

## Chapter 8.04

### GARBAGE COLLECTION

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#### **8.04.010**      **Definitions.**

The following words and phrases as used in this chapter, unless a different meaning is clearly required by the context, shall have the following meaning:

"Family domestic unit" means any single independent family unit, irrespective of the number of persons constituting such family, but shall not include a situation where one or more independent families may be living together in any single residence or abode, but in such situation, each such independent family shall be deemed and regarded as a separate and distinct family domestic unit. Each independent

family unit living in multiple dwelling residences, apartment houses or any type of residence, including trailer houses and other than trailer houses in licensed trailer courts, shall each be deemed a family domestic unit for the purpose of this chapter. A rooming house that supplies lodging for hire and which does not serve meals shall be deemed one family domestic unit for the purpose of this chapter. Every family domestic unit within this city shall be required to pay the collection and disposal fee as hereinafter described in this chapter.

"Garbage" means all organic refuse from the preparation of food, and decayed or spoiled animal or vegetable food from any source.

"Rubbish" means all combustible inorganic refuse matter such as papers, sweepings, rags, etc., originating from the ordinary household or business operations, but shall not include any yard waste or refuse building materials.

"Waste material" means all noncombustible inorganic matter, such as ashes, glass, cinders, sand, earth, and metal, originated from ordinary household or business operations, but shall not include body waste of human or animal origin.

"Yard waste" means all debris such as grass clippings, leaves, garden wastes, brush, and weeds, but shall not include tree branches or tree stumps. (Prior code § 3.0201)

#### **8.04.020**      **Deposit of refuse.**

It is unlawful for any person, firm or corporation to deposit, or cause to be deposited, any garbage, rubbish waste material, or yard waste in or upon

any park, street, alley, gutter, or in or upon any other private or public property within the city unless such refuse is deposited in metal containers, the size and location of which are herein provided. This shall not include barn waste, manure, sand, earth, ashes, or cinders, which are spread out upon the ground. Further, it shall be unlawful to store, deposit or keep such material where rats have access thereto, or feed thereon. (Prior code § 3.0202)

**8.04.030 Containers required.**

A. Every householder or occupant of a family domestic unit and every commercial establishment shall provide himself, herself, or itself, with one or more covered, fly-tight containers provided with bales or handles to receive all garbage, waste materials, rubbish, and yard waste which may accumulate between the times of collection. All garbage and wet rubbish shall be drained and wrapped before deposited into the containers.

B. All garbage, rubbish, and waste material must be containerized in garbage bags or factory garbage cans not to exceed thirty-five (35) gallons and not to exceed the weight of fifty (50) pounds loaded, and shall be kept in a suitable rack, if so desired, which shall be located on the premises adjacent to an alley bordering on the premises, and so as to be accessible from the alley adjoining the premises, but if no alley borders the premises or such alley is impassable, then such containers shall be kept in a suitable rack adjacent to a street bordering on the premises, and so as to be accessible from the street adjoining

the premises; garbage cans and waste material containers shall be so placed that collectors of garbage do not have to carry such cans or containers for a distance of more than twenty (20) feet. No garbage truck shall be required to use any private driveway in collection of garbage under the provisions of this chapter.

C. All commercial establishments, such as hotels, boarding houses, boarding houses, restaurants, lunchrooms, bars, drug stores, trailer courts, tourist courts, grocery stores, and all other commercial and business establishments, and educational facilities or institutions within this city having garbage, rubbish, waste material, or yard waste to dispose of, shall provide one or more fly-tight containers of the size hereinbefore provided to receive all of the refuse which may accumulate between the times of collection. These containers shall be so located at the rear of the building or property using the same as to be easily accessible to the collector and shall be constructed that they may be easily emptied completely and easily cleaned thoroughly. Dry rubbish when stored inside private business establishments, need not be deposited in a container.

D. All yard waste must be containerized in open garbage cans or containers not to exceed thirty-five (35) gallons and not to exceed the weight of fifty (50) pounds loaded. The city shall provide for a separate yard waste pick-up for all residential homes in the city not less often than once each week on a seasonal basis. No bagged yard waste will be picked up. (Prior code § 3.0203)

**8.04.040 Mayor to provide for collection.**

The mayor, with the approval of the common council, shall provide for the collection and disposition of the garbage, rubbish, waste materials, and yard waste as deposited and stored as provided herein. Such refuse shall be collected from each family domestic unit as defined in Section 8.04.010, and as deemed necessary. The mayor, with the approval of the common council, shall further provide for the transportation and disposal of such refuse by such means and in such manner as to insure the protection of public health and to avoid the establishment of a public nuisance and to render safe, sanitary service to all family domestic units within the city. (Prior code § 3.0204)

**8.04.050 Collection and disposition of garbage, rubbish, waste materials, yard waste of commercial establishments and educational facilities.**

Commercial establishments and educational facilities or institutions within the city shall be responsible, at their own cost and expense, to store, collect, transport and dump all garbage, rubbish, waste material, and yard waste as defined in this chapter in the manner described, and as designated by the mayor, with the approval of the common council, commercial and business establishments and educational facilities or institutions, shall provide for the removal of and the transportation of all garbage, rubbish, waste materials, and

yard waste from their premises not less than once a week. (Prior code § 3.0205)

**8.04.060 Cost--How collected.**

A. The cost of collection and disposal of garbage, rubbish, and waste materials from family domestic units as defined in this chapter, shall become a charge against each family domestic unit of each dwelling and shall be payable monthly, together with charges made by the city for water services furnished by the city to each such family domestic unit. A fair and reasonable charge for the collection of the contents from each family domestic unit shall be set by the common council.

B. In the event that the commercial and business establishment and educational facility or institution fails to provide for the collection and disposition of garbage, rubbish, waste materials, or yard waste as provided in Section 8.04.050, the mayor, with the approval of the common council shall provide for the collection and disposition thereof at a cost of the collection to be assessed against and collected from such commercial and business establishments and educational facility or institution for each time such collection and disposition is made.

C. A late payment penalty of five dollars (\$5.00) for each garbage collection bill for family domestic units will be added to each delinquent bill for each month of delinquency. (Prior code § 3.0206)(Amended December 2003) (Amended 2008)

**8.04.070 Conditions under which customers may**

**haul.**

Any family domestic unit, commercial and business establishment, educational facility or institution may haul garbage, rubbish, waste material and yard waste originating on the premises of such family domestic unit, commercial and business establishment or educational facility or institution to a legal landfill, but each family domestic unit shall be required to pay the monthly charges hereinbefore provided in Section 8.04.060(A). (Prior code § 3.0207)

**8.04.080 Water-tight receptacle required.**

It is unlawful for any person to haul through the streets or alleys of this city any garbage, rubbish, waste materials, or yard waste, unless contained in a water-tight tank or receptacle. (Prior code § 3.0208)

**8.04.090 Violations--Penalties.**

Any person or persons, firm or firms, corporation or corporations violating any of the provisions of this chapter, shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined in a sum not exceeding Five Hundred Dollars (\$500.00). (Prior code § 3.0209) (Amended 2007)