

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: November 8, 2010
	Agenda Item No. 46 Roll Call No. <u>10-1863</u> Communication No. <u>10-663</u> Submitted by: Phillip Delafield Community Development Director

AGENDA HEADING:

Amending Section 42-256 of the Noise Ordinance regarding trash collection activities.

SYNOPSIS:

Recommend approval of changes in the sound ordinance which more clearly prohibits the use of a vehicle for the purpose of solid waste collection to pick up or empty a dumpster or other container within 150 feet of a Residential District or portion of a “PUD” restricted to residential use between the hours of 7:00 p.m. and 6:00 a.m. This proposed change permits solid waste collection one hour earlier than the present ordinance which does not permit pick up before 7:00 a.m.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

At the April 12, 2010 Council meeting, representatives of the South Park Neighborhood Association appeared to discuss the City’s present noise ordinance as it relates to garbage trucks or other motor vehicles engaged with solid waste collection prior to 7:00 a.m. At this meeting, Council directed staff to review the ordinance to see if any amendments could be recommended.

Staff met with the Metro Waste Authority Director along with two commercial solid waste collector representatives to discuss the current noise ordinance as it relates to truck noise. Several items were discussed including the landfill hours, safety and the changing layout of Des Moines. Both representatives explained that to safely service commercial customers throughout Des Moines, stops must occur before 7:00 a.m. in numerous locations because of parked cars blocking access to containers. People and vehicular traffic also become safety issues.

Upon review, staff has determined to amend Section 42-256 of the Noise Ordinance to permit solid waste collections from 6:00 a.m. to 7:00 p.m. Trash pickup at elementary and secondary schools and hospitals is recommended to be exempt from this requirement and the City Manager or the Manager’s designee may grant exceptions to this limitation on the timing of trash pickup where such exception is necessary to avoid an unreasonable risk.

If approved by Council, this amendment shall be in full force and effect on March 1, 2011.

PREVIOUS COUNCIL ACTION(S):

Date: April 12, 2010

Roll Call Number: [10-547](#)

Action: [Request](#) from Council Member Brian Meyer to speak regarding noise issues in the South Park Neighborhood. Moved by Meyer to refer to the City Manager to review the current ordinances and existing Consent Decree and work with South Park and other Neighborhood Associations regarding the noise created by garbage trucks, parking lot maintenance vehicles and the loading and unloading of trucks in the early morning hours. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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