

ORDINANCE NO. 2021-1

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEON, IOWA, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 106 COLLECTION OF SOLID WASTE

Be It Enacted by the City Council of the City of Leon, Iowa:

SECTION 1. SECTION MODIFIED. Section 106.04, 106.7, 106.8 and 106.09 of the Code of Ordinances of the City of Leon, Iowa is repealed, and the following adopted in lieu thereof:

106.4 FREQUENCY OF COLLECTION. All solid waste shall be collected from residential, commercial, industrial and institutional premises at least once each week.

106.7 CONTRACT REQUIREMENTS. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste from within city limits 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 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.

106.8 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. Schedule of Fees. The fees for solid waste collection and disposal service, used or available, are in accordance with the following schedule:

	1-Jul-21	1-Jul-22	1-Jul-23	1-Jul-24	1-Jul-25
	3% Annual Increase				
Residential	\$21.39	\$22.03	\$22.69	\$23.37	\$24.07
Commercial Trash Cart	\$36.05	\$37.13	\$38.25	\$39.39	\$40.57
1.5 YD Dumpster	\$51.15	\$52.68	\$54.27	\$55.89	\$57.57
2 YD Dumpster	\$66.96	\$68.97	\$71.04	\$73.17	\$75.36
4 YD Dumpster	\$102.30	\$105.37	\$108.53	\$111.79	\$115.14
6 YD Dumpster	\$133.90	\$137.92	\$142.05	\$146.32	\$150.71
Annual Bulk Cleanup	\$1.75	\$1.80	\$1.86	\$1.91	\$1.97

2. The City will increase the collection fees by a minimum of 3% each year on July 1st. The increase will be in accordance with the solid waste and recycling collection contract start dates.
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.

4. 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 property or 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)

106.9 RECYCLING PROGRAM. A mandatory program for the separation and collection of recyclable materials is hereby established. The City shall provide, by contract, for the collection of recyclable materials in accordance with the recycling collection contract. The collection and disposal of recyclables as provided by this section are declared to be beneficial to the property served or eligible to be served and there shall be levied and collected a fee therefor in accordance with the following:

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

1. Schedule of Fees. The fees for recyclable collection and disposal service, used or available, are in accordance with the following schedule:

	1-Jul-21	1-Jul-22	1-Jul-23	1-Jul-24	1-Jul-25
			3% Annual Increase		
Recycling	\$3.25	\$3.35	\$3.45	\$3.55	\$3.66

2. The City will increase the collection fees by a minimum of 3% each year on July 1st. The increase will be in accordance with the solid waste and recycling collection contract start dates.
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. Recyclable 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.
4. 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 recyclable collection and disposal. Fees remaining unpaid and delinquent shall constitute a lien upon the property or 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)

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 by the Council on the 10 day of May, 2021, and approved this 10 day of May, 2021.



Mayor *Pro Temp*

ATTEST:



City Clerk

First Reading: 5-10-21

Second Reading: 6-17-21

Third Reading: waived 6-17-21

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

City Clerk

