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The Fairfield
Ledger

ORDINANCE NO. 1264
AN ORDINANCE AMENDING
FAIRFIELD MUNICIPAL CODE,
CHAPTER 7.04
BE IT ORDAINED BY THE CITY
COUNCIL OF FAIRFIELD, IOWA:
SECTION 1. REPEAL. Chapter
07.04 SOLID WASTE COLLECTION IS
HEREBY REPEALED.
SECTION 2. AMENDMENT. Fairfield
Municipal Code Chapter 07.04 SOLID
WASTE CONTROL AND
COLLECTION in hereafter AMENDED
BY SUBSTITUTING the following:
Chapter 7.04
SOLID WASTE CONTROL AND
COLLECTION

Sections:
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7.04.010 PURPOSE. The purpose of the chapters in this Code of Ordinances pertaining to Solid Waste Collection is to provide for the sanitary storage, collection, and disposal of solid waste and, thereby, to protect the citizens of the City from such hazards to their health, safety and welfare as may result from the uncontrolled disposal of solid waste.

7.04.020 DEFINITIONS. For use in these chapters the following terms are defined:

1. "Brush" means woody stems and branches greater than forty-eight inches in length, not to exceed ten feet or twenty-four inches in diameter.
2. "Bulky Waste" means large household items that do not properly fit in the Service Recipient's Cart and meet the following criteria: (i) do not exceed four feet by four feet (4'X4'X2'); (ii) weigh no more than sixty (60) pounds and can be safely lifted by one person; (iii) do not include any Unacceptable Waste, automotive parts, tree stumps, tires, oil or gas, propane tanks, C&D Debris, or batteries; and (iv) are attributed to the normal activities of a Single-Family premises. Such materials include bundled or bagged Solid Waste, furniture, area and floor rugs properly prepared (cut and bundled), and small appliances. All liquids must be drained; no item may contain Freon. Bulky waste is part of service agreement with "Collector", with the free item allowed per home, per week.

3. "Collector" means any person authorized to gather solid waste from public and private places.
4. "Collection Service(s)" means the process by which Solid Waste is removed from residential premises, transported to a transfer, disposal or Processing facility, and subsequently disposed or Processed.

5. "Construction and Demolition Debris" or "C&D Debris" means materials resulting from construction, remodeling, renovation, or demolition operations on any Residential Premises. Such materials include, but are not limited to, dirt, sand, rock, bricks, plaster, gypsum wallboard, aluminum, glass, asphalt material, plastic pipe, roofing material, carpeling, concrete, wood, masonry, remains of new construction materials, including paper, plastic, carpet scraps, wood scraps, scrap metal, building materials, and packaging. With the exception of soil, concrete and asphalt, Construction and Demolition Debris does not include Unacceptable Waste.

6. "Discard" means to place, cause to be placed, throw, deposit or drop.
(Code of Iowa, Sec. 455B.361(2))

7. "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 are intended to be used, for living, sleeping, cooking and eating.

8. "Garbage" means all solid and semisolid, putrescible animal and vegetable waste resulting from the handling, preparing, cooking, storing, serving and consuming of food, or of material intended for use as food, and all offal, excluding useful industrial by-products, and includes all such substances from all public and private establishments and from all residences.
(IAC, 567-100.2)

9. "Landscape (Yard) Waste" means grass clippings, leaves, garden wastes, and tree and brush twigs not to exceed forty-eight inches in length and twenty four inches in diameter. Yard waste does not include tree stumps.

10. "Litter" means any garbage, rubbish, trash, refuse, waste materials, or debris not exceeding 10 pounds in weight or 15 cubic feet in volume. Litter includes but is not limited to empty beverage containers, cigarette butts, food waste packaging, other food or candy wrappers, handbills, empty cartons, or boxes.

(Code of Iowa, Sec. 455B.361(2))

11. "Overage Charge" means an amount charged to Service Recipients to compensate for expense incurred by Collector arising from overages and to provide a financial incentive to Service Recipients to subscribe to the level of service that will allow all materials to fit within the container.

12. "Owner" means, in addition to the record titleholder, any person residing in, renting, leasing, occupying, operating or transacting business in any premises, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.

13. "Refuse" means putrescible and non-putrescible waste, including but not limited to garbage, rubbish, ashes, incinerator residues, street cleanings, market and industrial solid waste and sewage treatment waste in dry or semisolid form.
(IAC, 567-100.2)

14. "Residential Premises" means (i) any single-family dwelling with less than five (5) Dwelling Units, and (ii) any Premises with five (5) or more Dwelling Units where each Dwelling Unit receives individualized Cart-based Refuse Collection Services (and not centralized Refuse Collection Services), excluding single-family dwellings located in commercial buildings.

15. "Residential waste" means any refuse generated on the premises as a result of residential activities. The term includes landscape waste grown on the premises or deposited thereon by the elements, but excludes garbage, fires, trade wastes and any locally recyclable goods or plastics.
(IAC, 567-20.2(455B))

16. "Rubbish" means non-putrescible solid waste consisting of combustible and non-combustible waste, such as ashes, paper, cardboard, tin cans, yard clippings, bedding, crockery or litter of any kind.
(IAC, 567-100.2)

17. "Sanitary disposal" means a method of treating solid waste so that it does not produce a hazard to the public health or safety or create a nuisance.
(IAC, 567-100.2)

18. "Sanitary disposal project" means all facilities and appurtenances (including all real and personal property connected with such facilities) that are acquired, purchased, constructed, reconstructed, equipped, improved, extended, maintained, or operated to facilitate the final disposition of solid

waste without creating a significant hazard to the public health or safety, and which are approved by the Director of the State Department of Natural Resources. "Sanitary disposal project" does not include a pyrolysis or gasification facility as defined in Section 455B.301 of the Code of Iowa.

(Code of Iowa, Sec. 455B.301)

19. "Solid waste" means garbage, refuse, rubbish, and other similar discarded solid or semisolid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities. Solid waste may include vehicles, as defined by Section 321.1 of the Code of Iowa. Solid waste does not include any of the following:

A. Hazardous waste regulated under the Federal Resource Conservation and Recovery Act, 42 U.S.C. § 6921-6934.
B. Hazardous waste as defined in Section 455B.411 of the Code of Iowa, except to the extent that rules allowing for the disposal of specific wastes have been adopted by the State Environmental Protection Commission.
C. Source specific nuclear or by-product material as defined in the Atomic Energy Act of 1954, as amended to January 1, 1979.

D. Petroleum contaminated soil that has been remediated to acceptable State or Federal standards.

E. Steel slag which is a product resulting from the steel manufacturing process and is managed as an item of value in a controlled manner and not as a discarded material.

F. Material that is legitimately recycled pursuant to Section 455D.4A of the Code of Iowa.

G. Post-use polymers or recoverable feedstocks that are any of the following:
i. Processed at a pyrolysis or gasification facility.
ii. Held at a pyrolysis or gasification facility prior to processing to ensure production is not interrupted by a (Code of Iowa, Sec. 455B.301)

20. "Landscaping (Yard) Waste Containers". Persons choosing not to compost their yard wastes on their own property may place landscaping / yard waste in plastic bags and require a WM sticker per bag for pick up.

7.04.030 GENERAL RULE AND EFFECTIVE DATE. Commencing July 1, 2025, each residence and residential unit to which solid waste collection is otherwise provided will be supplied with a solid waste bin, either sixty-four (64) or ninety-six (96) gallons, by the solid waste contractor with the City of Fairfield. No other containers are acceptable.

7.04.040 SANITARY DISPOSAL REQUIRED. It is the duty of each owner to provide for the sanitary disposal of refuse accumulating on the owner's premises before it becomes a nuisance. Any such accumulation remaining on any premises for a period of more than thirty (30) days shall be deemed a nuisance and the City may proceed to abate the nuisance as provided in accordance with the provisions of Title 7.04.070 by initiating proper corrective action.
(Code of Iowa, Ch. 657)

7.04.050 HEALTH AND FIRE HAZARD. It is unlawful for any person to permit to accumulate on any premises, property or vacant lot, or any public place, such quantities of solid waste that constitute a health, sanitation or fire hazard.

7.04.060 OPEN BURNING RESTRICTED. No person shall allow, cause or permit open burning of combustible materials, where such products of combustion are emitted into the open air; except for circumstances in accordance with Chapter 16.

7.04.070 SEPARATION OF LANDSCAPING (YARD) WASTE REQUIRED. All landscaping (yard) waste shall be separated from all other solid waste accumulated on the premises and shall be composted on the premises, burned on the premises in accordance with Chapter 16 or placed in acceptable landscaping (yard) waste containers, with the WM sticker per bag and set out for collection.

2. Collection from curbside will be once a week from each Residential Premises on a weekday during the period from April through November of each year. As used in this section, "landscaping (yard) waste" means yard waste, such as grass clippings, leaves, garden waste, brush and trees. Landscaping (yard) waste does not include tree stumps.

7.04.080 COMPOSTING. The purpose of this section is to promote the recycling of yard wastes and certain kitchen wastes through composting and to establish minimum standards for proper compost maintenance in accordance with 9.68.010 (8)

1. Definitions. For use in this section, the following terms are defined:
A. "Composting" means the controlled biological reduction of organic waste to humus.
B. "Kitchen waste" means any cooked or uncooked food not suitable for composting. This includes cooked food of any kind, fish, meat, animal products, bones, hard, soft, cheese, dairy products, and uncooked plant matter contaminated by any of the above.
C. "Food Scraps" means limited kitchen waste material such as fruit and vegetable scraps, coffee grounds, tea bags (without staples), crushed egg shells and greens, resulting from the handling, preparation, cooking and consumption of food, and not contaminated by or containing meat, fish, dairy product, and/or oils.
D. "Yard waste" means the vegetative waste such as grass clippings, leaves, garden waste, brush, and any clean wood waste, which is free of coatings and preservatives, all not exceeding one-inch in diameter.

E. "Poultry Litter" means bedding material, such as wood shavings, sawdust, or straw, that has been used in a chicken coop and consists mostly of the bedding material, poultry manure, feathers and spilled feed.

2. Maintenance. All compost piles shall be maintained using approved composting procedures to comply with the following requirements:
A. All compost bins shall be so maintained in a manner such that it does not create a nuisance or offensive conditions including but not limited to, unreasonably odors, pest or insect infestation or other nuisance.
B. All compost bins shall be maintained in a manner not constituting a fire hazard or health hazard, or if there is a threat to surface or groundwater from run-off.
C. No compost bin shall be allowed to deteriorate to such condition as to be a blighting influence on the surrounding property or neighborhood or City in general.

3. Construction and Location:
A. All compost bins shall be located not less than three (3) feet from a property line or principal building or dwelling and three (3) feet from any other detached accessory building.
B. Compost bins shall be constructed from materials meeting the requirements of 20.12.085 (2) and shall not exceed a total size of three (3) feet high, seven (7) feet wide, and seven (7) feet long.

C. No compost bin shall be located in any yard except a rear yard. A compost bin may be located in a side yard subject to the waiver procedure contained in this subsection and must be screened from view to the street.
D. A waiver from these setback and location requirements may be applied for if the property owner can show a hardship exists which prohibits compliance. In addition, any application must include a signed written approval of the request from the adjacent property owner(s). Waivers may be granted by the Planning and Zoning Administrator or their designee on an annual basis upon the proper application being submitted by the property owner. Screening and/or fencing of compost bins may be required as a condition of a variance being granted.

D. Prohibited Ingredients. No compost bin shall contain any of the following:
A. Lakewoods;
B. Kitchen Waste as defined by this Section
C. Human or pet waste, except poultry litter;
D. Large items that will impede the composting process.
E. Noxious weeds and prohibited plants

as defined by Iowa Code 317
F. Glossy or coated paper
G. Treated or painted wood
H. Grease, paint, or other semi-solid that may cause a public health risk or create nuisance conditions
I. Permitted ingredients. Permitted ingredients include the following:
A. Yard waste as defined by this section;
B. Food waste as defined by this section
C. Commercial compost additives.
D. Shredded paper
E. Entertainment and Penalties.

6. Every owner or operator shall be responsible for maintaining all property under said owner's control in accordance with the requirements of this section. Each day that a violation of the provisions of this section continues shall be considered a separate offense.
B. The Fairfield Police Department, Fairfield Fire Department, Fairfield Planning and Zoning Department, and Fairfield Public Works/Streets Departments are authorized to enforce this section. The performance of any collection contract by the city or chapter may be cited as a municipal infraction offense and any composting shall be suspended or terminated if at any time the local authority determines continues shall be considered a separate offense.

7.04.090 LITTERING PROHIBITED. No person shall discard any litter onto or in any water or land in accordance with Section 10.24.010, or except that nothing in this section shall be construed to affect the authorized collection and discarding of such litter in or on areas or receptacles provided for such purpose.
(Code of Iowa, Sec. 455B.363)

7.04.100 OPEN DUMPING PROHIBITED. No person shall dump or deposit or permit dumping or depositing of any solid waste on the surface of the ground or into a body or stream of water or on any place other than a sanitary disposal project approved by the Director, unless a special permit to dump or deposit solid waste on land owned or leased by such person has been obtained from the Public Works Director and/or designee. However, this section does not prohibit the use of dirt, stone, brick, or similar inorganic material for fill, landscaping, excavation, or grading at places other than a sanitary disposal project.
(Code of Iowa, Sec. 455B.307 and IAC, 567-100.2)

7.04.110 TOXIC AND HAZARDOUS WASTE. No person shall deposit in a solid waste container or otherwise offer for collection any toxic or hazardous waste. Such materials shall be transported and disposed of as prescribed by the Director of the State Department of Natural Resources. As used in this section, "toxic and hazardous waste" means waste materials, including but not limited to, poisons, pesticides, herbicides, acids, caustics, pathological waste, flammable or explosive materials and similar hazardous materials, which require special handling and which must be disposed of in such a manner as to conserve the environment and protect the public health and safety.

7.04.120 WASTE STORAGE CONTAINERS. Carts are owned and maintained by the collector. Carts will be replaced without charge when damaged due to regular wear and tear. Any cart replacement, delivery, or swap fees not due to wear and tear shall be charged \$90.00. Any residential premises owner may change their cart size for a cart swap fee of \$20.00. Every person owning, managing, operating, leasing or renting any 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 accumulating on the premises as follows:
1. Container Specifications. Waste storage containers shall comply with the following specifications:
A. Residential. Residential waste containers will be provided by the contracted waste removal company, with the cart weight of a sixty-four (64) gallon container and contents shall not exceed one hundred twenty-eight (128) pounds; a ninety-six (96) gallon container and contents shall not exceed one hundred ninety-two (192) pounds. An average charge of \$10.00 will be assessed if any owner in violation of the requirements contained within this chapter.
B. Commercial, industrial, agricultural. Every person owning, managing, operating, leasing or renting any commercial premises where refuse accumulates and where its storage in portable waterproof, leakproof containers and covered at all times except when depositing waste therein or removing the contents thereof; and shall meet all requirements as contained within this chapter.

2. Storage 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 at the curb or along the line for private or occupant of the premises service. Containers or other solid waste placed at the curb line shall not be so placed more than twelve (12) hours in advance, but no later than 6:00 AM of the regularly scheduled collection day and shall be promptly removed from the curb line following collection.

7.04.130 PROHIBITED PRACTICES. It is unlawful for any person to:
1. Unlawful Use of Containers. Deposit refuse in any solid waste containers not owned by such person without the written consent of the owner of such containers.
2. Interfere with Collectors. Interfere in any manner with solid waste collection equipment or with solid waste collectors in the lawful performance of their duties as such, whether such equipment or collector be those of the City, or those of any other authorized waste collection service.
3. Incinerators. Burn rubbish or garbage except in incinerators designed for high temperature operation, in which solid, semisolid, liquid or gaseous combustible waste is burned, and from which the solid residues contain little or no combustible material, as acceptable to the Environmental Protection Commission.
4. Scavenging. Take or collect any solid waste which has been placed out for collection on any premises, unless such person is an authorized solid waste collector.

7.04.140 MUNICIPAL LANDSCAPING (YARD) WASTE DISPOSAL SITE. The Landscaping (Yard) Waste Disposal Site operated by the City and/or it's contractor shall be designated as the official site for the disposal of landscaping (yard) waste produced or originated within the City, subject to the following:
1. Disposal of Brush Collection and Chipping. The disposal of brush collected and chipped shall be subject to the following rules, regulations, and restrictions:
A. It is unlawful to operate a motor vehicle within the Landscaping (Yard) Waste Disposal Site at a speed in excess of fifteen (15) miles per hour.
B. It is unlawful to operate any all-terrain vehicle, snowmobiles or motorcycles within the Landscaping (Yard) Waste Disposal Site.
C. All vehicles shall be operated on established roadways within the facility.
D. Landscaping (yard) waste disposed of within the facility shall be placed only at areas within the Landscaping (Yard) Waste Disposal Site designated to accept yard waste.
E. The Landscaping (yard) Waste Disposal Site shall be available for disposal of yard waste commencing at 6:00 a.m. and ending at 6:00 p.m. The Public Works Director and/or designee.
F. Landscaping (yard) waste disposal is

for residential use only, contractors are prohibited.
G. Landscaping (yard) Waste from Outside City Prohibited. It is unlawful for any person to dispose of yard waste or brush in the Yard Waste Disposal Site which does not originate or was not produced within the City limits.
2. Permitted Material for Disposal. Only brush and landscape (yard) waste as defined in Section 7.04.020 (1) and 7.04.020 (9) of this chapter and produced or originating within the City may be disposed of in the facility.
3. Prohibited Material. It is unlawful to dispose of any garbage, paper, construction materials of any kind, stumps, rocks, plastic, metal or iron of any kind, appliances, furniture, tires, rims, oil filters, car or truck parts of any kind, animal or animal carcass, cans, bottles, buckets, containers, any material from household, office, business, or garages, or any other material or substance which does not fall within the definition of yard waste as set forth herein.

4. Violation. Property owners who violate any of these rules will be subject to a Municipal Infraction citation in addition to subjecting the cost of removing the material in violation of this section and the proper disposal thereof.
7.04.150 COLLECTOR - DUTIES. Solid waste collectors employed by the city or a solid waste collection agency operating under contract with the city, shall be responsible for the collection of solid waste from the point of collection to the transportation vehicle provided the solid waste was stored in compliance with the provisions of this chapter. Any spillage or blowing litter caused as a result of the duties of the solid waste collector shall be collected and placed in the transportation vehicle by the solid waste collector.

7.04.160 COLLECTOR - VEHICLE REQUIREMENTS. All transportation vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for transportation of solid waste shall be constructed with watertight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or as an alternate, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No solid waste shall be transported in the loading hopper.

7.04.170 TRANSPORTATION - BULKY RUBBISH. Permits shall be required for the removal, hauling or disposal of bulky rubbish, demolition or construction wastes and/or solid waste all as defined in Section 7.04.020. However, all such materials shall be covered in tight vehicles, trucks, or trailers, and be properly secured and maintained that none of the material being transported shall spill upon the public rights-of-way.

7.04.180 SOLID WASTE DISPOSAL REQUIREMENTS. Solid waste shall be deposited at a processing facility or disposal area authorized by the city council and complying with all requirements of the Iowa Department of Environmental Quality and the rules and regulations adopted by them and as amended from time to time.

7.04.190 COLLECTION SERVICE. The collector shall be authorized by contract for the collection of solid waste, except bulky waste as provided in Section 7.04.030 (1), from residential premises only. All solid waste and recycling shall become the property of the collection agency. The owners or operators of commercial, industrial or institutional premises shall provide for the collection of solid waste produced upon such premises.

7.04.200 COLLECTION - MOBILE HOME PARKS. The collection of solid waste from mobile home parks shall be by written request from the owner of the park; such permission shall grant the collector the right to enter the private streets of the park and hold the collector harmless from any and all damages to the streets to the mobile home park. The collector shall not be obligated to collect solid waste from mobile home parks where, in his belief, he cannot safely operate his vehicles on the streets therein.

7.04.210 COLLECTION VEHICLES. Vehicles or containers used for the collection and transportation of garbage and similar putrescible waste or solid waste containing such materials shall be leak proof, durable and of easily cleanable construction. They shall be cleaned to prevent nuisances, pollution or insect breeding and shall be maintained in good repair. Bulky, non-hazardous rubbish which is too large or heavy to be collected in the normal manner of other solid waste shall be collected by the collector upon request in accordance with procedures therefor established by the contractor and approved by the City.
(IAC, 567-104.9(455B))

7.04.220 LOADING. Vehicles or containers used for the collection and transportation of any solid waste shall be loaded and moved in such a manner that the contents will not fall, leak, or spill therefrom, and shall be covered to prevent the escape of material. Where spillage does occur, the material shall be picked up immediately by the collector or transporter and returned to the vehicle or container and the area properly cleaned.

7.04.230 FREQUENCY OF COLLECTION. All solid waste and recycling shall be collected from residential premises within the City at least once each week and from commercial, industrial and institutional premises as frequently as may be necessary, but not less than once each week. Designated holidays will follow the schedule listed in Resolution No. 4321 4. Collection Services (F).

7.04.240 RIGHT OF ENTRY. Solid waste collectors are hereby authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this chapter; however, solid waste collectors shall not enter dwelling units or other residential buildings.

07.04.250 MONTHLY CHARGE. The Council shall annually review the rates to ensure that such rates shall produce wages revenue at least sufficient to pay the expenses of said services:
1. Every residential unit within the City receiving curbside solid waste and recycling services shall pay to the enterprise fund a monthly charge to cover the cost of providing said services.
2. Every residential unit within the City shall have available the leaf, tree, branch and miscellaneous item collection site or sites provided by the City, and shall pay to the enterprise fund a monthly charge to cover the cost of providing said services.
3. Every Commercial / Industrial / Institutional customer account shall pay to the enterprise fund a monthly charge to cover the cost of providing said service stated in 7.06.080.

4. Schedule of Fees. The fees for the collection of solid waste shall be in accordance with the following:
A. Solid Waste / Recycling fee for each residential premises and for each dwelling unit - \$22.33 per month with a 4% increase annually July 1.
B. Recycling fee for each commercial / industrial / institutional account - \$9.00 per month
C. Compost Service Fee for each residential premises and for each dwelling unit - \$0.80 per month
D. Extra Cart of either trash or recycling - \$10.00 per month per collection
E. Cost of yard waste tickets for the Municipal Landscaping (Yard) Waste Site for Fairfield residents only on specified dates, decided by the Streets Superintendent or designee, will be as follows:

1. Small load limited to half a truck bed (4'X4'X4') will be twelve dollars and fifty cents.
2. Large load limited to a truck bed (4'X4'X8') will be twenty-five dollars. The service charge shall be billed at the same time and on the same billing as the municipal utility statement. The same charge shall be paid at the same time and in the same manner as the

municipal utility statement. All user charges (including surcharges) shall be paid with and at the same time as payment of the user's municipal utility statement covering the same period of use. The user charges shall be due at the same time and shall be payable under the same conditions as the user's municipal utility statement.
A late payment penalty will be added to each unpaid bill as provided in Section 14.04.

7.04.260 SERVICE CHARGE - MULTIFAMILY DWELLING UNITS. A person contracting for water service for a multiple housing facility containing four or more dwelling units may contract with a private contractor for the disposal of solid waste from the multiple housing facility. Upon presentation of proof of number of dwelling units and contract with private contractor, the city council may make adjustment in the service charge provided for in this chapter.

7.04.270 SERVICE CHARGE - TERMINATION FOR VACANCY. The collection service and service charge shall be terminated for any dwelling unit upon written request and presentation of satisfactory proof to the Fairfield waste department that any such dwelling unit is or has been unoccupied for after a minimum of three months upon proof of vacancy.

7.04.280 ENFORCEMENT. The system of services established by the provisions of this chapter are designed as an integral part of the city's program of health and sanitation, to be operated as an adjunct to the city's system for providing potable water and the city's system for providing sewerage disposal. The city may enforce collection of such charges by bringing proper legal action against the occupant of any dwelling unit and/or the person contracting for city water service to such dwelling unit to recover any sums due for such services plus a reasonable attorney's fee to be fixed by the court, plus the cost of such action.

7.04.290 COMPLIANCE - INSPECTIONS. In order to ensure compliance with the laws of this state, this chapter and the rules and regulations authorized herein, the director of public works is authorized to inspect all phases of solid waste management within the city. No inspection shall be made in any residential unit unless authorized by the occupant or by due process of law. In all instances, such inspections reveal violation of this chapter the rules and regulations authorized herein for storage, collection, transportation, processing or disposal of solid waste or the laws of the state of Iowa, the director shall issue notice for each such violation stating therein the violation or violations found, the time in which corrections shall be made.

7.04.300 APPEALS. Any person who feels aggrieved by any notice of violation or order issued pursuant thereto of the director may, within ten days of the act in violation, request a review of the act directly to the city council, either in writing or in person or by agent or attorney, setting forth in a concise statement the act being appealed and the grounds for its reversal.

7.04.310 VIOLATION - PENALTY. Any person violating any of the provisions of this chapter, or any lawful rules or regulations promulgated pursuant thereto, upon conviction, shall be punished by a fine of not less than five dollars nor more than twenty-five dollars; excepting those violations of types provided in through (4) of Section 7.04.250, for which violation a maximum fine of one hundred dollars may be imposed; provided, that each day's violation thereof shall be a separate offense for the purpose hereof.

SECTION 3. SEVERABILITY. If any provision of this chapter 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 4. EFFECTIVE DATE. This ordinance shall be in effect July 1 of 2025.
Passed by the Council on the 9th day of June, 2025, and approved this 9th day of June, 2025.
Connie Boyer, Mayor

ATTEST:
Douglas S. Reinert, City Administrator
The foregoing Ordinance was adopted by the City Council of the City of Fairfield, Iowa, at its regular meeting held on the 9th day of June, 2025, upon a motion by Councilperson Gandy and seconded by Councilperson Flounroy following final reading. The vote on the foregoing ordinance was as follows:
AYES NAYS ABSTAIN ABSENT
Kness ☒ _____
Gandy ☒ _____
Ham ☒ _____
Rowe ☒ _____
Twohl ☒ _____
Flounroy ☒ _____
Estley ☒ _____

**ORDINANCE NO. 1265
AN ORDINANCE AMENDING
FAIRFIELD MUNICIPAL CODE,
CHAPTER 7.06
BE IT ORDAINED BY THE CITY
COUNCIL OF FAIRFIELD, IOWA:
SECTION 1. REPEAL. Chapter
07.06 RECYCLING IS HEREBY
REPEALED.
SECTION 2. AMENDMENT. Fairfield
Municipal Code Chapter 07.06
RECYCLING in hereafter AMENDED
BY SUBSTITUTING the following:
Chapter 7.06
RECYCLING**

Sections:
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7.06.010 PURPOSE. The purpose of this chapter is to decrease the recyclable materials that are presently being deposited in the city landfill, and safely and effectively recycle such materials so as to prolong the life of the landfill, reduce the costs and expenses of solid waste disposal, protect the public health and welfare and the environment, and to comply with the state-mandated reduction in solid waste disposal.

7.06.020 GENERAL RULE AND EFFECTIVE DATE. Commencing November 1, 1992, each residence and residential unit to which solid waste collection is otherwise provided will be supplied with a recycling bin by the city of Fairfield. At this time residents may choose to cooperate with the city in the recycling of refuse as described in this chapter. Commencing July 1, 1993, it shall be mandatory for every resident disposing of recyclable materials in the city of Fairfield to participate in the recycling of refuse as described in this chapter. (Ord. 833 § 2, 1992).

7.06.030 RECYCLABLE REFUSE -- TYPES DESIGNATED. All recyclable material shall be separated from other garbage and refuse in provided recycling bin as provided in Resolution No. 4321 Exhibit B dated January 27, 2025.

7.06.040 OTHER GARBAGE AND REFUSE. All other garbage and refuse shall be prepared and collected as otherwise provided in Title 7.04.

7.06.050 RECYCLABLE REFUSE - PLACEMENT FOR COLLECTION. The provided recycling bin shall be made accessible for collection in the same locations as nonrecyclable refuse in Title 7.04.

7.06.060 RECYCLABLE REFUSE - TIME OF PLACEMENT FOR COLLECTION. All recyclable refuse shall be placed for collection on the same days and at the same times as the schedule provided for nonrecyclable refuse in Title 7.04.

7.06.070 DONATIONS TO OTHERS. Nothing in this chapter is intended to prevent any person from donating or selling recyclable refuse to any person, club, business, civic organization, charitable organization or any other organization.

7.06.080 FEES. (a) Effective July 1, 2025, a free provided in 7.04.250 per month per residential premises shall be assessed

for the city curbside refuse and recycling program and related expenses.
(b) Effective July 1, 2025, a fee provided in 7.04.250 per month for each commercial, institutional and industrial business shall be assessed for the costs associated with the recycling service center and related expenses.
(c) Penalties and fees shall apply to each unpaid bill as provided in section 14.04.

7.06.090 VIOLATION - PENALTY. Commencing July 1, 1993, failure to exhibit participation in and cooperation with the city recycling program by the placement for collection of the provided recycling bin, partially full or full, on the scheduled days shall result in the omission of collection of all solid waste for the particular day of violation.

SECTION 3. SEVERABILITY. 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 4. EFFECTIVE DATE. This ordinance shall be in effect July 1 of 2025.
Passed by the Council on the 9th day of June, 2025, and approved this 9th day of June, 2025.
Connie Boyer, Mayor