

ORDINANCE NO. 409

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF MARQUETTE, IOWA BY
AMENDING PROVISIONS PERTAINING TO SOLID WASTE CONTROL**

BE IT ORDAINED by the City Council of the City of Marquette, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Subsections 14 and 15 of Section 105.02 of the Code of Ordinances of the City of Marquette, Iowa, is repealed and the following adopted in lieu thereof:

14. "Sanitary disposal project" means all facilities and appurtenances including all real and personal property connected with such facilities, which are acquired, purchased, constructed, reconstructed, equipped, improved, extended, maintained, or operated to facilitate the final disposition of solid waste without creating a significant hazard to the public health or safety, and which are approved by the Director of the State Department of Natural Resources. "Sanitary disposal project" does not include a pyrolysis or gasification facility as defined in Section 455B.301 of the Code of Iowa.

(Code of Iowa, Sec. 455B.301)

15. "Solid waste" means garbage, refuse, rubbish, 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 may include vehicles, as defined by Section 321.1 of the Code of Iowa. Solid Waste does not include any of the following:

(Code of Iowa, Sec. 455B.301)

A. Hazardous waste regulated under the Federal Resource Conservation and Recovery Act, 42 U.S.C. §6921-6934.

B. Hazardous waste as defined in Section 455B.411 of the Code of Iowa, except to the extent that rules allowing for the disposal of specific wastes have been adopted by the State Environmental Protection Commission.

C. Source, special nuclear, or by-product material as defined in the Atomic Energy Act of 1954, as amended to January 1, 1979.

D. Petroleum contaminated soil that has been remediated to acceptable State or Federal standards.

E. Steel slag which is a product resulting from the steel manufacturing process and is managed as an item of value in a controlled manner and not as a discarded material.

F. Material that is legitimately recycled pursuant to Section 455D.4A of the Code of Iowa.

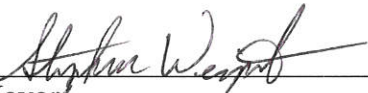
G. Post-Use polymers or recoverable feedstocks that are any of the following:

- (1) Processed at a pyrolysis or gasification facility
- (2) Held at a pyrolysis or gasification facility prior to processing to ensure production is not interrupted.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjunction shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.


SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and posting as provided by law.

Final Reading and Passed by the Council on the 10th day of September 2019.



Mayor

ATTEST:



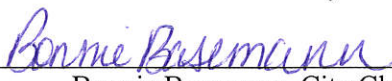
Bonnie Basemann, City Clerk

First Reading: 9/10/19 Ayes: Halvorson, Ries, Schneider, Soulli; Nays: none

Second Reading: Waived

Final Reading & Passage: 9/10/19 Ayes: Halvorson, Ries, Schneider, Soulli;
Nays: none

I certify that the foregoing was posted as Ordinance No. 409 on the 11th day of September 2019 through the 23rd day of September 2019.



Bonnie Basemann, City Clerk