

ORDINANCE 492

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESCO, IOWA, BY AMENDING CHAPTERS 105.10, 105.14, 106.02 AND 106.08 PERTAINING TO WASTE STORAGE CONTAINERS & RECYCLING PROGRAM FOR SOLID WASTE CONTROL AND VEHICLES & FEES FOR RECYCLABLE AND NON-RECYCLABLE WASTE

BE IT ENACTED by the City Council of the City of Cresco, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Chapters 105.10, 105.14, 106.02 and 106.08 Subsection 1, of the Code of Ordinances of the City of Cresco, Iowa, is repealed and the following adopted in lieu thereof:

105.10 WASTE STORAGE CONTAINERS. Every person owning, managing, operating, leasing, or renting any premises, dwelling unit or any place where refuse accumulates shall provide and at all times maintain in good order and repair portable containers for refuse in accordance with the following:

1. Container Specifications. Waste storage containers shall comply with the following specifications:
 - A. Residential. Residential waste containers shall be carts provided by hauler or designated collection bags. Disposable collection bags shall be securely fastened, and reusable carts shall be closed securely in order to be serviced.
 - B. Commercial. Every person owning, managing, operating, leasing or renting any commercial premises where an excessive amount of refuse accumulates and where its storage in one or two carts as required above is impractical, shall maintain bulk storage containers approved by the City and provided by the collector.
2. Storage of Containers. Residential solid waste containers shall be stored upon the residential premises. Commercial solid waste containers shall be stored upon private property, unless the owner has been granted written permission from the City to use public property for such purposes. The storage site shall be well-drained and fully accessible to collection equipment, public health personnel, and fire inspection personnel. All owners of residential and commercial premises shall be responsible for proper storage of all garbage and yard waste to prevent materials from being blown or scattered around neighboring yards and streets.
3. Location of Containers for Collection. Carts or collection bags for the storage of solid waste awaiting collection shall be placed at the curb or alley line by the owner or occupant of the premises served. Carts, collection bags or other solid waste placed at the curb line shall not be so placed more than twelve (12) hours in

advance of the regularly scheduled collection day and shall be promptly removed from the curb line following collection.

4. Nonconforming Containers. Solid waste placed in containers that are not in compliance with the provisions of this section will not be collected.

105.14 RECYCLING PROGRAM. The City shall provide for the collection of recyclable material in accordance with the provisions of the contract between the City and the collector. All recycling shall be comingled and shall not be separated by the use of paper sacks or plastic bags or other means. All food containers must be cleaned. Recyclables shall be collected once every two weeks.

106.02 COLLECTION VEHICLES. Each household will be furnished one cart for comingled recycling and one cart for non-recyclable waste. Light commercial accounts, that do not require a dumpster, will be furnished one cart for non-recyclable waste. Property Owners shall keep carts cleaned to prevent nuisances, pollution, or insect breeding, and maintained in good repair. Each cart will have a unique serial number which is assigned to the residential or light commercial account.

(IAC, 567-104.9[455B])

106.08 COLLECTION FEES. The collection and disposal of solid waste as provided by this chapter are declared to be beneficial to the property served or eligible to be served and there shall be levied and collected fees therefor in accordance with the following:

(Goreham vs. Des Moines, 1970, 179 NW 2nd, 449)

1. Fees. The fees for solid waste collection and disposal service, to any property where water service is turned on, are:

Effective January 1, 2022	
Solid Waste (Residential)	\$18.56 per month per dwelling unit*
Recycling (Residential)	\$5.14 per month per dwelling unit
Solid Waste (Light Commercial)	\$23.02 per month
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$17.85 per month.	

Effective Upon 65-Gallon Carts Furnished to All Accountholders	
Solid Waste (Residential)	\$21.35 per month per dwelling unit*
Recycling (Residential)	\$5.91 per month per dwelling unit
Solid Waste (Light Commercial)	\$26.47 per month
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$20.53 per month.	

Effective January 1, 2023	
Solid Waste (Residential)	\$22.21 per month per dwelling unit*
Recycling (Residential)	\$6.15 per month per dwelling unit
Solid Waste (Light Commercial)	\$27.53 per month
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$21.35 per month.	

Effective January 1, 2024	
Solid Waste (Residential)	\$23.09 per month per dwelling unit*
Recycling (Residential)	\$6.39 per month per dwelling unit
Solid Waste (Light Commercial)	\$28.63 per month
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$22.21 per month.	

Effective January 1, 2025	
Solid Waste (Residential)	\$24.02 per month per dwelling unit*
Recycling (Residential)	\$6.65 per month per dwelling unit
Solid Waste (Light Commercial)	\$29.78 per month
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$23.09 per month.	

Effective January 1, 2026	
Solid Waste (Residential)	\$24.98 per month per dwelling unit*
Recycling (Residential)	\$6.91 per month per dwelling unit
Solid Waste (Light Commercial)	\$30.97 per month
* Where at least one resident residing in a dwelling unit is 65 years of age or older, the fee is \$24.02 per month.	

SECTION 2. 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 adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

Mayor Pro-Tem Amy Bouska

ATTEST: _____
City Clerk Michelle Elton

1st Reading 11/15/2021

2nd Reading _____

3rd Reading _____

I certify that a summary of the foregoing was published as Ordinance No. 492 on the
_____ day of _____, 2021.

ATTEST: _____
City Clerk Michelle Elton