

ORDINANCE NO.

AN ORDINANCE AMENDING THE SOLID WASTE CONTROL CODE AND ESTABLISHING REGULATIONS FOR YARD WASTE DISPOSAL

BE IT ENACTED BY the City Council of the City of West Burlington, Iowa:

SECTION 1. Section 105.02 of the Municipal Code, titled "DEFINITIONS" is hereby amended by adding the following definition for Yard Waste as follows:

"Yard waste" means any debris such as grass clippings, leaves, garden waste, brush, and trees. Yard waste does not include tree stumps."

SECTION 2. Section 105.06 of the Municipal Code, titled "SEPARATION OF YARD WASTE REQUIRED" is hereby repealed and replaced as follows:

~~**105.06 SEPARATION OF YARD WASTE REQUIRED.** All yard waste shall be separated by the owner or occupant from all other solid waste accumulated on the premises and shall be composted or burned on the premises or placed in degradable bags, containers, or packages and set out for collection by the City. Yard waste containers shall be purchased from the solid waste collector or from City Hall. As used in this section, "yard waste" means any debris such as grass clippings, leaves, garden waste, brush, and trees."~~

105.06 YARD WASTE FROM RESIDENTIAL PROPERTIES. Yard waste is prohibited from being disposed of with other solid waste for collection by the City. Yard waste from residential properties, not including apartment complexes with four or more units, may be taken to the City's designated Residential Yard Waste Drop-off Site subject to regulations in Section 105.13. Yard waste containers may also be purchased from the City's contracted solid waste hauler. As used in this section, "yard waste" means any debris such as grass clippings, leaves, garden waste, brush, and trees. Yard waste does not include tree stumps."

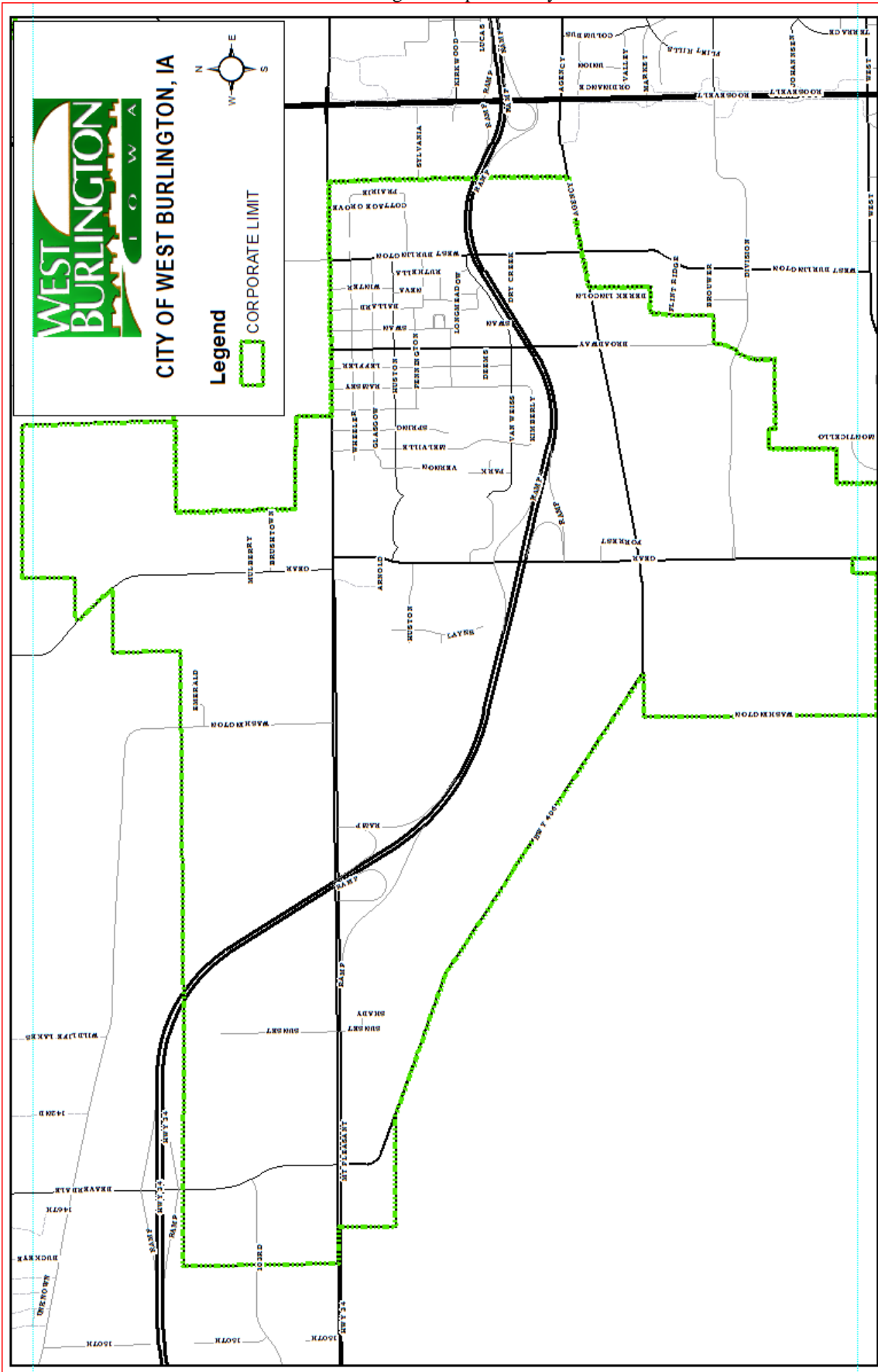
SECTION 3. Chapter 105 of the Municipal Code, titled "Solid Waste Control" is hereby amended by adding the following Section titled "105.13 Residential Yard Waste Drop-off Site Regulations" to read as follows:

"105.13 RESIDENTIAL YARD WASTE DROP-OFF SITE REGULATIONS. The purpose of this section is to establish a program with regard to the removal yard waste for residential properties. This policy supersedes all previous written and unwritten policies regarding yard waste removal.

1. The removal of yard waste, which includes grass, leaves, garden waste and twigs, is for the benefit of the West Burlington residents who are located within the corporate city limits of West Burlington, Iowa.
2. This program is not available to Industrial or Commercial property owners. This program is not available to apartment complexes or Lawn Care Services even if they are working on residential properties within the City of West Burlington.
3. As a reminder, if your mailing address is West Burlington, IA, please be aware that may not mean you are within the "corporate limits" of West Burlington. For example, if you have a five digit E911 address, you are NOT within the corporate limits of West Burlington and this program would not be available to you.
4. A map showing the West Burlington city limits is attached and labeled Exhibit "A". The City's existing staff and equipment will be utilized to implement this program.
5. West Burlington Public Works Facility, located at 2000 W. Mt. Pleasant Street, will be open for the disposal of yard waste, free of charge to West Burlington (non-commercial) residents as specified above.

6. Pick-ups or trailers with loose yard waste and/or branches must be covered with a tarp to prevent items from blowing out.
7. All yard waste must be placed in the designated area.
8. Residents will empty their own bags at the site.
9. Tree branches must be placed in a separate pile from the leaves.
10. Residents should use the entrance off of Washington Rd. to access the compost site at the north end of the facility.
11. Whoever violates this resolution is subject to a fine of \$500 for the first violation and a fine of \$1000 for each subsequent violations.”

EXHIBIT "A"
West Burlington Corporate City Limits



SECTION 3. Repealer. All ordinances or parts of Ordinances in conflict with provisions of this ordinance are hereby repealed.

SECTION 4. Saving 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 5. Effective Date. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed, Approved this _____ day of _____, 2015.

Hans K. Trousil, Mayor

ATTEST:

Kelly D. Fry, City Clerk