

## CHAPTER 129

# LICENSING OF SCAVENGERS

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**129.01 DEFINITION.** For use in this chapter, the term “scavenger” means any person who transports upon the public streets, alleys, sidewalks, or property any refuse except refuse directly from said person’s own property.

**129.02 LICENSE REQUIRED.** It is unlawful for any person to engage in the business or occupation of a scavenger in the City without having first obtained a license as provided in this chapter.

**129.03 APPLICATION; FEE.** Application for a license required under this chapter shall be in writing on forms furnished by the Clerk and shall include the following:

1. Applicant’s full name and address of residence;
2. Address of applicant’s business establishment or office;
3. Names and addresses of principal officers if applicant is a corporation or other association;
4. Detailed list describing each of the places from which the scavenger collects or intends to collect refuse.

The application shall be filed with the Clerk and shall be accompanied by a license fee in an amount set by resolution of the Council. The Clerk shall give the applicant a written receipt showing the sum received and the time of receipt.

**129.04 ISSUANCE OF LICENSE.** If the Clerk determines that the application is in proper form and that all of the prescribed conditions for the issuance of a license to engage in the business of a scavenger have been satisfied and that the conduct of such business will not endanger the public welfare, order, safety, health, or morals, the Clerk shall issue such license.

**129.05 REFUSAL OF ISSUANCE; APPEAL.** If the Clerk refuses to issue a license, the reasons for such refusal shall be endorsed on the application. The applicant shall then have a right to a hearing before the Council at its next regular meeting. The Council may reverse, modify, or affirm the decision of the Clerk by a majority vote of the members present (if a quorum), and the Clerk shall carry out the Council’s decision.

**129.06 DURATION OF LICENSE.** A scavenger’s license shall expire one year after the time of its issuance.

**129.07 TRANSFER RESTRICTED.** Unless otherwise provided in this chapter, no license issued hereunder is transferable to another person and no such license may be used for a purpose other than that for which it was issued.

**129.08 DISPLAY OF LICENSE.** The license issued under this chapter shall be displayed in a prominent manner at a place upon the business premises where business is commonly transacted with the public.

**129.09 COLLECTION PLACES; UPDATING LIST.** The licensee under this chapter shall keep the list required by Section 129.03(4) up to date by reporting immediately to the Clerk any changes of places of collection. Refuse shall be collected only from the places reported as places of collection.

**129.10 CARRYING REFUSE IN LEAKING CONTAINERS PROHIBITED.** Refuse shall not be carried by scavengers upon any street, alley, sidewalk, or property of the City in containers that permit leaking or spilling of the refuse.

**129.11 INSPECTION AND INVESTIGATION.** The City Building Inspector is permitted at all times to investigate a scavenger's activities for the existence of materials or conditions dangerous to the public health.

**129.12 REVOCATION.**

1. Grounds. The Clerk, after giving a licensee reasonable notice and a fair hearing, may revoke any license issued under this chapter for the following reasons:

A. If the licensee has made fraudulent statements in the application for the license or in the conduct of business;

B. If the licensee has violated the provisions of this chapter or otherwise conducted business in an unlawful manner;

C. If the licensee has conducted business in a manner endangering the public welfare, health, safety, order, or morals.

2. Notice. The notice of intended revocation of a license shall be in writing and shall be served personally or as required for personal service by the Iowa Rules of Civil Procedure. The notice shall state the time and place of the hearing and the reasons for the intended revocation.

3. Appeal. If the Clerk revokes a license or permit, the Clerk shall immediately notify the Council in writing, giving the reasons for the revocation. The licensee shall then have a right to a hearing before the Council at its next regular meeting. The Council may reverse, modify, or affirm the decision of the Clerk by a majority vote of the members present (if a quorum).

4. Effect. Revocation of a license shall bar the licensee from being eligible for any license under this chapter for a period of one year from the date of revocation.

**129.13 EXEMPTIONS.** This chapter does not require a license for each employee or agent of a scavenger dealer. Only the owner, manager, or agent of the business need possess a license.