

★ **Roll Call Number**

Agenda Item Number

51

Date June 23, 2014

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, as heretofore amended, is hereby amended by amending Sections 98-63 and 98-63.5, relating to waste hauler's permit requirements and fees",

presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

**(Council Communication No. 14-299)**

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

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

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, as heretofore amended, is hereby amended by amending Sections 98-63 and 98-63.5, relating to waste hauler's permit requirements and fees.

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, as heretofore amended, is hereby amended by amending Sections 98-63 and 98-63.5, relating to waste hauler's permit requirements and fees, as follows:

**Sec. 98-63. Waste hauler's permit requirements.**

(a) An application for a permit required by section 98-62 of this division shall be filed with the city clerk and shall contain the following information:

- (1) The name and address of the applicant.
- (2) The vehicles to be used.
- (3) General information concerning the routes to be traveled and places to be served.
- (4) A statement by the applicant that all of the requirements of this section 98-63, as well as other applicable requirements of this chapter, shall be complied with at all times during the period of the permit.

(b) No permit shall be issued or renewed unless the vehicles to be used ~~have been inspected by supervisory personnel in the sanitation division of the public works department.~~ The vehicles ~~must~~ meet the following requirements:

- (1) Construction of the vehicles shall be such that rubbish or bulk material loaded therein or transported thereby shall be securely contained. A truck with open sides, such as a stake-body truck, must have some type of paneling installed on the interior of the stakes so as to prevent the loss of any rubbish or bulk material. Plywood or hardboard may be used to line the interior; however, large sections of cardboard will not be acceptable.

- (2) All vehicles shall be equipped with a permanently attached covering over the bed of the vehicle or with a suitable tarpaulin. The tarpaulin must be constructed in such a manner so that both sides and the end of the tarpaulin can be securely tied down or loaded so as to prevent the rubbish or bulk material from being blown or allowed to escape.
- (3) All vehicles other than stake-body types must be equipped with a tailgate of rigid construction of at least 1 1/2 feet which, when closed, shall securely hold and contain all rubbish and bulk material. Acceptable paneling as indicated in this subsection may be used in lieu of a tailgate only on stake-body vehicles.
- (4) Any compaction-type vehicle must be equipped with a tightfitting tarpaulin or other means to prevent rubbish or other material from being blown or allowed to escape from the hopper area.
- ~~(e) The applicant shall pay at the time of application an annual permit fee of \$20.00, as well as \$10.00 for each vehicle to be inspected.~~
- (cd) All vehicles ~~inspected and~~ licensed under this section shall prominently display the permit number on the upper or lower left corner of the windshield of the vehicle upon a decal to be furnished by the city.

**Sec. 98-63.5. Permit fees.**

- (a) An applicant for a waste hauler's permit shall ~~submit a fee~~ the annual permit fee and the fee for each vehicle to the city clerk at the time of filing the application.
- (b) An applicant who files for renewal less than thirty (30) days prior to the date of permit expiration shall pay a late fee at the time of filing the application.
- (c) If the application is denied or if the application is withdrawn before final action is taken by the city clerk, a portion of the application fee shall be retained by the city clerk for the cost of administration.
- (d) The permit fee, its nonrefundable portion, the fee for each vehicle, and the late fee for a waste hauler's permit shall be in the amounts set in the schedule of fees adopted by the city council by resolution.

Section 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  
Assistant City Attorney