

ORDINANCE NO. 24-04

AN ORDINANCE AMENDING THE 2014 ALTA CITY CODE, BY AMENDING TITLE II, CHAPTER 1: SOLID WASTE CONTROL TO PROHIBIT UNAUTHORIZED DUMPING IN PUBLIC PLACES

WHEREAS, the City Code on file in the office of the City Clerk designates certain standards as provided by Chapter 414, Iowa Code, and

WHEREAS, unauthorized dumping of material in public places creates unhealthy, unsanitary, and unsightly conditions in the City

WHEREAS, the City Council of the City of Alta has determined that the City Code should be amended to control illegally dumped materials in public places within the City of Alta to promote health, safety, and general welfare.

NOW THEREFORE IT BE ORDAINED, by the City Council of Alta, Iowa;

Section 1. Title II, Chapter 1 SOLID WASTE CONTROL is amended by adding Article 1A following Article 1.

Section 2. Title II, Chapter 1 SOLID WASTE CONTROL, Article 1A will read as follows:

ARTICLE 1A - ILLEGAL DUMPING

1.01 TITLE: This Ordinance shall be known and may be referred to as the ‘Illegal Dumping Ordinance’.

1.02 PURPOSE: The purpose of this Ordinance is to control illegally dumped materials in public places within the City of Alta, Iowa and to promote health, safety and general welfare in the City of Alta, Iowa.

1.03 JURSDICTION: The provisions of this Ordinance shall apply to all of the City of Alta, Iowa.

1.04 INTERPRETATION OF STANDARDS: In interpretation and application, the Provisions of this Ordinance shall be held to be minimum requirements. Whenever the requirements of this Ordinance are at variance with the requirements of any lawfully adopted rules, regulations, ordinance, deed restriction, covenants, or other provisions of law, the most restrictive or that imposing the higher standards shall govern.

1.05 DEFINITIONS: For use in this Ordinance (Illegal Dumping Ordinance), the following terms and words are hereby defined:

The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this Ordinance.

- a) PERSON: The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- b) PUBLIC PLACE: Any and all public streets, sidewalks, alleys (including any portion of the right-of-way thereof), parks, or any other public lands, spaces, grounds, or buildings.
- c) DUMPING: To place, cause to be placed, throw, deposit, drop or discard.
- d) SOLID WASTE: Garbage, refuse, rubbish, litter, construction and demolition waste and other similar discarded solid or semisolid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities. Solid waste includes but is not limited to: municipal solid waste rubble, old corrugated cardboard, waste paper, old tires, inoperative and abandoned household appliances, furniture, mechanical equipment, construction and demolition debris, junked or in operable vehicles, junked or inoperable watercraft, aircraft, farm machinery, biosolids, dead animals, leaves, brush, yard waste, tree roots, limbs, branches and trunks.

1.06 ILLEGAL DUMPING ON PUBLIC PLACE PROHIBITED: A person dumping solid waste in or upon any public place within the City, except in areas authorized by the City of Alta, shall be in violation of this Ordinance (Illegal Dumping), unless they have written approval of the City of Alta.

- a) A person who is not a resident of the City of Alta, or anyone dumping solid waste not generated in the City of Alta, shall be in violation of this Ordinance (Illegal Dumping), unless they have written approval of the City of Alta.

1.07 VIOLATIONS AND PENALTIES: Any person, causing, allowing, permitting, or maintaining any condition, use or activity in violation of any provision of this Ordinance (Illegal Dumping) shall be guilty of a municipal infraction and will be subject to civil penalty as provided by City Code.

Section 3. REPEALER. All ordinances or parts of the previously adopted Alta City code in

conflict with the provisions of this zoning amendment are hereby repealed.

Section 4. SEVERABILITY CLAUSE. If any section, provision or any part of this amendment is determined to be invalid or unconstitutional, such adjudication shall not affect the validity of the previously adopted Alta City Code as a whole.

Section 5. EFFECTIVE DATE. This zoning amendment shall be in full force and effect from after passage and publication in a newspaper of general circulation.

Passed and approved this 4th day of September, 2024.

Mayor, City of Alta

Attest:

Alta City Clerk

I certify the foregoing was published as Ordinance No. 24-04 on the 18th day of September, 2024.

(signed)