

CHAPTER 50: GARBAGE AND REFUSE

Section

General Provisions

- 50.01 Dumping of trash, rubbish only at designated dumping area
- 50.02 Open burning of trash and rubbish

Garbage Collection and Removal

- 50.15 Collection and removal
- 50.16 Payment to be made upon receipt of bill
- 50.17 Resident users, owner of property responsible for payment
- 50.18 Businesses responsible for collection and removal at their expense
- 50.19 Garbage containers

- 50.99 Penalty

GENERAL PROVISIONS

§ 50.01 DUMPING OF TRASH, RUBBISH ONLY AT DESIGNATED DUMPING AREA.

The dumping or depositing of trash or rubbish within the city limits, except at a previously designated dumping area shall be prohibited.

(Ord. passed 5-5-52) Penalty, see § 50.99

§ 50.02 OPEN BURNING OF TRASH AND RUBBISH.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BURN OPENLY. Any burning which emits into the air any air contaminants, including smoke, dust, soot, grime, carbon, or any other particulate matter, noxious acids, fumes, gases, odors, vapors, or any combination thereof.

DUMPING FACILITY. Any facility owned and/or operated by the city or county for the purpose of waste disposal.

PERSON or PERSONS. Any individual, industry, firm, corporation, co-partnership or other entity whatsoever.

(B) It shall be unlawful for any person to burn openly trash, rubbish, or other waste material at any dumping facility owned and/or operated by the city or county.

(Ord. passed 3-17-69; Am. Ord. passed 5-5-69; Am. Ord. 22-01-02, passed 1-18-22) Penalty, see § 50.99

Cross-reference:

Bonfires; open burning, see § 93.22

GARBAGE COLLECTION AND REMOVAL

§ 50.15 COLLECTION AND REMOVAL.

All residents of the city shall pay the amount set forth in the contract between the city and a third-party trash vendor, after competitive bid, monthly for the collection and removal of garbage, trash, recycling and refuse from each resident's premises.

(Ord. passed 8-1-83; Am. Ord. passed 9-6-83; Am. Ord. passed 6-15-92; Am. Ord. 04-09-01, passed 9-20-04; Am. Ord. 14-01-01, passed 1-13-14; Am. Ord. 22-01-02, passed 1-18-22) Penalty, see § 50.99

§ 50.16 PAYMENT TO BE MADE UPON RECEIPT OF BILL.

On behalf of the third-party vendor the city shall bill each resident directly each month for trash and recycling collection. Residents shall pay directly to the city for garbage collection services within 30 days of receipt of the bill.

(Ord. passed 8-1-83; Am. Ord. passed 9-6-83; Am. Ord. passed 6-15-92; Am. Ord. 04-09-01, passed 9-20-04; Ord. 14-01-01, passed 1-13-14; Am. Ord. 22-01-02, passed 1-18-22) Penalty, see § 50.99

§ 50.17 RESIDENT USERS, OWNER OF PROPERTY RESPONSIBLE FOR PAYMENT.

(A) Each residential unit, whether single apartment, single unit with multiple dwelling or any line dwelling unit, shall be considered a resident user of the garbage and trash collection fee under § 50.15.

(B) In the event any tenant or person renting property does not pay the sum due for garbage and trash collection, the owner of the property shall be responsible for the payment as well as the penalties and interest.

(Ord. passed 8-1-83; Am. Ord. passed 9-6-83; Am. Ord. passed 6-15-92; Am. Ord. passed 7-18-94; Am. Ord. 04-09-01, passed 9-20-04; Ord. 14-01-01, passed 1-13-14; Am. Ord. 22-01-02, passed 1-18-22) Penalty, see § 50.99

§ 50.18 BUSINESSES RESPONSIBLE FOR COLLECTION AND REMOVAL AT THEIR EXPENSE.

All businesses, other than apartments or multiple dwelling units in the city, shall have their garbage, trash, recycling and refuse collected and removed from their premises at their own cost and may either do so through the garbage collection agency of the city, or by private contract, but same shall be removed from the city at least once each week to protect the general health, safety and welfare of the residents of the city.

(Ord. 22-01-02, passed 1-18-22) Penalty, see § 50.99

§ 50.19 GARBAGE CONTAINERS.

(A) Any refuse, trash, or garbage that is placed within, at or near the public rights-of-way for pick up by the city's garbage collection contractor(s) shall be so placed no sooner than 4:00 p.m. on the day prior to the regular scheduled pick up, and shall be removed from within , at, or near the public right-of-way no later than midnight the day of the scheduled pick up. Any and all refuse, trash, or garbage containers so placed shall have a secure lid in place.

(B) This provision shall not apply to any garbage, refuse, or trash that is otherwise subject to special instructions given by the city's trash collection contractor, including, but not limited to such things as recycle bins, old carpet, discarded appliances, and yard waste.

(C) Upon photographic confirmation that refuse, junk, trash, or other debris, that has been placed a the curb for pick up has not been removed, a violation notice may be posted on the property in clear view. The violation notice shall provide the date and time of posting and that the violation must be corrected within 48 hours from posting.

(D) Upon expiration of the 48-hour correction period, if the junk, trash, refuse, or other debris has not been removed, the city may remove same and the property owner shall be billed for the costs thereof, together with the monetary penalty provided below.

(E) If the property owner fails to pay the fee as outlined above within 30 days, the city may file a lien against the real estate where the junk, trash, refuse, or other debris was removed for the amount of the unpaid bill and any assessed fines.

(Ord. 22-01-02, passed 1-18-22) Penalty, see § 50.99

§ 50.99 PENALTY.

Any person, firm, or corporation violating any provision of this chapter may be fined not less than \$5 nor more than \$500 for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues to occur. All fines and penalties imposed under this chapter are to be enforceable by the city's Code Enforcement Board. In the event of an unsuccessful appeal of the citation for any offense, the fine shall be doubled not to exceed \$500.

(Am. Ord. 22-01-02, passed 1-18-22)