

ORDINANCE 331

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NASHUA, IOWA, 2019, BY AMENDING PROVISIONS PERTAINING TO COLLECTION OF SOLID WASTE

BE IT ENACTED by the City Council of the City of Nashua, Iowa;

SECTION 1. Section Chapter 106.01 COLLECTION SERVICE is amended in accordance to the following:

- A. The City shall provide by contract for the collection of solid waste, except bulky rubbish as provided in Section 16.05, from residential premises only. The owners or operators of commercial, industrial or institutional premises shall provide for the collection of solid waste produced upon such premises. All solid waste shall be disposed of only at the sanitary landfill facilities designated as the official "Public Sanitary Disposal Project".

SECTION 2. Section Chapter 106.07 COLLECTORS LICENSE is removed in its entirety.

SECTION 3. Section Chapter 106.07 CONTRACT REQUIREMENTS is inserted in accordance to the following:

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 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 4. Section Chapter 106.08 COLLECTION FEES is amended in accordance to the following:

1. Fees. The fee for solid waste collection and disposal service, for each residential premise and for each dwelling unit of multiple-family dwelling, is set by Ordinance of the Council.
4. Rates.
  - A. Residential and multi-residential properties must participate in the "Pay As You Throw" {PAYT} pricing program pursuant to the Refuge Collection Contract with the Contractor for the Collection of Solid Waste for the City. The monthly charge for solid waste collection from a residence is as follows for weekly collection:

35 gallon container.....	\$14.00
65 gallon container.....	\$17.50
95 gallon container.....	\$22.50

Solid waste shall be stored and collected only in approved containers. Residential pricing shall include bi-weekly curbside recycling collection in an approved 65 gallon container. Lids of all solid waste and recycling containers must be completely closed for collection to occur.

- A. The monthly charge for a single facility multi-family residential property that is charged as a commercial business (i.e., nursing homes, assisted living facilities, residential facilities) may elect either: (i) to participate in and be billed as a residential unit according to the PAYT plan; or (ii) may contract dumpster services which shall be charged by the collection contractor.
- B. Churches and commercial businesses may elect either: (i) to participate in and be billed as a residential unit according to the PAYT plan; or (ii) may contract dumpster services which shall be charged by the collection contractor.
- C. The resident has the ability to request one container size change per 12 month period.

5. Property Classifications. Property shall be designated or classified as follows for the purpose of this chapter. Each location, building, or premises shall be considered a separate and distinct customer or user of the solid waste collection service, whether owned or controlled by the same person or not.

- A. “Residential property” means any dwelling, house, mobile home, trailer coach, or other building usually or normally occupied and used as a dwelling, home, or residence. For single unit residential properties shall participate in and be charged as a separate residence according to the PAYT plan.
- B. “Single facility multi-family residential property” means multi-family residential properties operated as a single facility providing common meals and laundry services, including nursing homes, assisted living facilities, and residential facilities.
- C. “Commercial business property” includes businesses, school property owned and used by the school district, and property owned and used by the County.
- D. “Churches property” includes any structure owned by any religious organization and used as a church or place of worship.
- E. “Multi-residential property” means any dwelling, house, mobile home, trailer coach, or other building usually or normally occupied and used as a dwelling, home, or residence and includes 2 or more units.

6. Payment of Bills. All fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.05 of this Code of Ordinances. Solid waste collection service may be discontinued in accordance with the

provisions contained in Section 92.06 if the combined service account becomes delinquent, and the provisions contained in section 92.07 relating to lien notices shall also apply in the event of a delinquent account.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED and ADOPTED this 16<sup>th</sup> day of March, 2020.

Roll Call Vote: Ayes 4 Nays 0 Absent 1

Clinton Betsinger  
Clinton Betsinger, Mayor

ATTEST:

John Ott  
John Ott, City Clerk

"I, John Ott, as City Clerk, hereby certify that the above ordinance was duly adopted by the City Council and signed by the Mayor on the 17<sup>th</sup> day of March, 2020, and was published in the Nashua Reporter on the 26<sup>th</sup> day of March, 2020.

John Ott  
John Ott, City Clerk

