

TITLE III - COMMUNITY DEVELOPMENT AND SERVICES

ARTICLE IIIA
GARBAGE COLLECTION

3-3A.1 DEFINITIONS. As used in this Article, the following terms shall have the meaning indicated below:

1. Garbage: Putrescible animal or vegetable wastes resulting from the handling, preparation, cooking, serving or consumption of food.
2. Person: An individual, a corporation, a partnership or a personal representative.
3. Refuse: Unwanted or discarded material resulting from commercial, industrial and agricultural operations and from normal community activities. Waste refuse includes in part the following: garbage; rubbish; ashes and other residue after burning; street refuse; dead animals; animal waste; abandoned vehicles; agricultural, commercial and industrial waste; construction and demolition waste and sewage treatment residue. Refuse shall mean all solid waste.
4. Rubbish: Nonputrescible solid wastes consisting of combustible or noncombustible waste materials from dwelling units, commercial, industrial, institutional or agricultural establishments which are either too large or too heavy to be safely and conveniently loaded in solid waste collection vehicles by solid waste collectors, with the equipment available therefore. The following materials/items are specifically defined as "rubbish", sod resulting from lawn renovation, debris resulting from construction/repair of residences, car bodies and car parts, water heaters, heating system duct materials, bed springs, mattresses, dressers, couches, davenport, chairs, tables, washers, dryers, television sets, ironers, refrigerators, freezers, stoves, air conditioners, patio and yard furniture and other household items of a similar nature, tires, carpets, concrete, asphalt, dirt, rock, sand, gravel, and bricks.
5. Yard Waste: Grass clippings, leaves, tree trimmings, and any other organic materials as approved by the City Council.

3-3A.2 ACCUMULATION. It shall be unlawful for any person who owns real estate or who is in possession of real estate in the City of Salem, Iowa, to accumulate and fail to dispose of solid waste and refuse at least once every fourteen (14) days.

-2-

- 3-3A.3 DISPOSAL OF GARBAGE OR REFUSE PROHIBITED. No person shall dispose of garbage or refuse of any kind within the city.
- 3-3A.4 PRIVATE LANDFILLS PROHIBITED. There shall be no private landfills operated in the city.
- 3-3A.5 INCINERATORS PROHIBITED. It shall be unlawful for any person to sell or to install any device intended for use as a garbage or refuse burner or incinerator unless the intended user of such a device has secured a permit from the state and a license to operate such a device from the health authority, or when the device will be operated by or for the city.
- 3-3A.6 BURNING OF GARBAGE OR RUBBISH PROHIBITED. It shall be unlawful for any person to burn, incinerate or permit the burning or incineration of any garbage or rubbish. This section shall not apply to any person operating under a state permit and a license granted by a health authority, or any burning conducted under the direction of the fire department, or ceremonial fires authorized by the city.
- 3-3A.7 COLLECTION. The City shall provide for removal of garbage at least once each week and may enter into a contract with private parties for weekly garbage removal.
- 3-3A.8 CONTAINERS REQUIRED. In order to facilitate garbage removal, all garbage shall be placed in containers not larger than 30 gallons in size and placed along the street curb in front of each residence. No loose garbage will be picked up, nor will any item be picked up unless it can be done conveniently by one man.
- 3-3A.9 RATES AND PAYMENTS. Every property located in the City of

Salem, Iowa, upon which there is a structure, including a mobile home, which can be used as a residence or being used as a residence, and which is required under Article IV of the City Code of Salem, Iowa, to have City water or required under Article VIII of the City Code of Salem, Iowa, to be connected to the public sewer system, or both, shall pay a monthly solid waste collection and disposal service fee.

The monthly solid waste collection and disposal service fee shall be : fourteen dollars (14.00) . Such solid waste collection and disposal service fee shall be payable within ten (10) days from the date that said fee is billed and if not paid within said ten (10) day period, said bill shall be delinquent and the delayed payment charge of ten per cent (10%) of the amount of the bill shall be added thereto and collected therewith. All solid waste collection and disposal service fees not paid shall be a lien upon the premises served, and the City Clerk shall, at least once a year, certify to the County Treasurer the charges that are due, so that the same may be collected as provided by the Code of Iowa.

3-3A.10 PENALTY.

Repealed. Ordinance No. 2005 - 3 passed June 7, 2005.

(Sections 3-3A.3 and 3-3A.4 were part of the City Code adopted May 4, 1992..

Sections 3-3A.1(2), 3-3A.7 through 3-3A.10 were contained in Ordinance No. 1992-5, passed December 1, 1992.

Remaining definitions in 3-3A.1 and Sections 3-3A.3 through 3-3A.6 were contained in Ordinance No. 1994-1, passed May 3, 1994.

Rate was increased from \$10.00 per month to \$12.00 per month effective for the July 2005 billing per Ordinance No. 2005-1, passed June 7, 2005.

Rate was increased from \$12.00 per month to \$14.00 per month effective January 1, 2009, per Ordinance No. 2008-1 passed November 5, 2008.

HISTORY OF PRIOR GARBAGE RATES

- A. Ordinance No. 1985-3, passed August 6, 1985, added the provision about a lien and certification to County Treasurer.
- B. Ordinance No. 1988-2, passed May 3, 1988, increased the monthly rate effective July 1, 1988, from \$4.50 to \$5.50.
- C. Ordinance No. 1990-3, passed June 18, 1990, increased the monthly rate effective July 1, 1990, to \$7.00.
- D. Ordinance No. 1995-1 increased the monthly rate to \$9.00 as of the February, 1995 billing.
- E. Ordinance No. 1996-2, passed July 2, 1996, increased the monthly rate to \$10.00 as of the August, 1996, billing.