

ORDINANCE NO. 730

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HAWARDEN, IOWA, BY AMENDING THE DEFINITION OF A RESIDENTIAL PREMISES, WASTE STORAGE CONTAINERS, AND SOLID WASTE COLLECTION RATES OF THE SOLID WASTE CONTROL ORDINANCE.

BE IT ENACTED by the City Council of Hawarden as follows:

Section 1. Amendment. The Hawarden Municipal Code is hereby amended to amend Section 105.2(9), 105.10 and 113.08 to read as follows:

105.02(9). "Residential Premises" means a single-family dwelling and any multiple-family dwelling of less than 4 units.

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 and at all times maintain in good order and repair portable containers for refuse in accordance with the following:

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

A. Residential. Residential waste containers shall be approved by waste hauler and rented from the waste hauler contracted with the City to haul residential waste. The volume of waste in a container must not exceed its capacity and shall allow for the lid of the container to close over the waste. The weight of any individual article or container and contents shall not exceed ninety-five pounds. The total weight of all containers and contents presented for one pickup shall not exceed one hundred ninety-five pounds. Unique items that do not meet the container requirements and presentation of waste in excess of the weight limitation shall also be subject to a reasonable fee set by the waste hauler based on the costs to remove the item(s). The reasonable fee shall be based on the weight of the item and any special removal or disposal cost associated with the disposal of the item. The minimum fee for any single item which will not fit inside the provided container shall be \$1.00. Tags may be purchased from the Hawarden City Offices and must be affixed to the item presented for collection.

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.

2. Storage of Containers. Residential solid waste containers shall be stored upon the residential premises behind any house front facing a public street. Commercial solid waste containers shall be stored upon private property unless the owner has been granted written permission from the City to use public property for such purposes. The storage site shall be well drained, fully accessible to collection equipment, public health personnel and fire inspection personnel. All owners of residential and commercial premises shall be responsible for proper storage of all garbage and yard waste to prevent materials from being blown or scattered around neighboring yards and streets.

3. Location of Containers for Collection. Containers for the storage of solid waste awaiting collection shall be placed at the curb or alley line 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 24 hours in advance of the regularly scheduled collection day and shall be removed from the curb line within 24 hours after any scheduled collection.

SECTION 113.08 –Solid Waste Collection Rates.

1. Residential - \$19.50 per month for a 65-gallon solid waste container and one 95-gallon recycling container
2. Commercial - \$ 4.00 per month which is in addition to any charges payable directly to the commercial waste hauler for its services.

3. Additional Garbage Charges Above Base Rates - Additional garbage charges shall apply as provided for in the City's Solid Waste Collection Contract.

Section 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. 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 4. 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 council on this 14th day of July 2021.

RICARD R PORTER
Ricard R. Porter, Mayor

ATTEST:

Michael DeBruin
Michael DeBruin, City Administrator/Clerk

First Reading: June 9, 2021
Second Reading: June 9, 2021
Third Reading: July 14, 2021

I certify that the foregoing was published as Ordinance No. 730 was published in the Hawarden Independent, a newspaper printed and published and has circulation in the City of Hawarden on the 15th day of July 2021.

Michael DeBruin
Michael DeBruin, City Administrator/Clerk