

ORDINANCE NO. 360

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE
CITY OF HARTLEY, IOWA, 2016, BY AMENDING PROVISIONS
PERTAINING TO SOLID WASTE CONTROL AND COLLECTION
RATES**

BE IT ENACTED by the City Council of the City of Hartley, Iowa:

SECTION 1. SECTIONS MODIFIED. Section 105.10, Section 105.10(3), 106.05, 106.08(1), of the Code of Ordinances of the City of Hartley, Iowa, 2016, are repealed and the following adopted in lieu thereof:

105.10 WASTE STORAGE CONTAINERS. Every person owning, managing, operating, leasing or renting any premises, dwelling unit or any place where refuse accumulates shall provide, or if the City provides, shall use for collection, and at all times maintain in good order and repair portable containers for refuse in accordance with the following.

105.10(1) Container Specifications. Waste storage containers shall comply with the following specifications:

(A) **Residential.** Residential waste shall be placed in a box or garbage bag sturdy enough to hold the contents without rupturing, or as directed by the collector. The container contents shall not exceed fifty (50) pounds, or not to exceed the weight as directed by the collector. Containers shall also be lightweight and of sturdy construction and have suitable lifting devices.

(B) **Commercial.** Every person owning, managing, operating, leasing or renting any commercial premises where an excessive amount of refuse accumulates and where its storage in portable containers as required above is impractical, shall maintain metal bulk storage containers approved by the City and/or collector.

105.10(3) Location of Containers for Collection. Containers for the storage of solid waste awaiting collection shall be placed at the curb or alley line, and/or at a location as directed by the collector, by the owner or occupant of the premises served. Containers or other solid waste placed at the curb line shall not be so placed more than eight (8) hours in advance of the regularly scheduled collection day and shall be promptly removed from the curb line following collection.

106.05 Bulky Rubbish. Bulky rubbish which is too large or heavy to be collected in the normal manner of other solid waste may be collected by the collector upon request; however, if it exceeds the volume specified in the schedule of fees, the City and/or collector shall determine the fair and reasonable amount of the fee, and shall bill the resident for the same all as provided in the schedule of fees provisions.

106.08(1) Schedule of Fees. The fees for solid waste collection and disposal service, including recycling, used or available, are:

A. For each residential premises - \$16.60 per month

B. For each dwelling unit of a multiple-family dwelling unit of a multiple-family building of up to four (4) individual dwellings - \$16.60 per month for 02/01/2020 through 12/31/2020, with the following charges for calendar years thereafter:

**\$16.70 per month for 2021,
\$16.80 per month for 2022,
\$16.90 per month for 2023,
\$17.00 per month for 2024,
\$17.10 per month for 2025,
\$17.20 per month for 2026,
\$17.30 per month for 2027;**

C. The base fee identified above for residential premises and multiple-family dwellings shall cover the collection of two (2) 32-gallon containers per week, of not more than 50 lbs. each, or the weight as directed by the collector. Garbage must be bagged or boxed within all containers. If and when containers are provided by the City to residential customers and required to be used for solid waste and recycling collection, the base fee identified above shall cover the collection of one (1) 65-gallon container per week, of not more than the weight as directed by the collector.

D. An additional 65-gallon solid waste container will be provided upon request from the resident, with the cost of the container being charged to the customer. The base fee for the additional container will be \$13.60, with the following charges for years thereafter:

**\$13.70 per month for 2021,
\$13.80 per month for 2022,
\$13.90 per month for 2023,
\$14.00 per month for 2024,
\$14.10 per month for 2025,
\$14.20 per month for 2026,
\$14.30 per month for 2027;**

E. Commercial customers shall be billed directly by the collector.

(2) Payment of Bills. For residential customers, all fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 of this Code of Ordinances. Solid waste collection service may be discontinued in accordance with the provisions contained in Section 92.05 if the combined service account becomes delinquent, and the provisions contained in Section 92.08 relating to lien notices shall also apply in the event of a delinquent account.

For commercial customers, all fees are due and payable under the terms and conditions provided to the customer by the collector.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED, by the City Council.

Mayor

ATTEST:

City Clerk/Administrator

First Reading: January 13, 2020

Second Reading: Suspended January 13, 2020

Third Reading: Suspended January 13, 2020

Final Approval: January 13, 2020

I certify that the foregoing was published as Ordinance No. 360 on the 23rd day of January 2020.

Erica Haack, City Clerk/Administrator

