

ORDINANCE NO. 2020-02

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF HILLS, IOWA, BY AMENDING PROVISIONS
PERTAINING TO SOLID WASTE DISPOSAL CHARGES

Be it enacted by the City Council of the City of Hills, Iowa:

SECTION 1. SECTION REPLACED. Section 105.06 of the Code of Ordinances, City of Hills, Iowa, is hereby repealed, and the following adopted in lieu thereof:

105.06 WASTE STORAGE CONTAINERS.

1. Residential. The City's contractor will provide for the use of each residential unit either a 35-gallon or a 65-gallon container for storage and collection of solid waste, at the discretion of the owner, operator, or occupant of the residential unit. The owner, operator, and occupant of a premises shall be responsible for maintaining solid waste collection containers in good working order, without leaks. Solid waste collection containers provided by the contractor for use at a dwelling unit will remain the property of the City's contractor. The owner, operator, and occupant of a dwelling unit shall be liable for any damage caused to any collection container provided by the City's contractor. If a solid waste collection container is damaged to the point it is no longer usable, the owner, operator, and occupant of the dwelling unit will be required to pay for the cost of a replacement.
2. Commercial. Each owner, operator, or occupant of every commercial, business, industrial, agricultural, institutional, or governmental establishment in the City shall provide solid waste containers of sufficient number and quality for the storage of all solid waste produced on such premises. Said containers shall have sufficient capacity to adequately serve such establishment and shall be maintained in reasonable repair.
3. Any solid waste container that does not conform to these provisions shall be promptly replaced by an approved solid waste container upon receipt of notice by the City or the City contractor. If not replaced, the City may elect to dispose of the container.

SECTION 2. SECTION AMENDED. Section 105.08(1) of the Code of Ordinances, City of Hills, Iowa, is hereby repealed, and the following adopted in lieu thereof:

1. All residential solid wastes to be collected by the City contractor shall be separated by the owner, operator, or occupant into the following waste categories:
 - A. Refuse and garbage
 - B. Yard waste
 - C. Recyclable items
 - D. Hazardous wastes
 - E. Bulky wastes
 - F. Appliances
 - G. Waste oil and lead acid batteries
 - H. Tires

SECTION 3. SECTION REPLACED. Section 105.09 of the Code of Ordinances, City of Hills, Iowa, is hereby repealed, and the following adopted in lieu thereof:

105.09 RECYCLING COLLECTION CONTAINERS.

1. The City's contractor will provide for the use of each residential unit either a 65-gallon or a 95-gallon container for storage and collection of recyclables. The owner, operator, or occupant of a premises shall be responsible for maintaining recyclable containers in good working order, without leaks. Recyclable containers provided by the contractor for use at a residential unit will remain the property of the City's contractor. The owner, operator, and occupant of a residential unit shall be liable for any damage caused to any recyclable container provided by the City's contractor. If a recycling container is damaged to the point it is no longer usable, the owner, operator, and occupant of the dwelling unit will be required to pay for the cost of a replacement.
2. Periodically, when recycling containers are no longer satisfactory for use, said containers will be replaced by the City.

SECTION 4. SECTION AMENDED. Section 105.19(1) of the Code of Ordinances, City of Hills, Iowa, is hereby repealed, and the following adopted in lieu thereof:

1. Fee Schedule. The charge for collection of solid waste from each dwelling unit in the City shall be as follows:
 - A. \$16.50 per month if the owner, operator, or occupant chooses a 35-gallon solid waste container.
 - B. \$18.50 per month if the owner, operator, or occupant chooses a 65-gallon solid waste container.
 - C. \$3.00 for a sticker for the collection of one bag (maximum 35 gallons) of solid waste that does not fit into a solid waste container.
 - D. \$1.65 for each yard waste bag (maximum 40 pounds).

SECTION 5. SECTION AMENDED. Section 105.20(1) of the Code of Ordinances, City of Hills, Iowa, is hereby repealed, and the following adopted in lieu thereof:

1. Depositing solid waste in any solid waste container other than a solid waste or recycling container provided for a dwelling unit by the City's contractor. This section shall not prohibit any person from depositing litter in a container provided by the City, commercial enterprises, or other government institutions. This exception does not permit a resident to deposit regular residential solid waste in such a container provided for the public in order to avoid normal trash collection as set out in this chapter.

SECTION 6. SECTION AMENDED. Section 105.20(2) of the Code of Ordinances, City of Hills, Iowa, is hereby repealed, and the following adopted in lieu thereof:

2. Depositing residential refuse, garbage, yard waste, or other solid waste not designated as recyclable in the residential recycling container provided by the City's contractor.

SECTION 7. SECTION AMENDED. Section 105.20(9) of the Code of Ordinances, City of Hills, Iowa, is hereby repealed, and the following adopted in lieu thereof:

9. Damaging or destroying any solid waste containers of the City, any residential solid waste or recycling containers provided by the City's contractor, or any residential, private, or commercial solid waste containers not belonging to the person so damaging or destroying.


SECTION 8. 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 adjudicated invalid or unconstitutional.

SECTION 9. WHEN EFFECTIVE. Upon its final passage, approval and publication as provided by law, this ordinance shall be in effect from an after July 1, 2020.

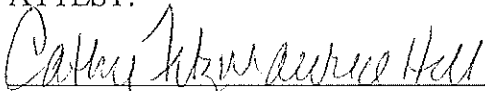
First reading on the 26th day of May, 2020.

Second reading on the _____ day of Waived, 2020.

Waived
Third and final passage on the 26th day of May, 2020.


TIM KEMP, MAYOR

ATTEST:


CATHY FITZMAURICE-HILL,
CITY ADMINISTRATOR/CLERK

I certify that the forgoing was published in accordance with the laws and ordinances of the State of Iowa and the City of Hills the 26th day of May, 2020.


CATHY FITZMAURICE-HILL,
CITY ADMINISTRATOR/CLERK