

CEDAR COUNTY ORDINANCE #16

LITTER & YARD WASTE ORDINANCE

AN ORDINANCE TO BE CITED AND KNOWN AS THE "LITTER AND YARD WASTE ORDINANCE OF CEDAR COUNTY."

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF CEDAR COUNTY, IOWA:

SECTION I. Definitions. For use in this ordinance, the following terms are defined:

1. "Refuse" shall mean any solid waste matter consisting of, but not limited to, garbage, junk vehicles (or parts thereof), machinery (or parts thereof), household trash, yard trash, commercial trash, building materials, trees, rocks, etc.
2. "Hazardous and Industrial Waste" means chemicals such as poison, acids and caustics, infected materials, explosives, sewage sludge, and sludges and liquids created by factories, processing plants, or other manufacturing enterprises.
3. "Litter" means any refuse improperly discarded upon any public place within Cedar County.
4. "Commercial Collector of Refuse" means a person or firm who hauls refuse for compensation.
5. The "Board" shall mean the Cedar County Board of Supervisors.
6. "Yard Waste" shall mean debris such as grass clippings, leaves, garden waste, brush and trees.
7. "Degradable Bags" means any untreated paper bags or other approved, degradable bags.
8. "Compost" means organic material resulting from biological decomposition of waste which can be used as a soil conditioner or soil amendment.
9. "Composting" means the controlled, biological decomposition of selected solid organic waste materials under aerobic conditions resulting in an innocuous final product.

SECTION II. Littering Prohibited.

1. It shall be unlawful for any person to scatter, place, or burn any refuse, or hazardous and/or industrial wastes upon or along any public right-of-ways, stream, body of water, or upon any other public place within Cedar County unless permitted by law.
2. No person or firm shall haul, transport, or otherwise convey any refuse or hazardous or industrial waste within Cedar County unless the same is contained in covered receptacles or is otherwise secured either to or within the vehicle so that the said waste matter does not fall or blow off or out of the vehicle hauling the same.

SECTION III. Separation of Yard Wastes.

1. All yard waste shall be separated by the owner or occupant from all other refuse accumulated on the premises and shall be composted or disposed of by other methods as approved by law and Department of Natural Resources administrative rules. If yard waste is to be set out for collection by commercial collectors, it shall be placed in containers, packages, or degradable bags for separate collection from other refuse. Yard waste will not be accepted at the Cedar County Transfer Station for disposal.
2. Yard waste may be composted or otherwise disposed of on the property of the owner or operator originating it. Land application of yard waste must meet the requirements of Section 567, Chapter 121 of the Iowa Administrative Code and any subsequent state regulations. Composting or direct land application of yard waste shall not create a nuisance unless otherwise deemed a nuisance under the Code of Iowa, Section 657.2, or any other nuisance sections of the Code of Iowa, 1989.

SECTION IV. Violations.

Any person or firm violating any provision or requirement of this ordinance shall be guilty of a simple misdemeanor, and shall also be held responsible for correcting the violation.

SECTION V. Enforcement.

1. Enforcement of the Ordinance shall be by the Cedar County Board of Supervisors, or by an authorized representative.
2. Whenever the Board, or an authorized representative, finds that a violation of this Ordinance has occurred, a written notice to correct the violation shall be sent by certified mail to the property owner.
3. The notice shall specify that the violation be corrected within thirty (30) days of receipt of said notice.
4. If the person notified to correct a violation neglects or fails to correct as directed within 30 days, the County Board may cause the litter to be cleaned up. The property owner shall pay the clean up through a billing after the clean up or through his property tax billing.

SECTION VI. Severability.

If some part of the Ordinance is found to be invalid or unconstitutional, such portion shall not invalidate the remainder of the Ordinance as a whole.

SECTION VII. Repealer.

This ordinance shall supersede all previous ordinances governing litter and yard waste.

SECTION VIII. When Effective.

This Ordinance shall be in effect after its final passage, approval, and publication as provided by law.