

**ORDINANCE NUMBER 225**  
**CURBSIDE RECYCLING ORDINANCE**

**Section A. Littering Prohibited.**

**Sec. A-1. Littering prohibited--Generally.**

It shall be unlawful for any person to litter upon any street, alley, sidewalk, yard or public or private premise within the city of Lake Norden.

**Sec. A-2. Littering Prohibited-Duty of business owners, customers.**

(a) Generally. The owner or occupant of any Store or other place of business situated within the city shall exercise reasonable diligence at all times to keep their premises clear of wastepaper, wrapping paper, paper napkins, cartons, package containers, and other used or waste materials thrown or left on such premises by their customers, and to take reasonable measures to prevent the materials from drifting or blowing to adjoining premises.

(b) Duty of customer. It shall be unlawful for any customer going upon the premises of another to dispose of litter, wastepaper, wrapping paper, paper napkins. Cartons, package containers and other used or waste materials except in receptacles provided for such purposes.

**Section B. Removal of Litter by City.**

**Sec. B-1. Removal of litter by city.**

If the occupant, person in charge or owner of any real property fails to remove litter from real property after notice from the city, the city may cause such litter to be removed and for such purpose may enter upon any such real property. The occupant, person in charge or owner shall be charged one hundred (\$100.00) dollars per hour for removal of litter by the city with a minimum charge of one hundred (\$100.00) dollars if the city removes the litter.

**Sec. B-2. Reserved.**

**Section C. Collection and Recycling Regulations.**

**Sec. C-1. Litter on sidewalk.**

The owner or occupant of any lot or private ground abutting upon any public sidewalk shall not allow litter, rubbish, debris or obstructions of any kind to be or remain on such sidewalk along such abutting property.

**Sec. C-2. Preparation or garbage and recyclables for collection or deposit. .**

All household and commercially generated garbage, rubbish and other materials shall, when placed outside for collection or deposit, be placed in a securely tied bag or covered container. Recyclable materials shall be separated into their respective categories and containers.

**Sec. C-3. Garbage and Recycled Material Containers.**

The occupant, owner or manager of every dwelling, house, apartment or construction site and of every place of business and building shall provide a suitable, rigid watertight container in which the occupants shall cause to be deposited all garbage and recycled materials. There shall be provided a tightly fitted cover for each container which shall be removed only for the purpose of depositing or removing garbage, rubbish, animal waste or cleaning. The vicinity of the garbage container shall be kept free from litter and garbage.

**Sec. C-4. Recycled Material--Definitions.**

Recycled materials shall include, but are not limited to, the materials appearing on the list that is attached as Exhibit " A " and hereby made a part of this ordinance. Said list shall from time to time be updated as dictated by the capabilities of, and requirements placed upon, the recycling contractor. Said list shall also set forth a list of items that do not recycle. The recycling contractor shall cooperate with the city to ensure that residences and places of business are timely notified in writing as to any and all changes to the list.

**Sec. C-5. Recycled Material--Collection--Residential.**

Residential recyclables shall be collected at least twice a month by the authorized curbside recycling contractor.

**Sec. C-6. Recycled Material--Collection--Commercial and Business.**

Commercial and business recyclables shall be collected at least once a month by the authorized curbside recycling contractor.

**Section D. Commercial Haulers.**

**Set. D-1. Approval Required.**

It shall be unlawful for a commercial garbage hauler to use the city streets for the collection, removal or disposal of any garbage without first obtaining approval to do so from the city council.

**Sec. D-2. Loading Vehicles and Covering Loads.**

Vehicles used for transporting garbage shall be loaded so that no materials shall fall off or be blown off while the vehicle is in transit. Loosely loaded vehicles with open boxes must be covered.

**Sec. D-3. Frequency of Collection.**

Authorized garbage collectors shall collect the garbage from residential areas at least once a week, and from the business district at least twice a week.

**Sec. D-4. Proof of Insurance Required.**

Any garbage hauler and/or recyclable hauler shall submit to the City at least annually and also upon request, proof of insurance covering the acts or activities of hauler, showing insurance to be in full force and effect during the entire term of the contract. The garbage/recyclable hauler shall furnish proof of liability insurance for public liability and property damage and for bodily injury/death resulting from any one accident or any other cause in the minimum sum of \$250,000.00 for one person, with an annual aggregate limit of at least \$500,000.00 for two or more persons; and in addition shall provide damage liability insurance in the minimum of \$100,000.00 for property damage growing out of anyone accident or other cause. The above described insurance shall provide coverage for hauler and also any person or entity acting for hauler or acting under hauler's control or direction.

**Section E. Collection Rates and Reports.**

**Sec. E-1. Residential.**

The rate for residential garbage collection and recycling shall be the amount established by agreement from time to time between the recycling contractor and the city.

**Sec. E-2. Commercial and Business.**

The rate for commercial and business garbage collection and recycling shall be the amount established by agreement from time to time between the commercial business and the recycling contractor.

**Sec. E-3. Filing and Reports.**

Every recycling collector shall file an annual report before January 30 with the City Finance Office showing the total weight or volume by type of recyclables collected during the prior year.

**Section F. ENFORCEMENT.**

**Sec. F-1. Remedies.**

If, after notice from the city, any occupant, person in charge or owner of any real property fails to comply with the provisions of this ordinance, the city may subject the non-complying occupant, person in charge or owner of real property to all penalties available under the law, and may terminate city-provided services and utilities.

**Sec. F-2. (Reserved).**

**Section G. (Reserved).**

PASSED FIRST READING MAY 6, 1996.  
PASSED SECOND READING JUNE 8, 1996.  
ADOPTED JUNE 8, 1996.  
PUBLISHED JUNE 19, 1996.

LARRY STEFFENSEN, MAYOR  
ATTEST: DELORES KANGAS, FINANCE OFFICER

