

**CHAPTER 104**

**MUNICIPAL COMPOST SITE AND YARD WASTE**

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**104.01 PURPOSE.** The purpose of this chapter is to establish a location and manner for residents of the City of Marengo to dispose of yard waste. As used in this chapter, “yard waste”, means any debris such as grass clippings, leaves, garden waste, brush and trees. Yard waste does not include tree stumps.

**104.02 COMPOST SITE.** The location of the site where City of Marengo residents are allowed to dispose of their yard waste, is the city-owned lot located in the 800 block of East Main Street.

**104.03 HOURS OF OPERATION.** The compost site will be available for disposal of yard waste or brush commencing at sun-up and ending at sundown each day.

**104.04 PROHIBITED MATERIALS AND PRACTICES.** It is unlawful for any person to engage in the dumping of materials other than yard waste at the compost site. In addition, it is unlawful for any person to set fire to, or cause the ignition of the materials at the site.

**104.05 YARD WASTE FROM OUTSIDE CITY PROHIBITED.** It is unlawful for any person to dispose of yard waste or brush at the Compost Site, which did not originate or was not produced within the City limits.

**104.06 VIOLATION AND PENALTY.** Anyone violating any of the provisions of this ordinance shall, upon conviction, be guilty of a misdemeanor and be subject to imprisonment not exceeding thirty (30) days, and/or a fine not to exceed \$100.00. The person shall be required to remove any unapproved materials deposited into the Compost Site. In addition, the violator may be subject to civil penalties, which shall include the costs of removing the material in violation of this section and the proper disposal thereof. The minimum civil penalty for a violation shall be \$500.00 for the first offense and \$1000.00 for each subsequent offense.

**104.07 COMPOST SITE FEE.** A compost site fee, established by resolution of the Council, shall be charged as a user fee on customers' water/sewer bills every month. All compost fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.03 of this Code of Ordinances. Utility services may be discontinued in accordance with the provisions contained in Section 92.04 if the combined service account becomes delinquent, and the provisions contained in Section 92.07 relating to lien notices shall also apply in the event of a delinquent account.

**104.08 USER FEE DETERMINATION.** The Council shall annually determine the fee to be charged for the compost site in order to reasonably reflect the anticipated cost, as approved by motion or resolution of the Council.

**104.09 LIEN FOR NONPAYMENT.** The owner of the premises served and the occupant thereof and the user of the compost site provided by the City shall be jointly and severally liable for the fees for the compost services provided to the premises being served. Fees and penalties remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified to the County Treasurer for collection in the same manner as property taxes.