

## CHAPTER 106

### COLLECTION OF SOLID WASTE

106.01 Collection Service  
106.02 Collector's Permit  
106.03 Right of Entry  
106.04 Collection Vehicles

106.05 Loading and Hauling  
106.06 Frequency of Collection  
106.07 Collection Fees  
106.08 Lien for Nonpayment

**106.01 COLLECTION SERVICE.** The City shall provide for the collection of solid waste from residential premises only. The owners or operators of commercial, industrial or institutional premises shall provide for the collection of solid waste produced upon such premises. No person shall engage in the business of collection and disposal of solid waste from residential premises within the corporate limits of the City without first being awarded a contract duly authorized by the City.

**106.02 COLLECTOR'S PERMIT.** No person shall, for hire, collect and/or haul for the purpose of disposal any solid waste from any residential premises within the corporate limits of the City without first obtaining a permit therefor in accordance with the following:

1. Application. Application for a permit shall be made to the Clerk and shall contain the following information:
  - 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. The make, model and capacity of each piece of collecting and hauling equipment proposed to be used within the corporate limits of the City.
  - C. Experience. Prior experience and references.
  - D. Proposed Charges. An itemized list of the proposed charges to be made for residential solid waste collection service and such other information as shall be reasonably required by the Clerk.
2. Insurance. No permit 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 - \$100,000 per person.

- \$300,000 per occurrence.

Property Damage - \$ 50,000.

3. Certificate of Insurance. The permit holder shall keep a current certificate of insurance on file with the Clerk. Any permit issued under this chapter shall be void, without notice to the permit holder, upon the expiration of the certificate of insurance on file with the Clerk. The permit may be validated by the filing of a new certificate of insurance.

4. 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.

5. Grading or Excavation Excepted. No 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.

**106.03 RIGHT OF ENTRY.** Solid waste and recyclable collectors are hereby authorized to enter upon private property for the purpose of collecting solid waste or recyclables therefrom as required by this chapter; however, solid waste collectors shall not enter dwelling units or other residential buildings.

**106.04 COLLECTION VEHICLES.** The collector shall furnish a sufficient number of vehicles and equipment, together with the labor force necessary to collect and remove all solid waste and recyclables from all residential premises within the City. Said vehicles and equipment are to be of a type suitable for the collection of solid waste and recyclables and are to be in full compliance at all times with all legal requirements applicable to vehicles and equipment being so used. All vehicles and equipment shall be leakproof, durable, kept clean, disinfected as often as is needed, and maintained in good repair.

**106.05 LOADING AND HAULING.** 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.

**106.06 FREQUENCY OF COLLECTION.** All solid waste shall be collected and removed from each City site and from all residential premises as follows:

1. Once each week from September 1 through May 31.
2. Twice each week from June 1 through August 31.

Recyclables shall be collected once each week throughout the year. City sites include: City Hall, City Garage, City Parks, Camp Crescent, Fire Station, Library and all churches. Apartments and trailer courts located within the corporate limits of the City are considered residential premises.

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

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

1. Base Fee. The base fee for solid waste and recyclable collection and disposal service, used or available, shall be seven dollars (\$7.00) per month for each unit of a single-family or multiple-family dwelling.
2. Solid Waste Container Fee. The cost of the special clear plastic bags with *City of Lake View* imprinted on them, purchased from the City, is \$1.00 a piece, sold in packages of ten (10).

*(Ord. 324, Mar. 98 Supp.)*

**106.08 LIEN FOR NONPAYMENT.** The owner of the premises served and any lessee or tenant thereof are jointly and severally liable for fees for solid waste collection and disposal. Fees remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

*(Code of Iowa, Sec. 384.84)*

[The next page is 455]