

TITLE VI PHYSICAL ENVIRONMENT

CHAPTER 4 UTILITIES - REFUSE COLLECTION

6-4-1	Definitions	6-4-9	Dumping of Refuse and Trash and Recyclable Products on Other than Approved Dumping Grounds Prohibited
6-4-2	Duty to Provide Cans or Appropriate Containers	6-4-10	Unlawful Accumulations of Refuse and Recyclable Products
6-4-3	Administration	6-4-11	City-Owned Yard Waste Location
6-4-4	Separation and Storage	6-4-12	Anti-Scavenging
6-4-5	Rules, Regulations and Penalties		
6-4-6	Burning of Refuse		
6-4-7	Collection		
6-4-8	Necessity of Permit		

6-4-1 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Refuse" means putrescible and non-putrescible waste, and including but not limited to garbage, rubbish, ashes, incinerator ashes, incinerator residues, and street cleanings.

2. "Garbage" means all solid and semi-solid putrescible animal and vegetable waste from the handling, preparing, cooking, storing, serving and consuming of food or material intended for use as food, and all offal and shall include all such substances from all residential premises.

3. "Rubbish" means non-putrescible solid waste consisting of combustible and non-combustible wastes, such as ashes, paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, or litter of any kind.

4. "Can" means a container for the storage of garbage or rubbish which is:

a. Only a maximum of thirty-three (33) gallon cans or bags, not exceeding forty (40) pounds. Each household unit is allowed one (1) bag of garbage per week for the basic garbage pick-up. Each additional bag or can must have a garbage tag on it, which can be purchased at City Hall. Rate will be set by resolution by the city council.

(Ord. 244, Passed May 22, 1996)

(Amended during codification)

b. Substantially made of galvanized iron or other non-rusting material, including rubber, fiber glass or plastic, all of which do not become brittle in cold weather.

c. Water-tight.

d. Having handles or other suitable lifting devices or features and being of a type originally manufactured for the storage of residential premises waste with tapered sides for easy emptying.

5. "Approved containers" includes, but is not limited to, plastic garbage bags, provided same are securely fastened at all times.

6. "Construction and demolition waste" means waste building materials including wood, plastic, metals and rubble which result from construction or demolition of structures, etc.

7. "Residential premises" means a single family dwelling and any multiple family dwelling. Garden style apartments, and row-type housing units shall be considered residential premises regardless of the total number of such apartments or units which may be included in a given housing development.

8. "Dwelling Unit" means any room or group of rooms located within a structure and forming a single habitable unit with facilities which are used, or intended to be used, for living, sleeping, cooking, and eating.

9. "Single family dwelling" means a structure containing one dwelling unit only.

10. "Multiple family dwelling" means a structure containing more than one dwelling unit.

11. "Owner" means the record title holder to residential premises, and in addition thereto, any person residing in, renting, leasing or occupying said residential premises, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.

12. "Yard Waste" means organic debris (e.g. grass clippings, leaves, tree limbs, bark, branches, flowers, etc.) which are produced as part of yard and garden development and maintenance.

13. "Recyclable Products." Recyclable products means corrugated cardboard products, newspaper, colored or clear glass containers, metal containers, including but not limited to tin and aluminum containers, plastic containers as specified by resolution of the City Council, items specified by the appropriate landfill having jurisdiction or to which recyclable products are taken pursuant to contract or agreement, and such other items as determined by resolution of the City Council.

(Ordinance 238, Passed July 8, 1992)

14. "Trade Waste" means any refuse resulting from the prosecution of any trade, business, industry, commercial venture (including farming and ranching).

(Amended during 2017 codification)

6-4-2 DUTY TO PROVIDE CANS OR APPROPRIATE CONTAINERS. Each owner shall provide cans or approved containers as follows:

1. Garbage and rubbish. Each owner shall provide cans or approved containers for the storage of garbage and rubbish accumulating on the residential premises owned or occupied by each person. Such cans or containers shall be kept covered and reasonably clean at all times. It shall be the duty of the owner or occupier of each dwelling unit to provide the unit so occupied with approved cans or approved containers for garbage and rubbish unless an approved container or master container has been provided by the building owner.

2. Recyclable products. Each owner shall obtain an approved recyclable products container to be used for pickup of recyclable products. The type, size, cost and place of purchase of such container shall be determined by resolution of the City Council. Such recyclable products container shall be kept reasonably clean at all times. It shall be the duty of the owner or occupier of each dwelling unit in a building arranged for more than one dwelling unit to provide the unit so occupied with an appropriate recyclable products container for recyclable products, unless an approved recyclable products container has been provided by the building owner.

(Ordinance 238, Passed July 8, 1992)

6-4-3 ADMINISTRATION. Administration of this ordinance shall be by the Mayor. The Mayor may designate the Clerk-Treasurer or other appropriate City employee as administrator of this ordinance.

6-4-4 SEPARATION AND STORAGE. All recyclable products shall be separated from garbage and rubbish and placed in approved recyclable products containers for pickup. All garbage shall be drained and wrapped in paper or other acceptable means, and placed in a can. All rubbish shall be placed in a can or approved container.

(Ordinance 238, Passed July 8, 1992)

6-4-5 RULES, REGULATIONS AND PENALTIES. The City Council shall, by Resolution, provide the rules and regulations for collection and disposal of refuse and recyclable products, including method of collection and approval of other acceptable containers, other than as specified herein. Violation of any provision of Title VI, Chapter 4 of the Delhi Code of Ordinances, shall be a municipal infraction punishable by civil penalty of not more than one hundred dollars (\$100.00) for each violation.

(Ordinance 238, Passed July 8, 1992)

6-4-6 BURNING OF REFUSE. It shall be unlawful to burn any garbage, refuse or rubbish within the City limits. Combustible materials which normally can burn without odor may be burned in trash containers and incinerators provided objectionable odors and smoke nuisance does not occur.

6-4-7 COLLECTION. All refuse, garbage, rubbish and recyclables shall be taken from residential premises at least once each week. Cans or approved containers for the storage of refuse, garbage, rubbish, and recyclable products awaiting collection shall be placed at the curb, street line or alley line by the owner or occupant of the residential premises served. Cans or approved containers shall be placed at the curb, street line or alley line no sooner than twelve

(12) hours in advance of the regularly scheduled collection day, and shall be promptly removed following collection.

(Ordinance 238, Passed July 8, 1992)
(Ordinance 244, Passed May 22, 1996)

6-4-8 NECESSITY OF PERMIT. No person shall collect garbage or rubbish or recyclable products except their own, unless otherwise provided by contract or permit approved by the City Council and issued by the Clerk-Treasurer.

(Ordinance 238, Passed July 8, 1992)

6-4-9 DUMPING OF REFUSE AND TRASH AND RECYCLABLE PRODUCTS ON OTHER THAN APPROVED DUMPING GROUNDS PROHIBITED. It shall be unlawful for any person to use any lot, open space, street, alley or roadway in the municipality, other than such places as may be approved by the municipality as a dumping area, for the dumping or depositing of ashes, offal, recyclable products, or refuse of any kind.

(Ordinance 238, Passed July 2, 1992)

6-4-10 UNLAWFUL ACCUMULATIONS OF REFUSE AND RECYCLABLE PRODUCTS. Any person who shall throw, deposit or place in or about any building or cellar, or in or upon any alley in the municipality, or to allow to accumulate in such places or be placed or remain in any building or cellar, or upon any alley, any recyclable products or other rubbish of any kind or character whatsoever, shall be deemed guilty of an offense punishable as provided herein. Recyclable products or other rubbish which have been thrown, deposited or placed in or about any building or cellar or alley in the municipality, or which have accumulated in such places, shall further be deemed a nuisance and may be abated as such.

(Ordinance 238, Passed July 2, 1992)

6-4-11 CITY-OWNED YARD WASTE LOCATION. The City of Delhi allows residents to dispose of their yard waste, at 404 Franklin St, Delhi, Iowa, behind the fire station.

1. City-owned yard waste location rules:

A. Items allowed: grass clippings, leaves, tree branches shorter than 12' long, garden waste, and brush.

B. Only yard waste located and generated from within the corporate limits of Delhi, Iowa may be disposed.

C. Business "trade waste" is not allowed, even if it is from a resident of the City of Delhi.

D. Mix With Solid Waste: No yard waste shall be intermingled with other solid waste.

E. Yard waste may be delivered to a site designated by the city for the deposit of yard

waste, brush and tree limbs. All bags shall be removed after depositing any yard waste at the designated site.

F. Items NOT allowed: whole trees, root balls, bags, concrete, wire, garbage, appliances or white goods, household goods or waste, furniture, any hazardous waste or materials, used oil, solvents or lead batteries, tires, lumber or building materials, metals of any kind, recyclable materials, paper and cardboard. Only yard wastes are allowed to be disposed at the city-owned yard waste location.

2. Violation of any provision of this section shall be a simple misdemeanor. The fine for a first violation of any provision of this section by a person during a twelve (12) month period shall not be less than one hundred dollars (\$100.00), and the fine for a second or subsequent violation of any provision of this section by the same individual in a twelve (12) month period shall not be less than five hundred dollars (\$500.00), or a violation may be cited as a municipal infraction under Title I, Chapter 3 Penalty.

(Amended during 2017 codification)

6-4-10 ANTI-SCAVENGING. It shall be a violation of this Code for any person to sort through, scavenge or remove any garbage, waste, refuse, rubbish or recycling material that has been placed in a designated garbage or recycling container. Unauthorized collection, removal or scavenging of material placed in a garbage or recycling container shall be a violation of this Code and punishable as set forth in the Municipal Code.

(ECIA Model Code Amended in 2017)