

CHAPTER 10

GARBAGE, REFUSE AND RECYCLING

Sec. 10.1. DEFINITIONS.

As used in this chapter, the following words shall have the meanings ascribed to them as follows:

As used in this chapter, the following words shall have the meanings ascribed to them as follows:

(1) "Garbage" means every waste accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables, and including non-recyclable food containers. Dead animals are not included in the term garbage.

(2) "Refuse" means all other miscellaneous waste materials except "recycling" and "yard waste" not specifically defined as garbage.

(3) "Recycling" or "Recyclable Materials" means solid waste designated by the city as appropriate for collection, processing and return to use in the form of raw materials, such as certain types of newsprint, magazines and catalogs, metal, plastic containers, glass, and cardboard.

(4) "Yard Waste" means debris such as grass clippings, leaves, garden waste, brush, and trees. "Yard Waste" does not include tree stumps.

(Ord. No. 773, Sec. 1; Code 1956, Sec. 59-1; Ord. No. 3111, 12-11-90; Ord. No. 4588, 03-10-26)

Sec. 10.2. RESERVATION OF CITY'S RIGHTS.

The city reserves the right to enter into a contract at any time with any license holder or others, for the collection and disposal of garbage, refuse, recycling, or yard waste within the city, or may itself operate and maintain such a service.

(Ord. No. 773, Sec. 24; Code 1956, Sec. 59-24; Ord. No. 4588, 03-10-26)

Sec. 10.3. RECEPTACLES.

Garbage or recycling shall not be set outdoors for collection and disposal, or for any other purpose, except when fully contained in a water-tight and tightly closed hard receptacle that cannot be ripped open by birds or beasts. Setting out garbage or recycling in plastic bags or paper sacks is prohibited. Containers that shed rain when their lids are completely closed shall satisfy the requirement for a watertight receptacle.

(Ord. No. 773, Sec. 2; Code 1956, Sec. 59-2; Ord. No. 3111, 12-11-90, Ord. No. 3729, 9-9-03; Ord. No. 4588, 03-10-26)

Sec. 10.4. HOUSEHOLD TO FURNISH GARBAGE RECEPTACLE; MAINTENANCE; GARBAGE TO BE WRAPPED.

The proper receptacle for the receiving and holding of garbage shall be furnished by the householder or the occupant of any building or place of business and shall be kept covered and in a sanitary condition at all times.

(Ord. No. 773, Sec. 5; Code 1956, Sec. 59-5; Ord. No. 3111, 12-11-90; Ord. No. 4588, 03-10-26)

Sec. 10.5. OVER-FILLING RECEPTACLES.

It is the duty of every person using or maintaining a garbage or refuse receptacle or recycling receptacle to cause the same to be emptied of its contents before it is so full that the cover will no longer fit tightly.

(Ord. No. 773, Sec. 4; Code 1956, Sec. 59-4; Ord. 3111, 12-11-90; Ord. No. 4588, 03-10-26)

Sec. 10.6. LOCATION OF RECEPTACLE.

All garbage, refuse and recycling shall be delivered by the householder or the occupant of any building or place of business to the ground level for collection, and the receptacle therefore must be kept in a location convenient for collection.

(Ord. No. 773, Sec. 6; Code 1956, Sec. 59-6; Ord. No. 3111, 12-11-90; Ord. No. 4588, 03-10-26)

Sec. 10.7. PREPARATION FOR COLLECTION.

Brush and tree trimmings shall be securely tied in bundles not more than four feet in length and not more than two feet in diameter. The bundles shall be bound by means of hemp, sisal, cotton or other non-metallic biodegradable cord material. No single piece of brush or tree trimmings shall be more than three inches in diameter. Yard waste and recycling shall not be mixed with one another or with garbage or refuse.

(Ord. No. 773, Sec. 3; Code 1956, Sec. 59-3; Ord. No. 2960, Sec. 1, 8-26-86; Ord. No. 3111, 12-11-90 Ord. No. 4588, 03-10-26)

Sec. 10.8. MANNER OF DISPOSAL.

Garbage and refuse shall be disposed of by householders or other occupants of any building or place of business as hereinafter provided:

- (1) Garbage. Garbage shall be disposed of as follows:
 - (a) By delivery to a licensed collection agency;
 - (b) By hauling to a city-operated disposal facility providing that the containers and vehicles used in transportation conform to the requirements of this chapter.
 - (c) By disposal through an in-sink garbage disposal unit directly to the public sanitary sewer system;
 - (d) By incineration in an incinerator that meets State and Federal regulations.
- (2) Refuse. Refuse shall be disposed of as provided for in subsections (1)(a), (1)(b) or (1)(d) above.
- (3) Yard Waste. Yard Waste shall be disposed of as follows:
 - (a) As provided for in subsection (1)(a), (b) or (d) above;
 - (b) By open burning in accordance with the provisions of Chapter 8 of the Ames Municipal Code.
 - (c) Leaves and grass may be disposed of by delivery to a site for composting or land application, or delivery to any person who can be reasonably expected to cause composting or land application of the leaves and grass, in accordance with the provisions of Section 10.24.
- (4) Recycling. Recycling shall be disposed of as follows:
 - (a) As provided for by the Residential Curbside Recycling Collection program in Section 10.27.
 - (b) By delivery to a licensed collection agency;
 - (c) By hauling to a recycling facility providing that the containers and vehicles used in transportation conform to the requirements of this chapter.

(Ord. No. 773, Sec. 8; Code 1956, Sections 59-8--59-8.2; Ord. No. 2055, Sec. 1, 12-1-64; Ord. No. 2200, Sections 1, 2, 8-15-67; Ord. No. 2380, Sections 1, 2, 12-7-71; Ord. No. 2514, Sec. 1, 7-22-75; Ord. No. 3111, 12-11-90; Ord. No. 3155, Sec. 1, 12-17-91; Ord. No. 4015; 11-24-09; Ord. No. 4588, 03-10-26)

Sec. 10.9. DEPOSITING GARBAGE, YARD WASTE, REFUSE, RECYCLING IN STREETS, ALLEYS, ETC., PROHIBITED; EXCEPTION.

(1) It is unlawful for any person to deposit or place any garbage, yard waste, refuse or recycling in any street, alley, lane, public place, private property or any body of water within the city; or, to permit garbage, yard waste, refuse or recycling to remain for more than seven days on private property that is under one's ownership, possession or control. However, garbage, refuse, yard waste or recycling may be placed on the untraveled portions of streets, alleys, lanes, public places and on private property to be hauled away if the garbage, refuse, yard waste or recycling is kept in the manner prescribed in this chapter. Yard waste may be retained for more than seven days if composting is being completed.

(2) It is unlawful to place garbage, refuse, yard waste or recycling on the private property of another, or into another's garbage, refuse, yard waste or recycling containers for the purpose of being hauled away.

(Ord. No. 773, Sec. 7; Ord. No. 812, Sec. 106; Code 1956, Sections 59-7, 76-106; Ord. No. 2933, Sec. 1, 9-17-85; Ord. No. 3111, 12-11-90, Ord. No. 3729, 9-9-03; Ord. No. 4588, 03-10-26)

Sec. 10.10. LICENSE TO COLLECT OR HAUL GARBAGE, REFUSE AND RECYCLING REQUIRED.

It is unlawful for any person to collect or haul garbage, refuse or recycling within the city except from their own residence or business property without first obtaining a license from the city.

(Ord. No. 773, Sec. 6; Code 1956, Sec. 59-9; Ord. No. 2514, Sec. 2, 7-22-75; Ord. No. 3111, 12-11-90; Ord. No. 4588, 03-10-26)

Sec. 10.11. LICENSE APPLICATION; APPROVAL.

An application for a license to collect or haul garbage, refuse or recycling shall be made to the office of the city clerk on forms provided by that office. The applicant shall file with the application a certificate or affidavit of insurance as hereinafter set forth and shall pay the required license fee. Upon receipt of application properly executed, the city clerk shall refer the same to the city manager for approval before issuing the license.

(Ord. No. 773, Sec. 10; Code 1956, Sec. 59-10; Ord. No. 2514, Sec. 2, 7-22-75; Ord. No. 3111, 12-11-90; Ord. No. 4588, 03-10-26)

Sec. 10.12. INSURANCE AFFIDAVIT; CONTENTS; LIABILITY COVERAGE.

application for a license hereunder shall be executed by representatives of a duly qualified insurance company evidencing that the insurance company has issued liability and property damage insurance policies covering the following:

- (a) All operations of the applicant, or any other person employed by the applicant in garbage, refuse and recycling collection within the corporate limits of the city;
- (b) The disposal of the garbage and refuse to and within any area designated as a sanitary landfill by the city;
- (c) The delivery of the recyclable materials to a facility licensed to receive, sort, or process the materials for the purpose of converting them into new products;
- (d) Protecting the public and any person from injuries or damages sustained by reason of carrying on the work of garbage, refuse and recycling collection and disposal.

(2) Applicant shall procure and maintain, for the duration of the license period, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the function for which the license is issued.

Applicant shall furnish the City of Ames with certificates of insurance evidencing the following coverages:

- (a) Comprehensive General Liability with limits of no less than \$1,000,000 combined single limits per occurrence for bodily injury, personal injury, and property damage.
- (b) Automobile Liability with limits of no less than \$1,000,000 combined single limits per occurrence for bodily injury, personal injury, and property damage.
- (c) Worker's Compensation and Employer's Liability as required by the laws of the State of Iowa.

(3) The approved insurance certificate must be on file in the office of the City Clerk before a license will be issued.

(Code 1956, Sec. 59-11; Ord. No. 3045, Sec. 1, 4-11-89; Ord. No. 3065, Sec. 1, 11-21-89; Ord. 3111, 12-11-90, Ord. No. 3746, 11-18-03; Ord. No. 4588, 03-10-26)

Sec. 10.13. INSPECTION OF APPLICANTS' EQUIPMENT.

The Resource Recovery Superintendent and staff shall inspect annually the applicant's equipment proposed to be used, the pick-up service to be maintained and the methods of operation; and if they meet the requirements herein specified shall file approval with the city clerk.

(Ord. No. 773, Sec. 12; Code 1956, Sec. 59-12; Ord. No. 3111, 12-11-90; Ord. No. 4588, 03-10-26)

Sec. 10.14. LICENSE ISSUANCE, EXPIRATION.

Upon receipt of approval from the city manager, the filing of the proper certificates of insurance, the payment of the license fee, and satisfactory inspection of equipment, the city clerk shall issue the applicant a license. All licenses shall expire on December thirty-first of the year of issue.

(Ord. No. 773, Sec. 13; Code 1956, Sec. 59-13; Ord. 3111, 12-11-90)

Sec. 10.15. LICENSE FEE.

The City Manager shall set a reasonable fee per year per truck to cover costs of administration, inspection and enforcement under this chapter.

(Ord. No. 773, Sec. 14; Code 1956, Sec. 59-14)

Sec. 10.16. LICENSE RENEWAL.

The annual license of all persons licensed under this chapter shall be renewable upon completion of the requirements outlined in Section 10.14 above.

(Ord. No. 3111, 12-11-90)

Sec. 10.17. REVOCATION OF LICENSE.

The city council may, for repeated violations of the provisions of this chapter, upon recommendation of the city manager, revoke any license issued after reasonable notice and opportunity for hearing to the licensee.
(Ord. No. 773, Sec. 21; Code 1956, Sec. 59-21)

Sec. 10.18. FREQUENCY OF COLLECTION.

(1) Licensed haulers shall collect garbage and refuse from single-family and multi-family up to four (4) unit residential customers not more than one (1) time per week, except that, in addition to a routine weekly collection, a licensed hauler may make arrangements for a special collection of garbage and refuse from a customer in the event of a disaster, calamity, construction or demolition project or the like which generates an unusual quantity or character of garbage or refuse that is impractical or unsanitary to dispose of on the routine collection day.

(2) Collections of garbage from hotels, restaurants, clubs, boarding houses or other places of like character or from multi-family properties containing more than four (4) units, where considerable garbage is produced daily shall be made not less than one (1) time per week, and more frequently as necessary to prevent an accumulation of garbage which prevents the lid of the garbage receptacle(s) from tightly closing, or which overflows onto the ground, or which harbors animals or birds, or which produces noisome odors.

(Ord. No. 773, Sec. 16; Code 1956, Sec. 59-16; Ord. No. 2350, Sections 1, 2, 7-28-70; Ord. No. 2467, Sections 1, 2, 1-22-74; Ord. 3111, 12-11-90; Ord. No. 4588, 03-10-26)

Sec. 10.19. COLLECTION VEHICLES; REQUIREMENTS.

All vehicles used in the transportation of garbage, refuse or recycling within the city shall be kept in a sanitary condition and shall be so constructed as to prevent leakage in transit. The body of the truck shall be wholly enclosed or shall at all times while in transit be kept covered with an adequate cover, or a canvas cover provided with eyelets and rope for tying down. Loading of vehicles shall be done in such a manner as to prevent spilling or loss of contents. All persons licensed under the terms of this chapter shall use packer type trucks for normal collection purposes and shall submit such vehicles to city inspection annually.

(Ord. No. 773, Sec. 15; Code 1956, Sec. 59-15; Ord. No. 4588, 03-10-26)

Sec. 10.20. COLLECTOR TO MAINTAIN PICK-UP SERVICE; SERVICING OF COMPLAINTS.

Each licensed collector shall maintain an adequate and prompt pick-up service. Collector must pick up materials if service payments are up to date and the material is properly presented in accordance with these regulations. The collector shall service all complaints from patrons on missed service and improper handling. Such service shall be promptly available for service complaints from the office of the city manager for any material improperly deposited within the limits of streets or highways during transit.

(Ord. No. 773, Sec. 17; Code 1956, Sec. 59-17; Ord. 3111, 12-11-90)

Sec. 10.21. DISPOSAL FACILITIES ESTABLISHED; UNLAWFUL TO USE OTHER AREAS, PENALTY.

There are hereby established authorized disposal facilities at such place or places as the city council may direct where garbage, refuse and yard waste shall be disposed of within the City of Ames. It shall be unlawful to dispose of garbage, refuse or yard waste, except leaves and grass, in any other place. The disposal facilities are for the exclusive use of the residents of the incorporated limits of the City of Ames and residents of such areas which have by contract or license from the City of Ames obtained the right to use such facilities. The use of these facilities may be refused to any and all other persons. Violations of this section or section 10.9 shall be a municipal infraction punishable by a minimum fine of not less than \$100 for the first offense and \$200 for each repeat violation.

(Ord. No. 773, Sections 18, 23; Code 1956, Sections 59-18, 59-23; Ord. No. 940, Sec. 2, 6-16-59; Ord. No. 2469, Sections 1, 2, 2-5-74; Ord. No. 2514, Sec. 3, 7-22-75; Ord. 3111, 12-11-90; Ord. No. 3155, Sec. 2, 12-17-91)

Sec. 10.22. INFECTIOUS WASTE.

(1) **Definitions:** As used in this section, unless the context otherwise requires:

(a) **Infectious** means containing pathogens with sufficient virulence and quantity so that exposure to an infectious agent by a susceptible host could result in an infectious disease when the infectious agent is improperly treated, stored, transplanted, or disposed.

(b) **Infectious waste** means waste, which is infectious, including but not limited to contaminated sharps, cultures, and stocks of infectious agents, blood and blood products, pathological waste, and contaminated animal carcasses from hospitals or research laboratories.

(c) **Contaminated sharps** means all discarded sharp items derived from patient care in medical, research, or industrial facilities including glass vials containing materials defined as infectious, hypodermic needles, scalpel blades, and Pasteur pipettes.

(Ord. No. 4588, 03-10-26)

(d) **Cultures and stocks of infectious agents** means specimen cultures collected from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biological agents, discarded live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate, or mix cultures.

(e) **Human blood and blood products** means human serum, plasma, other blood components, bulk blood, or containerized blood in quantities greater than twenty milliliters.

(f) **Pathological waste** means human tissues and body parts that are removed during surgery or autopsy.

(g) **Contaminated animal carcasses** means waste including carcasses, body parts, and bedding of animals that were exposed to infectious agents during research, production of biologicals, or testing of pharmaceuticals.

(2) **Prohibition**. Knowingly putting or disposing of infectious waste in such place or container as will foreseeably result in the infectious waste being in the solid waste material delivered to the solid waste disposal facilities of the City of Ames is prohibited.

(Ord. No. 3067, Sec. 1, 12-5-89)

Sec. 10.23. APPROVAL OF PRIVATE SANITARY DISPOSAL PROJECTS.

No private agency shall undertake the establishment or operation, within the City of Ames, of a new sanitary disposal project that is subject to the regulations of Chapter 455D, Code of Iowa, without first obtaining the approval of the Ames City Council for each such sanitary disposal project.

(1) **Application**.

(a) **Number of Facilities**. No permit shall be granted for any sanitary disposal project until a definitive need for such a facility is demonstrated to the City. Such a demonstration shall show that existing permitted facilities are not adequate to serve the need for disposal of solid waste produced in Story County, Iowa.

(b) Preference for permits will be given to renewals over new sites providing the existing site has been operated in compliance with all applicable laws, rules, and regulations.

(c) **Reclamation**. Prior to approval of the sanitary disposal site permit, the applicant shall file a reclamation plan showing the steps that will be taken to return the site to a well drained, landscaped area. The reclamation plan must show contours at a maximum of 2' intervals, all landscaping that will be added to the site at closure, and the ultimate use of the completed site. The permit applicant shall submit a list of types of seed to be used as ground cover. The City shall review and approve the type of seeding in accordance with the requirements of the Iowa Department of Natural Resources.

(d) **Minimum Size**. The minimum size allowed for a sanitary disposal site shall be 8 acres or the size needed to provide a specific service for a minimum of 5 years.

(e) **Use of Land**. The development of a sanitary disposal project shall be limited to property that is zoned General Industrial.

(f) **Period of Approval/Permit Renewal**. The permit shall be granted for a period of six (6) years, at the end of which time the applicant must submit a new application for continued operation of the sanitary disposal site.

(g) **Performance Guarantee Required for On-Site Improvements**. Bond or cash escrow in a sum established by the City Council shall be provided to guarantee the completion of the on-site improvements.

(2) **On-site Improvement**.

(a) **Stormwater Runoff/Erosion Control**. Prior to approval of the application for the sanitary disposal site, the applicant shall file a stormwater runoff plan that addresses site drainage and its affect on adjacent property. Also an erosion control plan must be created to address erosion during operation and after closure. The plans must address any slope that exceeds that which is erodible in accordance with soil conservation regulations.

(b) **On-Site Control**. The development of a sanitary disposal project shall provide for the construction of an office facility that will be used by the applicant to house those functions and personnel necessary to perform on-site waste disposal monitoring and control.

(c) **Separation Requirements**.

(i) A sanitary disposal project shall be separated from Public Right-of-Way and other developable property by a buffer area at least 50 feet in width. This buffer area shall be designed to include a berm, coniferous trees and shrubs. The applicant may utilize existing vegetation and terrain to meet the separation requirements.

(ii) Sanitary disposal projects shall be located no closer than 2,640 feet to another private sanitary disposal project.

(d) Security. The operation of a sanitary disposal project shall provide for control of unregulated dumping and placement of unauthorized material in or adjacent to the project site.

(e) Security Lighting. The intent of this requirement is to control unauthorized dumping and to assist in providing security to the property. All exterior light sources, including headlights, shall be shielded from view from adjacent property. Exterior lighting shall be limited to a maximum of one foot candle at the property line.

(f) Employee Parking. A minimum of one (1) parking space for each employee shall be included as part of the site plan approval for sanitary disposal sites.

(g) Required Vehicle Stacking Area. A minimum of three (3) vehicle spaces shall be provided on the site to accommodate vehicles that are waiting to deposit their sanitary disposal materials.

All such spaces shall be entirely on the site and shall be in addition to parking spaces required by the principal use.

The vehicle stacking area shall be located in such a manner that vehicles waiting in line will not interfere with nor obstruct the primary driveway and parking facilities on the site.

(h) Signage. A maximum of one (1) pole sign, not larger than thirty-two (32) square feet in surface area per sign face with not more than two (2) sign faces, shall be permitted for each sanitary disposal site. The maximum height of the sign shall not exceed 10 feet as measured from grade. This sign may be illuminated internally or externally provided the area lighting requirements are met.

(3) Off-Site Improvements.

(a) Roads. Sanitary disposal projects shall obtain access to the site from a public street that has been constructed of concrete bituminous concrete or some other similar dust free, all weather material of sufficient thickness to carry expected vehicles.

(b) Access. The development of a sanitary disposal project shall be so designed to allow for only one point of access to the site. This access facility will enable effective control of the placement of material into the sanitary disposal site, to prevent uncontrolled placement of material and to prevent other activities that may negatively affect the operation of the sanitary disposal project.

(c) Off-Site Improvements. The cost of constructing off-site improvements that are required to serve the site, as determined by the City, shall be assessed to the owner of the sanitary disposal site. This includes, but is not limited to:

- (i) Traffic Control.
- (ii) Street Surface Upgrading.
- (iii) Utilities.

(4) Operations.

(a) Service Area. Only waste material produced in Story County, Iowa shall be allowed in any permitted sanitary disposal site. Depositing of solid waste brought in from outside the county is prohibited. Excepted from this requirement is the temporary treatment of petroleum contaminated soils.

(b) Non-Exclusive Service. The permitted site shall not refuse service to anyone to dispose of non-hazardous waste materials produced in Story County.

(c) Monitoring Well Reports. The operator of a permitted sanitary disposal facility shall furnish to the city Department of Public Works copies of all monitoring well reports that the operator submits to the Iowa Department of Natural Resources. Copies of City monitoring well reports are available from the Department of Public Works on request.

(d) Fee Schedule. The fee schedule dealing with the disposal of material in the sanitary disposal site shall be posted on a sign at the entrance to the facility. Said fee schedule and sign shall be large enough to be read from the street driving surface adjacent to the point of access. Overall size of the sign shall be 32 square feet maximum.

(e) Cover Material. Cover material shall be placed in accordance with Iowa Department of Natural Resources regulations. If the cover operation does not properly control litter and/or other problems, the operator will be required to cover the material on a more frequent basis to alleviate the problems.

(f) Alternate Disposal Responsibility. For those items that do not need to be disposed of at a sanitary disposal site, in accordance with the rules of the Iowa Department of Natural Resources, the operation shall develop a plan to restrict their disposal at the permitted site. This plan could involve limitations on the amount of non-regulated material that is allowed on each load or other regulations that will encourage recycling or reuse of this material.

(g) DNR Rules. The applicant must operate and maintain the sanitary disposal project in compliance with Department of Natural Resources (DNR) rules and regulation at all times. This requirement is applicable even if DNR amends its rules and regulations.

(h) Dust Control. The applicant must operate and maintain the sanitary disposal project so that dust and other airborne particulates will not pose a problem to adjacent and nearby property. Areas that are likely to be the source of fugitive dust shall be controlled by such practices as watering, applying calcium chloride, or surfacing.

(i) Inspection Frequency. The applicant or owner of a sanitary disposal project shall provide for periodic inspections by federal, state or local officials. These inspections shall occur not less frequently than:

Federal Officials: As provided for in applicable federal regulations.

State Officials: As provided for in applicable state regulations.

Local Officials: At least once every 90 days from date at which an approval for a sanitary disposal project is granted by the City Council.

(j) Hours of Operation. Sanitary disposal projects shall operate sufficient hours to provide service to the public, but not longer than sun-up to sundown, Monday through Saturday.

(k) Open Burning. Open burning of solid waste material on the permitted site is prohibited.

(l) Reporting. The operator of the sanitary disposal site shall be required to submit a report to the city every ninety (90) days. The report shall include, but not be limited to, the following information concerning those persons and businesses depositing waste at the waste disposal site:

(i) Name of person and business (if applicable).

(ii) Telephone number and address.

(iii) Type of waste deposited.

(m) Enforcement. Failure to conform to the City Council approved plan for the sanitary disposal project in any respect, or to any provision of this section, shall be a violation of this section punishable as a municipal infraction.

(Ord. No. 3095, Sec. 1, 8-28-90)

Sec. 10.24. LAND APPLICATION OF LEAVES AND GRASS.

(1) Land application of leaves or grass collected from places other than the site of application shall be done by spreading the leaves or grass evenly over the site of application within seventy-two (72) hours of those materials arriving on the site. Composting of leaves and grass shall be done in accordance with the rules of the Iowa Department of Natural Resources.

(2) Owners of sites used for composting or land application of leaves or grass, collected from places other than the site of application, and all persons engaged in such composting or land application of leaves or grass, shall take reasonable measures to retain the said leaves or grass on the site of application.

(Ord. No. 3155, Sec. 1, 12-17-91)

Sec. 10.25. PENALTIES FOR OFFENSES.

A violation of any provision of Chapter 10, Garbage, Refuse, and Recycling shall be a municipal infraction punishable by a fine of \$500 for a person's first violation thereof, and a penalty of \$750 for each repeat violation; except for violations of Sections 10.3, 10.4 and 10.5, the penalty for a first violation thereof is \$200, and the penalty for a person's second violation is \$500, and the penalty for each repeat violation thereafter is \$750.

(Ord. No. 3497, Sec. 8, 8-25-98, Ord. No. 9-9-03; Ord. No. 4588, 03-10-26)

Sec. 10.26. COMPOSTING.

(1) Notwithstanding any other Sections in this Chapter, the following materials may be included in composting piles:

(a) Yard waste including leaves, grass clippings, straw and hay, sawdust, and finely chopped or shredded tree and shrub prunings;

(b) Kitchen scraps including fruit and vegetable trimmings (including rhubarb leaves), coffee grounds, and eggshells;

(c) Shredded newspapers;

(d) Wood ashes (no more than 1 cup per bushel of compost).

(2) The following materials shall not be included in composting piles:

(a) Human or animal feces;

(b) Diseased plant material or weeds that have gone to seed;

(c) Kitchen scraps that include animal meat, bones or fat;

- (d) All other materials not listed in Section 1 above.
- (3) All composting shall comply with the state regulations contained in Chapter 105 of the Iowa Administrative Code.
(Ord. No. 4015, 11-24-09)

Sec. 10.27. RESIDENTIAL CURBSIDE RECYCLING COLLECTION.

(1) Purpose. The purpose of this Section is to provide for the orderly and economical separation and collection of recyclable materials from residential properties, to divert recyclable materials from the landfill and reduce the need for new raw materials, and to meet waste reduction goals identified by both the city and the state of Iowa.

(2) The City shall collect recycling from all single-family residences and at each unit of multi-family residences containing not more than four (4) units. The City may make recycling collection services available to other properties in the city. The City shall establish regulations and collection schedules that adequately serve the needs of the recycling collection program participants.

(3) The cost for recycling service shall be billed to the party responsible for each property in accordance with the fee established in Appendix F of this Code. Any single-family residence or unit of a multi-family property containing not more than four (4) units shall be entitled to elect not to receive a receptacle for recyclable materials, but in no case shall the party responsible for such a residence be relieved of the obligations to:

(a) prevent yard waste, recyclable materials, and garbage/refuse from being mixed with one another as described in Section 10.7;

(b) pay the cost for the recycling service as described in this Section 10.27.

(4) Nothing in this Section shall be construed to prevent the city from contracting with a private party to furnish recycling collection services, or to prevent private parties from contracting with multi-family residences containing more than four (4) units, commercial or industrial properties to receive recycling collection services.

(Ord. No. 4588, 03-10-26)