

CHAPTER 106

COLLECTION OF SOLID WASTE

106.01 Collection Service
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106.04 Frequency of Collection
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106.01 COLLECTION SERVICE. The City shall provide by contract for the collection of all solid waste except bulky rubbish as provided in Section 106.05 within the City.

106.02 COLLECTION VEHICLES. Vehicles or containers used for the collection and transportation of garbage and similar putrescible waste or solid waste containing such materials shall be leak-proof, durable and of easily cleanable construction. They shall be cleaned to prevent nuisances, pollution, or insect breeding and shall be maintained in good repair.

(IAC, 567-104.9[455B])

106.03 LOADING. Vehicles or containers used for the collection and transportation of any solid waste shall be loaded and moved in such a manner that the contents will not fall, leak, or spill therefrom, and shall be covered to prevent blowing or loss of material. Where spillage does occur, the material shall be picked up immediately by the collector or transporter and returned to the vehicle or container and the area properly cleaned.

106.04 FREQUENCY OF COLLECTION. All solid waste shall be collected from residential premises at least once each week and from commercial, industrial and institutional premises as frequently as may be necessary, but not less than once each week.

106.05 BULKY RUBBISH. Bulky rubbish that is too large or heavy to be collected in the normal manner of other solid waste may be collected by the collector upon request in accordance with procedures established by the Council.

106.06 RIGHT OF ENTRY. Solid waste collectors are hereby authorized to enter upon private property for the purpose of collecting solid waste, as required by this chapter; however, solid waste collectors shall not enter dwelling units or other residential buildings.

106.07 CONTRACT REQUIREMENTS. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste 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.

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 for the same, in accordance with the following:

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

1. Residential Fees. The fees for solid waste collection and disposal service, used or available, for each residential premises and for each dwelling unit of a multiple-family dwelling are:

A. Collection Fee. A collection fee of \$19.00 per quarter for collection of not more than three 33-gallon containers each week. Each additional container set out for collection must have a City approved tag attached thereto. Tags are available at City Hall at the cost of \$2.00 each.

B. Landfill Fee. A landfill fee of \$19.00 per quarter.

2. Commercial, Industrial and Institutional Fees. The fees for solid waste collection and disposal service, used or available, for each commercial, industrial and institutional premises are:

A. Collection Fee. A collection fee established by the collector and paid directly to the collector.

B. Landfill Fee. A landfill fee of \$30.00 per quarter paid to the City.

The total number of containers collected each week from any premises shall not exceed six containers.

3. 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 92.04 of this Code of Ordinances. Solid waste collection service may be discontinued in accordance with the provisions contained in Section 92.05 if the combined service account becomes delinquent, and the provisions contained in Section 92.08 relating to lien notices shall also apply in the event of a delinquent account.

106.09 LIEN FOR NONPAYMENT. Except as provided for in Section 92.07 of this Code of Ordinances, 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. Fees remaining unpaid and delinquent 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.

(Code of Iowa, Sec. 384.84)

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ORDINANCE NO. 2013-1A

AN ORDINANCE REQUIRING HAULERS COLLECTING RESIDENTIAL RECYCLING MATERIALS TO DEPOSIT THE MATERIAL AT the SITE DESIGNATED BY THE PLYMOUTH COUNTY SOLID WASTE AGENCY

WHEREAS, after due notice as required by law, the Council now deems it reasonable and appropriate to amend the City Municipal Code.

BE IT ORDAINED by the City Council of Merrill:

Section 1. The Municipal Code is hereby amended by adding the following new section:

Delivery Of Recyclable Materials. All material collected from residential recycling containers shall be delivered to the site designated by the Plymouth County Solid Waste Agency. Delivery of said material to any site other than the one designated by the Agency is prohibited. Before collecting any of the recyclable material, haulers shall contact the City Clerk to determine the address of the designated site.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be effective upon its passage, approval and publication as provided by law.

Passed and approved this 21st day of January, 2013



Mayor

ATTEST:

Margaret Manasone
City Clerk

CITY OF MERRILL, IOWA
ORDINANCE NO. 106.08

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
MERRILL, IOWA, 2018, BY AMENDING PROVISIONS OF ORDINANCE NO.
106.08 PERTAINING TO SCHEDULE OF FEES FOR SOLID WASTE COLLECTION

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

SECTION 1. SECTION MODIFIED. Sections 106.08(1)(A) and (B) and 106.08(2)(A) and (B) are repealed and the following adopted in lieu thereof:

106.08(1)(A) COLLECTION FEES.

1. Residential Fees. The fees for solid waste collection and disposal service, used or available, for each residential premises and for each dwelling unit of a multiple-family dwelling are:

A. A collection fee of \$28.60 per quarter (or \$9.53 per month) per each garbage tote for each 65 gallon garbage tote, or equivalent container, and \$41.46 per quarter (or \$13.82 per month) fee for each 95 gallon garbage tote, or equivalent container for the 2024-2025 year, with said fees increasing at 3.5% every year commencing May 1, 2025, with a like increase on May 1 of each year thereafter until termination of the solid waste collection service contract between the City of Merrill, Iowa, and Orange City Sanitation.

B. LANDFILL FEE. A Landfill fee of \$27 per quarter for residential property paid to the City of Merrill, Iowa.

2. Commercial, Industrial and Institutional Fees.

A. Collection Fee. A collection fee established by the collector, Orange City Sanitation, and paid directly to said collector.

B. Landfill Fee. A landfill fee of \$40 per quarter paid to the City of Merrill, Iowa.

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 adjudicated invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This Ordinance shall be in effect from and after October 1, 2024, and after its final passage, approval and publication as provided by law.

PASSED by the City Council of the City of Merrill, Iowa the 16 day of September, 2024.

APPROVED this 16 day of September, 2024.

CITY OF MERRILL, IOWA

BY: Bruce E. Norgaard
BRUCE NORGAARD, MAYOR

ATTEST:

Angela Gray
ANGELA GRAY, CITY CLERK

First Reading: 09/16/2024
Second Reading: Waived 09/16/2024
Third Reading: Waived 09/16/2024

I CERTIFY that the foregoing is published as Ordinance No. 106.08(1) and 106.08(2) on the 16 day of September, 2024.

Angela Gray
ANGELA GRAY, CITY CLERK

CITY OF MERRILL, IOWA
ORDINANCE NO. 106.08

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MERRILL, IOWA, 2013, BY AMENDING PROVISIONS OF ORDINANCE NO. 106.08 PERTAINING TO SCHEDULE OF FEES FOR SOLID WASTE COLLECTION.

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

SECTION 1. SECTION MODIFIED. Section 106.08(1)(A) of the Code of Ordinances of the City of Merrill, Iowa, 2013, is repealed and the following adopted in lieu thereof:

106.08(1)(A) COLLECTION FEE. A collection fee of \$24.75 per quarter (or \$8.25 per month) for collection of not more than three (3) 33-gallon containers each week. Each additional container set out for collection must have a city approved tag attached thereto. Tags are available at the City Hall at the cost of \$2.00 each.

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 adjudicated invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This Ordinance shall be in effect from and after August 1, 2018 and after its final passage, approval and publication as provided by law.

PASSED by the City Council of the City of Merrill, Iowa the 21st day of May, 2018.

APPROVED this 21st day of May, 2018.

CITY OF MERRILL, IOWA

BY:


RICHARD HUSMAN, MAYOR

ATTEST:


MARGARET MARIENAU, CITY CLERK

First Reading: 04/16/2018

Second Reading: 05/21/2018

Third Reading: 05/21/2018

I CERTIFY that the foregoing is published as Ordinance No. 106.08(1)(a) on the 6th
day of June, 2018.

Margaret Marienau
MARGARET MARIENAU, CITY CLERK

CODE OF ORDINANCES - MERRILL, IOWA