

ORDINANCE NO. 22

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCCALLSBURG, IOWA, BY ADDING REVISING THE CHAPTER AND SECTION(S) REGARDING GARBAGE COLLECTION AND TRANSPORTATION.

BE IT ENACTED by the City Council of the City of McCallsburg, Iowa:

I. The Code of Ordinances of the City of McCallsburg, Iowa 2016 is amended by revising Sections 2 and Section 12, and by adding Sections 13 and 14 of Chapter 39 – Collection and Transportation, which is adopted to read as follows:

SECTION 2. Collection service. The City shall provide for the collection of all solid waste, except bulky rubbish as provided in Section 8 of the City Code. The owners or operators of commercial, industrial or institutional premises shall provide for the collection of solid waste upon such premises.

SECTION 12. Collection fees. The collection and disposal of solid waste as provided by this chapter is declared to be a benefit to the property served or eligible to be served and there shall be levied and collected fees therefore in accordance with the following:

1. Schedule of Fees. The fee for solid waste collection and disposal service used, or available shall be:

A. For each residential premises: \$16.60 per month, plus \$6.00 for each additional cart per month, or as determined by committee and passed by resolution.

B. For a 1.5-yard dumpster: \$43.10 per month (which includes \$33.10 for collection services and \$10.00 for dumpster rental), or as determined by committee and passed by resolution.

C. For a 2-yard dumpster: \$53.10 per month (which includes \$43.10 for collection services and \$10.00 for dumpster rental), or as determined by committee and passed by resolution.

D. For 3-yard dumpster: \$78.10 per month (which includes \$63.10 for collection services and \$15.00 for dumpster rental), or as determined by committee and passed by resolution.

E. Miscellaneous Fees: Any nonstandard pickups, extra trash, cart replacement, or other fees shall be charged to the individual resident or property owner and added to the monthly billing.

2. Payment of Bills. All fees shall be due and payable under the same terms and conditions provided for payment for water service in Chapter 33 of the City Code, except that the provisions of subsection 3 below shall be used to enforce collection of delinquent

fees. Solid waste collection service may be discontinued in accordance with the provisions contained in Section 9 of Chapter 33 if the combined service account becomes delinquent, and the provisions contained in Sections 9(1) and 14 of Chapter 33 relating to lien notices shall also apply in the event of a delinquent.

3. Lien for Non-payment. Fees remaining unpaid and delinquent for a period of ninety (90) days shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes. The owner of the premises served and any lessee or tenant thereof are jointly and severally liable for fees for solid waste collection and disposal.

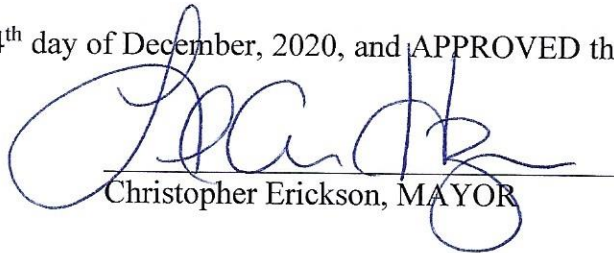
SECTION 13. Contract Requirements. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste from residential premises for the City without first entering into a contract with the City. This section does not prohibit an owner from transporting solid waste accumulating upon premises owned, occupied or used by such owner, provided such refuse is disposed of properly in an approved sanitary disposal project. Furthermore, a contract is not required for the removal, hauling, or disposal of earth and rock material from grading or excavation activities, provided that all such materials are conveyed in tight vehicles, trucks or receptacles so constructed and maintained that none of the material being transported is spilled upon any public right-of-way.

SECTION 14. Property Owner's Responsibility. Property owners are required to notify City Hall of all "Change in Use" of their rental units. This must be done to ensure the rates are properly computed, especially in rental units where there is not a separate water meter for the rental unit. In the event the property owner fails to notify City Hall of the "Change in Use" of the rental unit and the change is discovered by the City, all charges will be retroactively enforced and billed to the property owner.

II. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged to be 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.

III. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED by the City Council this 14th day of December, 2020, and APPROVED this 14th day of December, 2020.


Christopher Erickson, MAYOR

ATTEST:


Mellisa Mattingly, CITY CLERK