

CHAPTER 107

COLLECTION OF RECYCLABLE MATERIAL

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107.01 **PURPOSE.** The purpose of this chapter is to establish mandatory recyclable material collection in the City; require separation of recyclable material, and provide penalties for violation thereof.

107.02 **FINDINGS.** It is found that the State of Iowa has mandated that the City provide for a comprehensive solid waste reduction program. State mandated requirements for waste reduction include recycling as a preferred method of implementing State policy. The State of Iowa has also established certain waste volume reduction goals for all citizens of the State. The most efficient, practical and reasonable way for the City to assist in meeting State requirements is to institute recycling in the City limits.

107.03 **DEFINITIONS.** The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section.

1. "Aluminum cans" means empty all-aluminum beverage and food containers; except those aluminum beverage cans returned by the resident for redemption at a can and bottle redemption center.
2. "Bimetal containers" means empty beverage or food containers consisting of sides and bottom and an aluminum top.
3. "Boxboard" means cardboard containers constructed in a non-fluted manner; i.e., cereal and shoeboxes. Expressly excluded is treated boxboard which includes pop and beer package containers.
4. "Collector," for purposes of collecting and transporting recyclable material, means the City or its duly authorized contractors.
5. "Commercial establishment" means any premises engaged in retail trade or sale of goods. Expressly included are all restaurants and taverns, all industrial or manufacturing business, and all types of offices including governmental agencies.

6. "Corrugated paper" means paperboard or cardboard boxes constructed in a fluted manner. Expressly excluded is corrugated paper which has become soiled.
7. "Curbside recycling collection" means the scheduled collection and transportation of recyclable materials placed at the curb line or other area designated by the collector.
8. The following types of "dwellings" are defined:
 - A. "Multi-family housing facility" means a building or portion thereof containing more than two dwelling units and not classified as a one- or two-family dwelling.
 - B. "One-family dwelling" means a building containing one dwelling unit only.
 - C. "Two-family dwelling" means a building containing two dwelling units only.
9. "Dwelling unit" means a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.
10. "Enforcement officer" means the official designated herein or otherwise charged with the responsibilities of administering this chapter, or the official's authorized representative.
11. "Glass containers" means bottles and jars made of flint, green or amber glass, except those glass jars returned by the resident for redemption at a can and bottle redemption center. Expressly excluded are non-container glass, plate glass, blue glass, and jars made exclusively from high density polyethylene.
12. "Magazines" means printed material printed on slick or glossy paper containing contaminants not found in newsprint.
13. "Mixed paper" means any combination of junk mail, magazines, catalogs, typing, computer or notebook style paper, boxboard and paper bags. Expressly excluded are materials which have been soiled.
14. "Newspaper" means paper of the type commonly referred to as newsprint and distributed at fixed intervals. Expressly excluded are newspapers which have been soiled.

15. "Occupant" means any person living and/or sleeping in a dwelling unit.
16. "Person" means any individual, partnership, municipal waste hauler, scrap dealer, corporation, association, institution, cooperative enterprise, municipality, municipal authority, Federal Government or agency, State institution or agency, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. In any provisions of this chapter prescribing a fine, imprisonment or penalty, "person" shall include the officers and directors of any corporation or other legal entity having officers and directors.
17. "Polyethylene Terephthalate (PET) containers" means plastic soda bottles or other containers composed of the polymer PET.
18. "Recyclable material" means any used material having an economic value in the secondary materials market and includes aluminum and tin cans and articles, bimetal cans, boxboard, glass containers, corrugated paper, magazines, computer printout paper, computer tab cards, office paper, steel cans, newspaper, paper products not chemically coated, plastic polyethylene terephthalate (PET) bottles, plastic high density polyethylene (HDPE) containers, old useable clothes, and other materials designated by the City as having value.
19. "Steel cans" means empty, all steel food and beverage containers.
20. "Tin cans" means empty, all tin food and beverage containers.

107.04 RECYCLABLE MATERIAL SEPARATED. Owners and occupants of dwelling units, owners and occupants of commercial establishments, and all other recyclable material users or persons in the City are required to separate from their other solid waste the following materials:

1. Flint, amber, and green glass and bottles and jars;
2. Aluminum and tin cans;
3. Bimetal and steel food and beverage containers;
4. PET and HDPE plastic containers;
5. Newspapers, magazines, office and computer paper, cardboard, corrugated paper, junk mail, untreated boxboard, other clean paper; and
6. Old useable clothing.

107.05 PREPARATION AND PLACEMENT OF RECYCLABLE MATERIAL.

1. Recyclable material shall be prepared in the following manner:
 - A. Glass bottles and jars shall be rinsed of all food and beverage residue with lids removed and discarded. Labels and neck rings may remain.
 - B. Aluminum, tin, bimetal and steel cans and containers shall be rinsed of all food and beverage residue with lids removed and discarded. Labels may remain.
 - C. Plastic PET and HDPE containers shall be rinsed of all residue with lids removed and discarded. Labels may remain.
 - D. Newspapers shall be stacked together, but not tied.
 - E. Mixed paper consisting of office and computer paper, junk mail, untreated boxboard, magazines, catalogs, and other clean paper shall be placed inside a paper or plastic bag.
 - F. Cardboard and corrugated paper shall be broken down or flattened with all contents removed.
 - G. Old usable clothing shall be clean and dry with all buttons and zippers remaining on the clothes.
2. Recyclable material shall be placed for collection in the following manner:
 - A. Recycling containers provided by the City (and thereafter maintained and replaced if needed by the occupant) shall be used to store recyclable material. The containers shall remain at all times the property of the City and the City may collect a deposit for said containers and said deposit may be retained by the City if the container is damaged, destroyed, not returned or lost.
 - B. Recyclable materials shall be placed properly into the recycling container with newspapers in the bottom followed by mixed paper in a bag, and containers with aluminum, tin, plastic or glass. Used clothing should be placed on top and corrugated cardboard shall be flattened and placed under the container. The container shall be placed at curbside no sooner than 24 hours prior to the next scheduled pickup.

107.06 **COLLECTION BY UNAUTHORIZED PERSONS.** Any recyclable material located at the curb line, in transfer stations or in storage or transfer bins associated with residential, commercial, municipal or institutional establishments is the property of the City.

107.07 **ENFORCEMENT AND ADMINISTRATION.** The City shall appoint an enforcement officer or officers to enforce and administer the provisions of this chapter.

107.08 **FEES AND CHARGES.** The collection of recyclable material is declared to be a benefit to the property served or eligible to be served. Fees and charges for collection shall be collected in accordance with the following:

1. **Schedule of Fees.** The fee for recyclable material collection shall be based upon the contract entered into between the City and the collectors and an additional sum for administration by the City. The amount of the fee levied and collected for each premises shall be determined periodically by the Council.
2. **Payment of Bills.** All fees shall be due and payable under the same terms and conditions provided for payment for water, gas and sewer service, except that the provision of subsection 3 hereof shall be used to enforce collection of delinquent fees.
3. **Lien for Nonpayment.** Fees remaining unpaid and delinquent for a period of ninety (90) days 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.

107.09 **PENALTIES.**

1. **Nonparticipation.** Upon the discovery of any violation of the terms of this chapter, the City shall, through its authorized agent(s), give notice to the owner or occupant (or either of them as the case may be) of a violation hereunder, either by personal delivery to such owner or occupant, by United States mail directed to the last known address of such person or persons, as shown in the records of the County Recorder and Treasurer, or by leaving the same on the premises where such violation occurs. On neglect or refusal of the occupant of any dwelling serviced by curbside collection; a multi-family housing program; or a commercial, municipal, institutional program, or any other person within the City, to separate recyclable materials from solid waste and place them at curbside or sites established by the City, he, she or they shall, upon a finding of such

violation, be guilty of a municipal infraction under this Code of Ordinances. Each violation shall constitute a separate infraction.

2. **Unauthorized Collection.** If any person not authorized by the City collects or removes or causes to be collected or removed any such recyclable material in violation of the provisions of this chapter, such person shall, upon a finding of such violation, be guilty of a municipal infraction under this Code of Ordinances. Each violation shall constitute a separate infraction.

3. **Pilfering of or Damage to Collection Containers.** If any person is responsible for pilfering or damage to collection containers issued to a residence for either curbside collection or any other recycling program under this chapter, such person shall, upon a finding of such violation, be guilty of a municipal infraction under this Code of Ordinances. Each violation shall constitute a separate infraction.

107.10 VEHICLES USED FOR COLLECTION. Vehicles and containers used for the collection and transportation of recyclable material shall be leakproof, durable and of easily cleanable construction. Such vehicles and containers shall be cleaned regularly to prevent nuisances, pollution and insect breeding and shall be maintained in good repair.

107.11 COLLECTION AND TRANSPORTATION. Vehicles and containers used for the collection and transportation of recyclable material shall be operated in such a manner that the contents will not fall, leak or spill therefrom. Such vehicles and containers shall be covered to prevent blowing or loss of any material. If any spillage does occur, the material shall be picked up immediately by the collector or transporter and returned to the vehicle or container. The area where such spillage occurred shall be properly cleaned.

107.12 FREQUENCY OF COLLECTION. All recyclable material shall be collected from residential premises at least once each week and from commercial, industrial and institutional premises as frequently as may be necessary, but not less than once each week.

107.13 LOCATION OF CONTAINERS. Containers for the storage of recyclable material shall be placed at the curb by the owner, person or occupant of the premises served. Containers at the curb line shall not be placed more than twenty-four (24) hours in advance of the next scheduled pickup and shall be promptly removed from the curb line following collection.

107.14 **SANITARY DISPOSAL PROJECT DESIGNATED.** The recycling facilities operated and maintained by the County are hereby designated as the official site for the disposal of recyclable material originating within the City.

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