

## ORDINANCE NO. 2021-2

### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEON, IOWA, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 105 SOLID WASTE CONTROL

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

**SECTION 1. SECTION MODIFIED.** Section 105.11 of the Code of Ordinances of the City of Leon, Iowa is repealed, and the following adopted in lieu thereof:

**105.11 WASTE STORAGE CONTAINERS.** Every person owning, managing, operating, leasing, or renting 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, provided by the City/Contractor, shall not exceed 95 gallons in capacity, shall contain wheels upon which the container can be moved. Said containers shall always remain at the property unless other city services are disconnected or discontinued, at which time the container shall be returned directly to the City/Contractor. Every person owning, managing, operating, occupying, leasing or renting any premises, dwelling unit or any place where refuse accumulates is responsible for maintaining the container in good working order and shall be responsible for the costs of replacing any container that becomes un-useable or is lost or stolen. All waste considered to be residential waste shall be bagged and tied. Disposable containers shall be securely fastened, and reusable containers shall be fitted with a fly tight lid, which shall be closed securely to the container for collection. All additional bags placed for collection may not exceed 33 gallons and 40 lbs. in weight and must be marked with a single use collection tag obtained from City Hall.
  - b. Commercial. Every person owning, managing, operating, occupying, leasing, or renting any commercial premises where an excessive amount of refuse accumulates and where its storage in portable containers as required in paragraph A is impracticable, shall maintain metal bulk storage containers approved by the City/Contractor. The metal bulk storage container lids shall be closed securely to the container for collection.
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, 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. Containers for the storage of solid waste awaiting collection shall be placed by the owner or occupant of the premises served at the location designated by the City near the curb or alley line. Containers or other solid waste awaiting collection shall be placed by the curb or alley line by the time designated by the City/Contractor on the designated collection day; however containers or other solid waste shall not be so placed more than 12 hours from the curb line following collection. Commercial metal bulk storage containers shall be placed on concrete slabs no smaller than 1 foot larger than the dumpsters width and length and set at ground level. The slab locations shall be inspected by the City before installation for accessible placement and after for adequate construction.
  
4. Non-conforming Containers. Solid waste placed in containers that are not in compliance with the provisions of this section will not be collected.

**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 17 day of June, 2021, and approved this 17 day of June, 2021.

  
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 Mayor Pro Temp

ATTEST:

  
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 City Clerk

First Reading: 6-17-21

Second Reading: Waived 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