

Chapter 99 – REGULATION OF CONSTRUCTION DUMPSTERS

ORDINANCE #163

AN ORDINANCE TO AMEND THE CITY OF ALMA’S CODE OF ORDINANCES TO PROVIDE FOR THE REGULATION OF CONSTRUCTION DUMPSTERS AND PENALTIES

THE CITY OF ALMA ORDAINS:

SECTION 1: AMENDMENT TO CODE.

The City of Alma Code of Ordinances is hereby amended to include the following new Chapter:

Section 99.01 Location of Construction Dumpsters.

- a. Single Family Residential Zones: No commercial or construction dumpster shall be located within ten (10) feet of an abutting dwelling, unless the occupant of the abutting dwelling agrees to such and signs the authorization form which shall be submitted with the permit application for the dumpster. No dumpster shall be placed so that it blocks any public sidewalk.
- b. Multi-Family, Commercial and Industrial Zones: No temporary commercial or construction dumpster shall be located within ten (10) feet of an abutting residential property or on a public street or alley unless a permit is obtained from the City Building Department.
- c. If permitted and the dumpster is placed on the public street or alley, the dumpster shall be directly in front of or on the side of the property address utilizing the dumpster. Additionally, a dumpster placed on the street shall:
 1. Not be more than eighteen (18”) inches from the curb;
 2. Not obstruct driveways of abutting properties;
 3. Not obstruct traffic;
 4. Be protected at both ends by a barricade, and
 5. The barricades shall provide a reflective area not less than thirty-six (36) square inches at each end.

A dumpster shall not be placed on the Public Street if on-street parking for vehicles is not allowed at that location.

Section 99.02

Time Limit

- a. Single Family Residential Zones: During any six (6) month period a dumpster and any replacement dumpster shall be placed for a total of not more than fourteen (14) days in any six (6) month period if placed on the street and not more than thirty (30) days in any six (6) month period if placed elsewhere.
- b. Multi-Family and Commercial: A dumpster and any replacement dumpster placed under this ordinance and not in a public street may remain on the site as long as required, but not to exceed a total of six (6) months. A dumpster or any replacement dumpster placed upon a public street may be placed for not more than a total of fourteen (14) days in any six (6) month period.
- c. Industrial: A dumpster or any replacement dumpster placed under this ordinance may remain on the site as long as needed, but not to exceed a total of eighteen (18) months.

Section 99.03 Sanitation.

The following requirement shall be maintained while the dumpster is on or at the site:

1. The area around the dumpster shall be kept free of debris and litter, to include the removal of nails, screws, etc. with the use of a magnet type tool;
2. Any dumpster into which animal or vegetable waste or material has been dumped or deposited shall be removed or emptied within twenty-four (24) hours; and
3. Any dumpster producing or causing noxious, foul or offensive odors shall be immediately removed or cleaned to eliminate the odor.
4. A full dumpster shall be removed from the property within two (2) days.

Section 99.04 Usage

A dumpster shall only be used to contain and remove debris and material generated at the location where the dumpster is placed.

Section 99.05 Identification.

The name and telephone number of the owner of the dumpster and/or the company that is responsible for the dumpster shall be displayed in a weather proof manner on the dumpster.

Section 99.06 Permit required.

A permit shall be required for a dumpster. The permit shall be obtained from the City Hall-Clerk's Office after paying the required fee of \$25.00. The permit shall be displayed in a weather proof manner on the dumpster.

Section 99.07 Abatement.

Any dumpster not in compliance with this ordinance is hereby declared to be a public nuisance and may be abated by the City at the owner's or responsible person's expense. Abatement shall at the City's option, include the removal and/or the emptying of the dumpster.

Section 99.08 Violations; penalties.

- a. Violation of any provision of this chapter shall be punishable by a fine in an amount of not more than Five Hundred (\$500.00) Dollars, or imprisonment for a term of not more than ninety (90) days, or both.
- b. In addition, a person found guilty of a violation of this chapter shall be ordered to abate the problem and pay the cost incurred by the City if the City abated the problem.
- c. Notwithstanding section (a) above, a person's first or section violation of Sections 12-2, 12-3, 12-5b and c, 12-7 b and 12-10

SECTION 99.09 REPEAL.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect and specifically, sections 12-10.

SECTION 99.10 SAVING CLAUSE.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 99.11 SEVERABILITY.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 99.12 IMMEDIATE EFFECT.

To preserve the public peace, health, welfare and safety, it is necessary that this Ordinance become immediately operative upon publication of this ordinance.

SECTION 99.13 ADOPTION.

This Ordinance is hereby declared to have been adopted by the Common Council of the City of Alma, WI, at a regular meeting, called and held on the 5th day of November, 2007 and ordered to be given publication in the manner prescribed by law.

LOIS A. BALK, MAYOR

CITY OF ALMA

LINDA M. TORGERSON, CITY CLERK

CITY OF ALMA