



Agenda Item:

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COUNCIL COMMUNICATION City Manager's Office

GENERAL INFORMATION

Agenda Date: 4/11/05
209

Communication No.: 05-

Agenda No.:	Item	Type:	Resolution	Roll	Call
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Submitted by: William G. Stowe, Public Works

SUBJECT—

Municipal Solid Waste Collection Exemption

SYNOPSIS—

The implementation of automated solid waste collection, along with system improvements in Des Moines Water Works' billing program, have permitted the Public Works Department to identify municipal solid waste customers not previously served. Upon notice to affected property owners/managers of the City's intent to provide service, a few have requested an exemption from the provisions of the City's solid waste collection ordinance. Staff now recommends granting an exemption to allow property owners or their representatives, upon request, to use a private hauler for residential premises adjacent to multi-family (five-plex or more) premises they own or operate that are already being served by the hauler. Staff further recommends that the term in the ordinance, "complex of buildings," be defined as *residential premises with a common name and address*, and other provisions relating to collection from residential premises be clarified. If approved, these recommendations will be referred to the Legal Department for required ordinance revisions. Implementation of the exemption for five-plex owners with adjacent properties would only apply to those property owners or representatives with private collection in place prior to automation.

FISCAL IMPACT—

Qualifying property owners/managers currently requesting the exemption would result in an estimated loss of revenue of only \$10,000-\$12,000 per year.

RECOMMENDATION—

Approve exemption to the municipal solid waste ordinance to allow requesting property owners/managers using commercial haulers for multi-family residential premises to serve adjacent residential premises privately, and refer to the Legal Department to implement necessary ordinance revisions.

BACKGROUND—

In mid-2004, billing system enhancements relating to our Solid Waste Enterprise accounts allowed staff to accurately identify residential properties that, pursuant to the Municipal Code, require solid waste collection services and billing by the City. These properties were designated *residential premises*, as defined in Chapter 98 of the Municipal Code, as single-family dwellings or any multiple-family dwelling up to and including four separate living units or family quarters. Garden-type apartments and row-type housing units are included as *residential premises* regardless of the total number of apartments or units included in a given housing development. Contrarily, premises with five or more units, such as a five-plex, are defined as *multi-family residential premises*, and were only to be serviced by commercial waste haulers.

For the last year, staff has worked to bring hundreds of townhome, duplex, three-plex, and four-plex accounts into compliance with the Municipal Code by initiating solid waste collection and billing for these types of residents. It was in working through compliance enforcement, that the requests to be exempted from the provisions of the City's solid waste collection were raised by affected property owners/managers.