

## **ARTICLE 2. RESIDENTIAL AND MULTIFAMILY COLLECTION AND DISPOSAL<sup>1</sup>**

### **Sec. 66.026. Solid waste and recycling center services.**

- (a) Solid waste collection and disposal services will be provided by the city's contract solid waste service to:
  - (1) Each residential unit; and
  - (2) Each multifamily unit if approved under section 66.032.
- (b) Recycling center services will be made available by the city's contract recycling center operator to all residential and multifamily units for which city-contracted solid waste, single-stream recycling service or any city utility service is provided.
- (c) Single-stream recycling services will be provided by the city's contract solid waste service to:
  - (1) Residential units.
  - (2) Multifamily units.

(Ord. No. 1995-10, § 1 (12-21), 2-13-95; Ord. No. 2003-32, § 1, 5-28-03; Ord. No. 2010-73, § 1, 12-14-10)

### **Sec. 66.027. Deposit for service.**

- (a) Each applicant for city solid waste service shall make a cash deposit with the city to establish or reestablish credit before service will be instituted.
- (b) The deposit will be waived if:
  - (1) The applicant has been a customer of city utility service at a location within the past year and has had service at that location for a minimum of three years and during the last 24 months of service did not have more than two occasions in which a bill for utility service was paid after becoming delinquent; or
  - (2) The applicant has an active city utility service account (water, sewer or electricity) at the location where the solid waste service is requested.
- (c) The amount of the deposit is established by the city council.
- (d) Deposits are nontransferable between accounts.
- (e) If service is not initiated or after discontinuance of service, the city will refund the customer's deposit in excess of unpaid bills for service furnished.

(Code 1970, § 12-15; Ord. No. 1995-10, § 1 (12-24), 2-13-95; Ord. No. 2010-73, § 1, 12-14-10)

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<sup>1</sup>Editor's note(s)—Ord. No. 2003-33, § 1, adopted May, 28 2003, repealed art. 2(Title) and enacted a new title as herein set out. Former art. 2(Title), pertained to collection and disposal.

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### **Sec. 66.028. Service charges.**

- (a) The monthly charge and billing procedures for city solid waste service, single-stream recycling service and recycling center services are established by the city council.
- (b) Residential unit charges. Each dwelling unit is assessed a charge for city solid waste service and single-stream recycling service, and a separate charge for recycling center services.
- (c) Multifamily unit charges. Each dwelling is assessed a charge for single-stream recycling service and a separate charge for recycling center services.
- (d) Charges are to be billed to the person to whom other city utility services for the premises are billed, unless other arrangements are made with the city's approval.
- (e) Each dwelling unit will be deemed to be occupied and will be assessed a charge for services if any city utility service is provided to the dwelling unit, or if any city utility is not provided to a dwelling unit, if the unit is served by city solid waste service or single-stream recycling service.

(Code 1970, § 12-8; Ord. No. 1995-10, § 1 (12-25), 2-13-95; Ord. No. 2000-68, § 1, 10-23-00; Ord. No. 2003-32, § 1, 5-28-03; Ord. No. 2005-45, § 1, 7-7-05; Ord. No. 2006-25, 6-20-06; Ord. No. 2006-54, § 1, 10-17-06; Ord. No. 2007-34, § 1, 6-19-07; Ord. No. 2008-23, § 1, 5-20-08; Ord. No. 2008-52, § 1, 11-3-08; Ord. No. 2009-33, § 1, 6-16-09; Ord. No. 2010-73, § 1, 12-14-10; Ord. No. 2012-04, § 1, 1-17-12; Ord. No. 2013-01, § 1, 1-15-13; Ord. No. 2013-59, §§ 1, 2, 3(Exh. A), 10-15-13 ; Ord. No. 2015-06, § 1(Exh. A), 2-3-15 ; Ord. No. 2015-37, § 1, 9-15-15 ; Ord. No. 2019-27 , § 1(Exh. A), 9-17-19)

### **Sec. 66.029. Bag, cart and garbage container requirements.**

- (a) Bags for solid waste must have sufficient wall strength to maintain physical integrity when lifted by the top and must be securely closed to prevent access into the bag by flies and vermin.
- (b) Garbage containers for residential units must be provided by the city's contractor.
- (c) Carts for residential and multifamily must be provided by the city's contractor.
- (d) Garbage containers for multifamily units not serviced by the city's contractor must be constructed of plastic, metal or fiberglass; must have handles of adequate strength for lifting when loaded; and must have a tight-fitting lid capable of preventing access into the container by flies or vermin.

(Code 1970, § 12-16; Ord. No. 1995-10, § 1 (12-22), 2-13-95; Ord. No. 2010-73, § 1, 12-14-10)

Editor's note(s)—Ord. No. 2010-73, § 1, adopted Dec. 14, 2010, deleted § 66.029 and renumbered §§ 66.030—66.034 as §§ 66.029—66.033. Former § 66.029 pertained to solid waste reserve fund and derived from Ord. No. 1995-10, § 1 (12-26), adopted Feb. 13, 1995.

### **Sec. 66.030. Placement of bags and containers for collection.**

- (a) The owner and the occupant of premises served by the city's contract solid waste service are each responsible for compliance with this article. The city's utility billing records are prima facie evidence of the identity of the occupant.
- (b) All solid waste, other than bulky waste, construction debris and yard waste, shall be placed for collection only in bags and containers.

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- (c) Bags and containers shall be placed for collection between 9:00 p.m. the night preceding collection day and 7:00 a.m. of collection day and shall be placed as close to the roadway as practicable without interfering with vehicles or pedestrians.
  - (d) Bulky waste, construction debris and yard waste shall be placed for collection only after the city has been notified of the need for special collection. Yard waste must be securely tied together in bundles not exceeding four feet in length or 35 pounds in weight.
  - (e) Emptied containers shall be removed to a location at the side or rear of a building on the premises by 9:00 p.m. of collection day.
  - (f) Only recyclable materials approved by the director shall be placed in recyclable materials containers.
- (Ord. No. 1995-10, § 1 (12-23), 2-13-95; Ord. No. 2010-73, § 1, 12-14-10)

### **Sec. 66.031. Placing solid waste outside buildings.**

It is unlawful for an owner or occupant of premises to:

- (1) Cause or permit any garbage or rubbish generated on the premises to be placed or to remain outside of a building on the premises unless it is inside a securely closed bag, bin or container;
- (2) Cause or permit any solid waste to be placed or to remain outside of a building on the premises in a manner that is likely to:
  - a. Create a harborage or breeding place for mosquitoes, flies or vermin; or
  - b. Allow the waste to be scattered or carried away by the elements;
- (3) Cause or permit a dead animal to be placed or to remain outside of a building on the premises unless it is contained in a bag or unless the owner or occupant has made arrangements to have the animal removed from the premises within 24 hours;
- (4) Cause or permit unacceptable waste to remain outside of a building on the premises unless it is properly contained and arrangements have been made for lawful collection and disposal of the waste at the expense of the owner or occupant;
- (5) Cause or permit any solid waste to be burned on the premises;
- (6) Cause or permit the placement of more than three cubic yards of construction debris in bulky waste pickup; or
- (7) Cause or permit the placement of construction debris in a cart that exceeds the cart capacity so as to interfere with the mechanical loading of the cart or cause spillage of garbage or construction debris from the cart.

(Code 1970, § 12-5; Ord. No. 1995-10, § 1 (12-11), 2-13-95; Ord. No. 2010-73, § 1, 12-14-10)

### **Sec. 66.032. Multifamily unit solid waste service.**

- (a) Under this article, all owners of multifamily units shall either:
  - (1) Provide for bag and container solid waste collection by the city's contract solid waste service, subject to approval by the city and the contractor; or
  - (2) Furnish and maintain containers for collection of solid waste generated on the premises and provide for collection of waste from the containers at least once per week by written contract. For

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condominium projects, the condominium association is responsible for compliance with this subsection.

- (b) The city and the contractor will use factors, including but not limited to, traffic impacts, driveway configuration, off-street parking aisle size and layout and practicality of use of bags and containers in determining approval under subsection (a)(1) of this section.

(Ord. No. 1995-10, § 1 (12-12), 2-13-95; Ord. No. 2010-73, § 1, 12-14-10)

### **Sec. 66.033. Disposal.**

- (a) This section applies to all premises other than those served under the city's contract solid waste service. The owner and the occupant of premises are each responsible for compliance with this section.
- (b) All solid waste generated upon premises shall be removed and lawfully disposed of at the owner's or occupant's expense at least once per week.
- (c) All containers shall be stored and placed for collection entirely off streets, alleys or other public property.
- (d) All accumulations of garbage and rubbish on a premises shall be collected on a daily basis and placed securely in bags [and] containers.
- (e) All containers shall be kept in good repair, with properly working, tight-fitting lids and plugs, and shall be kept reasonably clean at all times.

(Code 1970, § 12-10; Ord. No. 1995-10, § 1 (12-13), 2-13-95; Ord. No. 2010-73, § 1, 12-14-10)

### **Secs. 66.034—66.074. Reserved.**