

★ **Roll Call Number**

**Agenda Item Number**

41

**Date** February 22, 2010

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,228, passed May 5, 2003, by amending Sections 98-114 and 98-117, relating to curbside recycling",

which was considered and voted upon for the first time under Roll Call No. 10- 138 of January 25, 2010, and considered and voted upon for the second time under Roll Call No. 10- 214 of February 8, 2010, again presented.

Moved by \_\_\_\_\_ that this ordinance do now pass.

ORDINANCE NO. \_\_\_\_\_

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				

MOTION CARRIED

APPROVED


\_\_\_\_\_ Mayor

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date</b>	January 25, 2010	41
	<b>Agenda Item No.</b>	41	
	<b>Roll Call No.</b>	10-138	
	<b>Communication No.</b>	10-074	
<b>Submitted by: William G. Stowe, Assistant City Manager—Public Works Director</b>			

**AGENDA HEADING:**

Solid Waste Ordinance change to permit the Department of Public Works to collect single-stream recycling at premises other than residential premises as defined in Municipal Code Section 98-26, consistent with a metropolitan area-wide effort to accommodate unmet recycling needs.

**SYNOPSIS:**

To accommodate unmet recycling needs, the Metro Waste Authority (MWA), the agency responsible for solid waste and recycling, is promoting a subscription program for single-stream recycling at premises other than residential premises as defined in Municipal Code Section 98-26. While these properties receive solid waste services, their hauler may not be offering recycling services. Under the program, the cost to qualifying properties would be a \$90 fee for the purchase of each recyclable materials cart. There will be a \$40 annual fee (per cart) for the collection service. Approved customers may purchase up to five recyclable materials carts. The Department of Public Works would collect recyclables from properties on existing solid waste routes if their solid waste provider does not offer this service. The City of Des Moines Solid Waste Enterprise Fund would retain all revenues generated by the program.

**FISCAL IMPACT:**

Amount: \$800 added to the Solid Waste Enterprise Fund annually from subscription fees and additional recycling revenues.

Funding Source: Solid Waste Enterprise Fund, EN151, PWK100101, FY2010 Recommended Budget, page 264.

**ADDITIONAL INFORMATION:**

The City of Des Moines is a member agency of the MWA. The MWA reports that premises other than residential premises, such as small businesses, churches and apartment complexes, may have a need for a subscription recycling service as they may be unable to receive recycling services from their commercial hauler. Consistent with other member agencies, the Department of Public Works is prepared to provide subscription-based recycling services to such premises in the City of Des Moines.

Approved customers may purchase up to five recyclable materials carts. The recyclables collected will be added to the quantities collected as part of the residential recycling program, and all revenues will be retained by the City of Des Moines.

**PREVIOUS COUNCIL ACTION(S):**

Date: August 25, 2008

Roll Call Number: 08-1544 – 08-1547

Action: Items regarding single-stream recycling program: (Council Communication No. 08-522)

---

- (A) Bid from Big Truck Rental for five (5) side loading refuse collection trucks to be used by the Solid Waste Division, \$67,500. (Five bids mailed, one received). Moved by Kiernan to adopt. Motion Carried 6-1.
- (B) Bid from various companies for seven (7) refuse trucks to be used by the Solid Waste Division, \$1,449,087 (Eleven bids mailed, four received) and the sale of eleven (11) existing refuse trucks to Elliott Equipment Company, \$284,500. Moved by Kiernan to adopt. Motion Carried 6-1.
- (C) Procurement of assembly and delivery services for Solid Waste collection carts. Moved by Kiernan to adopt. Motion Carried 6-1.
- (D) Amending principal amount of previously approved Supplement No. C-2 to Governmental Lease-Purchase Master Agreement with Delage Landen Public Finance LLC for purchase of recycling carts and automated recycling trucks from \$3,025,000 to \$2,632,129. Moved by Kiernan to adopt. Motion Carried 6-1.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).

---

10-138-214  
41  
43  
41

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,228, passed May 5, 2003, by amending Sections 98-114 and 98-117, relating to curbside recycling.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,228, passed May 5, 2003 is hereby amended by amending Sections 98-114 and 98-117 relating to curbside recycling, as follows:

**Sec. 98-114. Curbside recycling at residential premises and other approved premises.**

- (a) ~~The city, in conjunction with the Metro Waste Authority, has established a voluntary single stream curbside recycling program, pursuant to which recyclable materials are collected at curbside in green recycling bins blue wheeled carts provided by the city in cooperation with the Metro Waste Authority for that purpose. Persons owning or residing in residential premises who elect to participate in the curbside recycling program shall do so as provided in this section.~~
- ~~(b) Bottles, jugs, and containers shall be emptied of contents, decapped, and rinsed prior to placement in a green recycling bin for collection. place recyclable materials unsorted in the blue recyclable materials wheeled cart for bi-weekly collection.~~
- ~~(e**b**) The city may refuse to collect recyclable materials not prepared for collection pursuant to instructions therefor promulgated by the Metro Waste Authority. Consistent with the Metro Waste Authority's business recycling program, the city will allow owners of premises other than residential premises as defined in section 98-26 to elect to participate in the city's curbside recycling program if the solid waste collection provider for such premises does not offer recycling service and the premises is located on an established residential route. The property owner must verify that their current solid waste collection provider does not provide recycling services in order to participate. The city will charge a one-time \$90.00 fee for the purchase of each~~

10-138  
~~34~~ 43  
41

recyclable materials cart. There will be a \$40.00 annual fee (per cart) for the collection service. Such customers may purchase up to five (5) recyclable materials carts.

**Sec. 98-117. Prohibited acts.**

-----

(e) Persons residing in a multifamily residential premises and owners of other premises which are participating in the city's curbside recycling program shall not place other solid wastes for collection with recyclable materials. Violation of this subsection is a municipal infraction punishable as provided in section 98-79 of this article.

-----

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney