

**ORDINANCE NO. 1325**

**AN ORDINANCE AMENDING SECTION 8.44.040 OF THE MUNICIPAL CODE OF THE CITY OF DECORAH RELATED TO YARD WASTE DISPOSAL**

**WHEREAS**, the Decorah City Municipal Code regulates yard waste disposal in Chapter 8.44 – Yard Waste Disposal; and

**WHEREAS**, Section 8.44.040 was previously amended to remove the requirement for contractors to chip tree branches and brush.

**WHEREAS**, the City finds it more efficient and in the public interest to update the guidelines for the collection and disposal of yard waste at the yard waste site to re-establish the requirement for contractors to chip tree branches and brush.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Decorah, Iowa, as follows:

That Section 8.44.040 – Designated sites of the Municipal Code of the City of Decorah, Iowa, is hereby amended by deleting said section and inserting the new Section 8.44.040 in lieu thereof as provided below:

**8.44.040 Collection or transport.**

- A. Subject to Section 8.44.030, the property owner or occupant may privately contract with a hauler to transport yard wastes to a designated city collection site. The dates of collection and charges for said collection are to be privately arranged between the property owner, occupant, and the hauler.
- Collection of yard wastes by a hauler other than the owner or occupant shall be in the following manner:
1. Bagged yard wastes must be placed in degradable untreated paper bags or containers and placed three to six feet from garbage or other refuse. All logs, tree branches, and brush shall be cut into lengths not exceeding twelve feet in length.
  2. Bags or containers or other yard wastes placed in the boulevard behind the back of the curb shall not be so placed more than twelve hours in advance of the regularly scheduled collection time.
- B. The city shall provide and designate collection sites for the disposal of yard wastes. Transportation of yard wastes to the disposal site shall be the responsibility of the owner or occupant. The city shall promulgate rules and regulations for the conduct of each site as contemplated by Section 8.44.030 of this chapter and shall properly post and make available to the public said rules of operation. The following rules shall apply in general to all city waste disposal sites:
1. All residents are responsible for separating and depositing their yard waste into the designated areas.
  2. All logs over eight inches in diameter must be cut into lengths that do not exceed twelve feet and deposited in the designated area for firewood.
  3. All tree branches and brush under eight inches in diameter, resulting from contractor operations, must be chipped and deposited in the designated area for woodchips.
  4. All tree branches and brush under eight inches in diameter deposited by homeowners must be cut into lengths that do not exceed twelve feet and deposited in the designated area for tree branches and brush.

**Repealer.** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Severability Clause.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

**When Effective.** This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

Date of First Reading: April 15, 2024

Date of Second Reading: May 6, 2024

Roll Call Vote:

Councilmen Voting Aye: Hadley, Parker, Zittergruen, Miculinich, Neal, Olson, Schissel  
Councilmen Voting Nay: None

PASSED AND ADOPTED this 6th day of May, 2024.

CITY OF DECORAH

Lorraine Borowski  
Lorraine Borowski, Mayor

ATTEST:

Keri Sand  
Keri Sand, City Clerk-Finance Officer

I hereby certify that the above Ordinance No. 1325 was published on the 16th day of 2024, in the Decorah Public Opinion

Keri Sand  
Keri Sand, City Clerk-Finance Officer