the collector; or

b. Made of watertight, durable plastic and of a size that may be conveniently handled by the collector.

3. "Degradable" means capable of decomposing by Bio-degradation, photodegradation or chemical process into harmless component parts after exposure to natural elements for not more than three hundred sixty-five days.

4. "Garbage" means all putrescible waste, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, but excluding recognized industrial

byproducts, and shall include all such substances from all public and private establishments and from all residences.

5. "Person" includes any individual, firm, corporation, trust, or any other organized group, or any government.

6. "Photodegradable" means degradable through a process in which ultraviolet radiation and sunlight causes a chemical change in material.

7. "Refuse" means and includes all garbage and other similar discarded solid or semisolid materials which are degradable, biodegradable or photodegradable.

8. "Rubbish" means ashes, tin cans, bottles, papers and all other refuse, garbage and debris too large to be placed in containers, and includes all large items of solid waste and discarded materials of all kinds and descriptions which are discarded within the City limits, and includes any materials which are restricted from sanitary landfill disposal by the state, including tires, batteries, white goods, waste oil and yard waste and other similar material and debris.

9. "Solid waste" means garbage, refuse, rubbish and other similar discarded solid or semisolid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, domestic activities. "Solid waste" does include, vehicles as defined by Section 321.1, subsection 90 of the 2009 Code of Iowa.

10. "Yard waste" means organic debris such as, but not limited to, grass clippings, leaves, tree limbs, bark, branches, flowers which are produced as part of yard and garden development maintenance.

(Ord. 179, Passed 1961)

(Ord. 421, Passed 1980)

(Ord. 582, Passed 1991)

6-4-2 CONTAINER--REQUIRED. No owner or lessee of any public or private premises shall permit to accumulate upon said premises any garbage or rubbish except in containers. A container for garbage and a container for recycling will be provided for each residential household and residential units for multifamily households under 4 dwellings. Garbage or rubbish as defined in 6-4-1 which are restricted from the landfill are not allowed to be placed in the containers. Such containers shall be kept reasonably clean at all times and shall be kept covered or closed at all times except when garbage or rubbish is being deposited therein or removed therefrom. Such containers shall be placed in a position readily accessible to the collector outside of dwellings but not in the travel portion of alleys or streets. The residential customer is responsible for upkeep of the equipment and shall report malfunctioning equipment to the City immediately. If negligent damage is assessed to be the result of misuse or mishandling, the resident customer shall be responsible for all replacement costs of the container.

(Ord. 421, Passed 1980)

(Ord. 763, Passed May 21, 2019)

6-4-3 STORAGE. All garbage must be drained and that accumulating from dwellings and placed in a container used for garbage and rubbish.

(Ord. 421, Passed 1980)

(Ord. 763, Passed May 21, 2019)

6-4-4 COLLECTION--REQUIRED.

1. All garbage and rubbish must be taken from dwelling at least once each week and more frequently if the Council requires it and must be taken from business establishments as frequently as the Council may require. All recycling must be taken from dwelling at least every other week. All garbage and rubbish must be transported in a covered vehicle or covered containers constructed to prevent spilling, draining, offensive odors, or loss of materials during transit.

2. It is a misdemeanor offense or a municipal infraction for any person to allow garbage, refuse and recyclables to accumulate at such person's dwelling unless properly stored within a garbage can or garbage container designed for that purpose. The penalty for violation of any provision of this subsection shall, upon conviction, be fines pursuant to local ordinances and state statutes currently then in effect and punishable as municipal infractions. As cost, the provisions of Section 6-4-24 apply for City removal of garbage, refuse and recyclables in violation of this subsection.

3. Each owner of residential property or each occupant of each residential property shall only dispose of garbage, refuse and recycling generated by such person in the course of such person's occupancy of such property at his or her residence. It is illegal for any owner or occupant of a residence to place garbage, recyclables and refuse for pickup which is not created or used by such person at such residence. It is the intent of this subsection to make it illegal for any person to place for curbside pick-up the garbage of another person not an occupant or owner of such residence. Anyone violating the provisions of this subsection shall, upon conviction, be subject to fines and relief pursuant to Camanche ordinances and the state code for municipal infractions.

4. It is illegal for any resident of the City of Camanche to place garbage, refuse and recyclables in public places or at other property for pick-up or disposal. It is illegal for any person or party to place garbage, refuse and recyclables in commercial dumpsters without the authorization of the owner or lessee of the dumpster. Any person or party violating any of the provisions of this subsection shall, upon conviction, be subject to fines and relief pursuant to Camanche ordinances and state statutes regarding municipal infractions then in effect.

(Ord. 179, Passed 1961)

(Ord. 657, Passed 2002)

(Ord. 763, Passed May 21, 2019)

6-4-5 CAN--WEIGHT, SIZE LIMITS. No container in which garbage and rubbish are deposited shall be larger than ninety-six gallons as provided by the city's contractor twenty gallons and shall not be filled to weigh in excess of one hundred fifty pounds.

(Ord. 421, Passed 1980)

(Ord. 763, Passed May 21, 2019)

6-4-6 COLLECTION--OPTIONAL MEANS. It is optional whether the City:

1. Collects garbage and rubbish with its own equipment and employees; or
2. Makes a contract with a person to collect garbage and rubbish; or
3. Issues a permit to a person to collect garbage and. rubbish.

(Ord. 179, Passed 1961)

4. The City Administrator, with Council approval, may modify the collection requirements in certain factual situations.

(Ord. 763, Passed May 21, 2019)

6-4-7 COLLECTION--ELECTION OF METHOD. The City Council, by resolution, elects the method or methods to be used in the collection of garbage and rubbish.

(Ord. 179, Passed 1961)

6-4-8 COLLECTION--COST DEFRAYAL. If the City, by its Council, elects to own the equipment or to contract for the collection of garbage and rubbish, it defrays this cost as provided by state law.

(Ord. 179, Passed 1961)

6-4-9 PERMIT--REQUIRED WHEN. If the City, by its Council, elects to permit the collection of garbage and rubbish other than by contract, the Council may issue permits to applicants upon the payment of such permit fee as may be established by resolution. Each permit shall expire in one year from the date of issuance. The Council may establish 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. 179, Passed 1961)

6-4-10 PERMIT--EXCEPTION. No person shall collect garbage or rubbish except their own unless authorized by contract or permit. No permit or contract authorization shall be necessary for the purpose of disposing of refuse other than garbage and rubbish as set forth in Section 6-4-12.

(Ord. 179, Passed 1961)

6-4-11 REFUSE DISPOSAL--NUISANCE, EXCEPTION, ABATEMENT AND PENALTY.

1. Each person or entity shall dispose of all refuse, rubbish, garbage and solid waste accumulating on any premises they own or occupies before it becomes a nuisance or a danger to the public health, welfare and safety. In no case shall refuse, rubbish, garbage or solid waste be allowed to accumulate on a property or premises for more than ten days unless contained within a building property zoned and suitable for such storage. Recycling may be stored up to fourteen days. Refuse, rubbish, garbage and solid waste specifically includes any waste materials which are restricted from sanitary landfill disposal by the state. Examples of such refuse, garbage and solid

waste include tires, batteries, white goods, waste oil and yard waste which are included in this category, and the foregoing list is simply an example and not an all-inclusive list of such materials.

2. Individual composting facilities which comply with state statutes are allowed.

3. If the accumulation and/or failure to dispose of refuse, garbage, rubbish or solid waste becomes a nuisance or a danger to the health, welfare and safety of the citizens of the City, this matter will be dealt with as provided by other applicable ordinances and/or laws pertaining to abatement of nuisances or municipal infractions. Penalty for violations of this section is established pursuant to Section 6-4-16.

4. Containers provided for the use of the residential customer garbage and recycling collection must be placed for collection at the proper location no earlier than twenty-four hours prior to the scheduled collection day. Containers which have been serviced must be removed from the city right of way no later than twenty-four hours after service has been provided. Penalty for failure to comply with this requirement shall be fifteen dollars per container per incident and may be changed by resolution of the city council.

(Ord. 179, Passed 1961)

(Ord. 582, Passed 1991)

(Ord. 609, Passed 1995)

(Ord. 719, Passed 2012)

(Ord. 763, Passed May 21, 2019)

6-4-12 SEPARATION OF YARD WASTE REQUIRED. All yard waste shall be separated by the owner or occupant from all other garbage, refuse and rubbish accumulated on a premises and shall be composted on the premises, burned or brought to the City maintenance shop on specific dates.

(Ord. 582, Passed 1991)

6-4-13 PLACING OR DUMPING IN STREET UNLAWFUL. No person or party shall place or dump in any street or area within the City any garbage, rubbish, refuse or solid waste. Garbage, rubbish, refuse, or solid waste set out for large item collection shall be placed along the curb or the edge of the roadway.

Garbage, rubbish, refuse, or solid waste set out for large item collection may be placed along the curb or edge of the roadway for collection no more than seven (7) days in advance of the scheduled collection date.

(Ord. 421, Passed 1980)

(Ord. 582, Passed 1991)

(Ord. 731, Passed June 3, 2014)

6-4-14 DUMPING WITHIN CITY LIMITS PROHIBITED--PENALTY. Dumping within the City limits is prohibited. The dumping of garbage, rubbish, refuse or solid waste within the City limits shall be prohibited. The criminal provisions of Sections 1-3-1, 1-3-2, and 1-3-3 apply to this section.

(Ord. 421, Passed 1980)

(Ord. 582, Passed 1991)

(Ord. 763, Passed May 21, 2019)

6-4-15 BURNING WITHIN CITY LIMITS PROHIBITED--PENALTY. Burning within the City limits is prohibited. No persons shall burn any garbage, rubbish, refuse or solid waste on any premises or property located within the City limits.

1. "Yard waste" is defined in subsection 6-4-1(10) of the Camanche code.
2. Yard waste may be burned only between the hours of 10:00 a.m. to 5:00 p.m. Tuesday, Thursday, and Saturday. All burning of yard waste must be in an approved yard waste burner which must be located no less than fifteen feet from any structure and not less than five feet from any property line.
3. It is unlawful to burn on City streets, alleys, or City rights-of-way.
4. Yard waste may be burned in small piles on the ground by the property owner provided that such burning does not create a hazard to nearby buildings or property. Open fires shall be constantly attended by a competent person under the supervision and control of the property owner until such fire is extinguished. The persons shall have a garden hose connected to a water supply or other fire extinguishing equipment available for use.
5. The burning of all refuse, garbage, rubbish, or solid waste is prohibited within the City limits of Camanche, Iowa, at any time.
6. The fire chief may prohibit all burning or fires when atmospheric conditions or local circumstances make such fires hazardous. Upon receipt of a complaint, a police officer or fire fighter may immediately order a fire extinguished if it creates a hazard to nearby buildings, or property.
7. A wood bonfire or campfire for recreational family or group purposes is not prohibited by this section, provided that such bonfires do not pose a danger to buildings or properties.
8. Violation of any of the provisions of this chapter shall, upon conviction, be subject to misdemeanor penalties for simple misdemeanors pursuant to the limitations set forth pursuant to the Code of Iowa. The City may charge such violation pursuant to municipal infractions pursuant to Section 1-3-2 of the Camanche code and impose such penalty as authorized for municipal infractions by the Code of Iowa currently in effect as of the date of the offense.
9. That the fire chief may impose a burning ban for all fires when atmospheric conditions or local circumstances make such fires hazardous, and such burning ban shall be enforceable when posted at the Camanche Fire Station, the Camanche Police Station and Camanche City Hall.

(Ord. 661, Passed 2003)

6-4-16 PENALTY FOR VIOLATIONS. Anyone violating any of the provisions of this chapter shall, be subject to the provisions of Chapter 1-3 of this code.

(Ord. 179, Passed 1961)
(Ord. 719, Passed 2012)

6-4-17 COVERED VEHICLE REQUIRED. Any truck, trailer, or any other vehicle, transporting refuse on the streets or alleys of the City, shall be covered with a tarpaulin or other effective means to prevent the refuse from falling onto the streets or alleys. Any person who operates any truck, trailer, or other vehicle without the tarpaulin or other effective cover shall be guilty of a misdemeanor.

(Ord. 420, Passed 1980)

6-4-18 DROPPING OF REFUSE. No refuse shall be permitted upon the streets or alleys of the City, and any individual who permits refuse to fall upon the streets or alleys of the City shall be guilty of a misdemeanor, unless, immediately after the refuse falling on the streets or alleys, said individual immediately removes the refuse.

(Ord..420, Passed 1980)

6-4-19 CONTAINERS FOR MULTI--RESIDENTIAL BUILDINGS. For all multi-residential buildings consisting of three or more families, the owner of the building and lot shall designate an area for the collection of garbage and rubbish of said residential building and furnish either (A) a container similar to a dumpster for the disposal of plastic containers or (B) several metal containers (not larger than twenty gallons) which shall be enclosed by a fence not less than four feet high. The owner shall provide at least one container per family or its equivalent in each such designated area.

(Ord. 420, Passed 1980)

6-4-20 RECYCLABLES--CURBSIDE PICKUP ESTABLISHED. Commencing March 1, 1992, curbside pickup for recyclables and solid waste shall be instituted within the City.

(Ord. 596, Passed 1992)

6-4-21 RECYCLABLES--DEFINED. Recyclables include glass, plastic, metal cans/aluminum and newspaper.

(Ord. 596, Passed 1992)

6-4-22 RECYCLABLES AND SOLID WASTE CONTAINERS. The residential customers shall be provided a container for recyclables with a maximum size to be ninety six gallons.

(Ord. 596, Passed 1992)

(Ord. 763, Passed May 21, 2019)

6-4-23 GARBAGE FEE. The owner of each property occupied as a single residence household within the City of Camanche, regardless of zoning classification, is assessed a straight garbage fee on a combined service account (garbage-sewer-water) bill in the sum of \$13.75 (thirteen dollars and seventy-five cents) per month. Such fee is initially set by ordinance and is based on the actual cost of garbage removal and a pro rata share of the assessment from CCASWA which establishes the true cost of refuse, garbage and recycling per property per month. The assessment for garbage pick-up may from time to time be adjusted by resolution of the City Council. The monthly assessment shall be billed on a combined service account on a monthly basis, and the monthly fees

shall be assessed in the same manner and billed as are the water rates pursuant to Section 6-5-03 and the sewer rate pursuant to Section 6-5-03, and the lien for nonpayment shall be filed pursuant to Section 6-24-24 and Section 6-5-03, upon the certification by the clerk to the County auditor for the collection in the same manner as property taxes for the removal cost of all such refuse, garbage and recyclables against the property owned by the persons responsible for such cost, who are the property owners as identified by City and County records.

(Ord. 596, Passed 1992)

(Ord. 657, Passed 2002)

(Ord. 719, Passed 2012)

6-4-24 NONPAYMENT OF REMOVAL COSTS--LIEN. The garbage fee established in Section 6-4-23 for each property remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Auditor for collection in the same manner as property taxes

(Ord. 596, Passed 1992)

(Ord. 719, Passed 2012)

(Ord. 763, Passed May 21, 2019)

6-4-25 NOTICE TO REMOVE SOLID WASTE AND RECYCLABLES--TIME LIMIT FOR COMPLIANCE. That the Chief of Police, or his designee, shall provide the landowner with a written notice that if the solid waste and recyclables are not removed within ten days from the date of the service of said notice, that the City shall thereafter remove said solid waste and recyclable and assess the property owner for the cost, and such cost shall be certified by the clerk to the County Auditor for collection in the same manner as property taxes.

(Ord. 596, Passed 1992)

6-4-26 LIEN FOR GARBAGE FEES. The lien for garbage fees as assessed herein and billed by the City of Camanche shall be assessed against the property owner as identified by City or County records on a monthly basis and billed on a combined service account. If such bills are not timepaid, such cost shall be certified by the clerk to the County Auditor for collection in the same manner as property taxes.

(Ord. 657, Passed 2002)