

CITY OF AVOCA

TITLE IV: COMMUNITY SERVICES **CHAPTER 7: SOLID WASTE**

7.01 PURPOSE. The purpose of this ordinance is regulating and providing a means for the removal solid waste and refuse from the City.

7.01 DEFINITIONS. The following definitions shall apply to all terms and provisions of this ordinance:

1. "City" as used in this ordinance, shall mean the City of Avoca.
2. "Container" as used in this ordinance, a container for garbage and refuse means a container consistent with the rules and regulations governing the collection of solid waste.
3. "Garbage" as used in this ordinance, shall be defined to mean all kitchen refuse, decaying vegetables and meats, all refuse foods or animal or vegetable matter discarded in the preparation of the same for food, or any animal or vegetable matter discarded as refuse and which is in such condition that it has commenced to decompose or become offensive or dangerous to health
4. "Household" as used in this ordinance, a residential dwelling or unit occupied by one individual or family, and said words should be used co-terminously with the word residence as set forth herein.
5. "Rubbish" as used in this ordinance, shall be defined to mean all waste materials, trash, refuse or debris other than garbage.

7.02 BURYING AND DEPOSITING OF GARBAGE. It shall be a violation for any person to bury garbage upon any property in the City and it shall be unlawful for any person to deposit garbage upon any property in the City except in a container as herein specified.

7.03 BURNING SOLID WASTE PROHIBITED. It shall be unlawful for any person or entity, at any time, to burn any solid waste in an open fire on any property within the limits of the City of Avoca, Iowa. Solid waste includes garbage, refuse, rubber tires, chemicals, furniture, carpeting, household appliances, vinyl products (such as flooring or siding), trade waste, rubbish, building materials, residential waste, and other nonstructural materials shall not be burned. Solid waste shall not include landscape materials originated on the premises of the burning.

7.04 DEAD ANIMALS. It is a violation for any person to bury any dead animal except small household pets upon any property within the City.

7.05 UNLAWFUL ACCUMULATION AND STORAGE. It shall be a violation for any person to accumulate rubbish in a manner which renders the property upon which the same is situated unsightly or in such an amount as to constitute a nuisance, a fire hazard, or a hazard to health. No person shall cause or permit to be disposed garbage, rubbish, refuse, dead animals or any other similar matter in or upon any street or alley or upon any premises within the City.

7.06 COLLECTION SERVICE. The collection of solid waste within the City shall be only by the designated collector approved the City Council. Each household in the City of Avoca shall be a subscriber for the collection of garbage and refuse and shall pay the fees for collection thereof as set forth herein with the monthly water bill. The City Council shall enter into a contract with the designated collector which shall establish appropriate rules for collections and containers.

7.08 COLLECTION PRACTICES. Subject to the conditions and limitations set forth in the contract with the designated collector, the City or its contractor shall make collection of garbage and rubbish as follows:

1. Residential collections of matter in containers shall be made on regular schedules once each week. Containers shall be placed near the street edge in the public right-of-way. Containers shall be promptly removed from the public right-of-way following collection. Residential solid waste containers shall be stored upon the residential premises. City staff is authorized to remove containers left in the public right-of-way twenty-four (24) hours after collection.
2. Services to retail and commercial establishments, religious and governmental buildings and private clubs shall be as contracted by the parties but at such intervals so as there is no excess accumulation.

7.09 CHARGES ESTABLISHED. The City of Avoca shall collect garbage and refuse charge for the service provided for in this ordinance. This service charge is to be paid as an addition to the water bill. All residential units of the City will be charged for collection services, except for vacant units that have shut-off water service. Residential units that have a private water-service will be billed for collection services. Charges will be established in Tile 1, Chapter 6, also known as the “Omnibus Rate, Charges, and Fees Ordinance”. Nonresidential establishments shall privately contract for disposal and each retail and commercial establishment or other establishment or building served shall pay a rate as contracted.

7.10 DELINQUENT ACCOUNTS. All delinquent accounts are subject to a late payment penalty in the amount of 10% of the fee due and further subject to a stoppage of service with a ten-day notice. Any service charge not paid as specified by this ordinance or the City Council, when due, shall constitute a lien upon the premises served and shall be collected as follows.

7.11 VIOLATION AND PENALTIES. Any person, firm or corporation who shall violate or fail to comply with the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned for not more than thirty (30) days. Each day such violation continues shall constitute a separate offense.