

**ORDINANCE NO. 2367**

**AN ORDINANCE AMENDING FORT DODGE MUNICIPAL CODE CHAPTER 8.16  
SOLID WASTE COLLECTION**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

**SECTION I. PURPOSE**

The purpose of this ordinance is to provide regulations and fees for the collection of waste in the City of Fort Dodge and establish penalties for the violation thereof.

**SECTION II: COLLECTION CONTAINERS. (FDMC 8.16.030)**

1. Collection Containers—Provided.

Every building, dwelling, or place where residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling shall exist, shall be provided with a solid waste/collection container. The City of Fort Dodge will supply, one time only, each eligible residential address with one ninety-five gallon, or otherwise approved, recycling collection container and one ninety-five gallon, or otherwise approved, garbage collection container. Collection containers must remain at the residence to which they were delivered.

2. Collection Containers—To be kept covered.

All residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling collection containers shall be covered at all times. All residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling collection containers shall be secured shut at all times. There shall be no residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling located outside the designated collection containers at any time.

3. Collection Containers—Placement.

Any residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling collection containers shall be kept out of doors, and shall not be left in alleys or streets. Collection containers shall be placed on the parking, in front of the premises, along the street at or before 5:00 a.m., on days when collections are made but no earlier than 5:00 p.m. the day preceding. All collection containers must be removed from the collection area within 24 hours following collection.

Where alley collection is applicable, such residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling collection containers shall be placed as close to the alley as possible, for convenience of the collector. All residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling collection containers must be removed from the collection area within 24 hours following collection.

4. Collection Containers—Cleanliness.

All residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling collection containers shall be kept reasonably clean by the occupant. Property owners are responsible for any damage to the collection containers outside of normal wear.

5. Collection Containers—Use required.

It shall be unlawful for any person to place or dispose of any residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling upon any of the streets, alleys,

vacant lots, or private or public grounds within the city limits, except in approved residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling collection containers, as provided in this chapter.

6. Collection Containers—Storage of waste.

- (a) All residential rubbish/garbage and recyclable material, except as provided in this chapter, shall be stored in appropriate collection containers as provided by the City of Fort Dodge. All residential rubbish/garbage must be placed in disposable solid waste containers, as herein defined, before being placed in the collection container.
- (b) All commercial solid waste shall be removed from the premises at least twice each week and where there are unusually large quantities of solid waste, as often as once each day. The city council may, by resolution, make different requirements for the removal of solid waste from a property, as the general welfare of the city may seem to require.
- (c) All residential rubbish, residential garbage, commercial rubbish, commercial garbage, solid waste, and recycling shall be placed/stored in the appropriate residential, commercial, solid waste, or recycling collection container.

**SECTION III: COLLECTION – CITY RESPONSIBILITY - COST. (FDMC 8.16.040)**

1. Collection – General

Residential rubbish/garbage collection shall be provided to all eligible residential addresses once per week. Additional collection containers may be purchased from the City and delivered for a delivery fee. An additional monthly fee will be applied to the additional rubbish/garbage collection containers only.

The City Manager, or his designated representative, may approve the city collection of multi-family residential rubbish/garbage, that is capable of being billed on the resident's or owner's utility billing and does not require the city's collection vehicle to leave the public right-of-way. Requirement of the city's collection vehicles to leave the public right-of way in order to collect any residential rubbish/garbage must be specifically authorized by the City Manager.

Recycling collection shall be provided to all eligible residential addresses once every other week. Additional collection containers may be purchased from the City and delivered for a delivery fee. Additional recycling collection containers will be collected free of charge.

Unless otherwise approved by the City Council, the city shall not provide for the collection of commercial solid waste, hazardous wastes, or bulky rubbish, or any residential solid waste not prepared for disposal pursuant to this chapter. It shall be optional with the city whether the city disposal, as herein set forth, shall be collected by the sanitation department of the city, or by private, or contract haulers.

2. Collection – Fee Collection process.

The rubbish/garbage collection fees shall be processed on the City Utility bill and collected as such.

3. Collection – Assessment of unpaid charges.

The collection of solid waste, as contemplated by this chapter, and availability of such collection, whether or not the same is used regularly or at all by the owners of said premises, is declared to be a benefit to such premises at least equal to the monthly charges specified by this chapter. In case of failure to pay the monthly charge when billed, as heretofore provided, then

the monthly charge may be assessed against the property benefitted in the manner provided for special assessments.

4. Collection – Transportation of garbage.

All garbage shall be transported only in watertight vehicles, properly covered with a tight cover so that there shall be no spillage or drainage of water or garbage from such vehicle during transit.

5. Collection – Transportation of rubbish.

All rubbish shall be transported in vehicles properly enclosed so that there will be no rubbish lost on the streets of the city or on the highways leading to the landfill.

6. Collection – Fees.

Commencing the first day of January, 2023, a charge in the amount of Sixteen dollars and twenty-five cents per month shall be charged by the City of Fort Dodge, Iowa and collected on the city utility bill for each residential unit above authorized.

The charge herein provided shall be for the collection of solid waste, yard waste, and recyclables, the operation of the yard waste facility and the enforcement of property maintenance. Such monthly charge shall be billed to the owners of such premises. All charges under this chapter shall be shown as a separate item on the regular utility bill and are payable at the office of the Utility department. All collections under this chapter shall be kept in a separate account by the water department and shall be deposited and accounted for as may from time to time be directed by the city treasurer and the city clerk.

**SECTION IV: PENALTY.**

Any person, firm, corporation or business association violating any of the provisions of this ordinance be subject to the following penalties as authorized in Section 1.20.020 of the Fort Dodge Municipal Code:

**SECTION V: REPEALER.**

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed, specifically Ordinance Nos. 1772, 1818, 1931, 1978, 1991, 2088, 2126 and 2305.

**SECTION VI: 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 VII: EFFECTIVE DATE**

This Ordinance shall be effective January 1, 2023 after its final passage, approval, and publication, as by law provided.

The above Ordinance is passed and adopted by the City Council of the City of Fort Dodge, Iowa this 19th day of December, 2022.

Passed on first consideration by the City Council of the City of Fort Dodge, Iowa this 28th day of November, 2022.

AYE: Flattery, Nelson, Fritz, McCaleb, Alstott, Moehnke and Schuur

NAY: None

OTHER: None

Passed on second consideration by the City Council of the City of Fort Dodge, Iowa this 12th day of December, 2022.

AYE: Flattery, Nelson, Fritz, McCaleb, Moehnke and Schuur

NAY: None

OTHER: Absent: Alstott

Passed on third consideration by the City Council of the City of Fort Dodge, Iowa this 19th day of December, 2022.

AYE: Flattery, Nelson, Alstott, Moehnke and Schuur

NAY: None

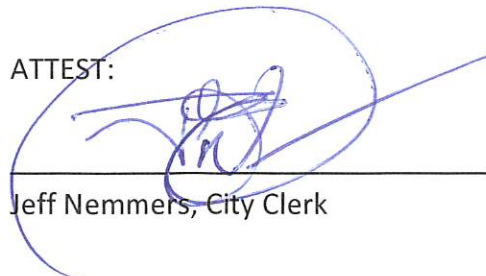
OTHER: Absent: Fritz and McCaleb

City of Fort Dodge, Iowa



Matt Bemrich, Mayor

ATTEST:



Jeff Nemmers, City Clerk

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