

## NEW DEFINITIONS

(\*) Dumpster enclosure shall mean a structure designed to support and enclose a dumpster.

(\*) Dumpster service standards (also known as the dumpster service guide) shall mean the document used to provide the standards for design, review, construction, inspection and permitting of dumpster placement sites.

*The purpose of these definitions is to make our current "dumpster service guide" into a legal regulation that the ordinance can simply cite. We are currently working to revise the dumpster service guide to include necessary changes.*

### Sec. 16-4. - Dumpster container service.

(d) The director, division of waste management shall have the authority to designate the location for collection with consideration for such factors as: ease of accessibility, convenience for customers; hazardous conditions such as cables, utility poles, equipment clearance, animals; and collection costs. Dumpster service truck operators are not to maneuver the truck in a reverse position beyond fifty (50) feet. Dumpster service truck operators will not back out onto a public roadway.

*This is a safety issue seemingly left up to the discretion of the director of waste management. We would like this to be the standard and anything else to be an exception.*

### Sec. 16-4.1. - Dumpster screening requirements; requirements for obtaining permit; location and maintenance of dumpsters.

(a)(2) The ~~average~~ height of screening material shall be eight (8) feet from the surface of the concrete pad to the top of dumpster screening. ~~one (1) foot more than the height of the dumpster but when walls or fences are used, shall not exceed eight (8) feet in height.~~

*There is no reason for the dumpster screening to be anything but 8 feet tall.*

(a)(4) A concrete pad sufficient to support the dumpster and the front wheels of the dumpster collection vehicle shall be required where the existing foundation, as determined by the director of the division of waste management, is not adequate to support the dumpster and the collection vehicle and bollards shall be installed which are sufficient to protect any adjacent structure(s) and allow access to the dumpster. Bollards sufficient to protect the dumpster enclosure shall be installed per the dumpster service standards.

(b)(1) In order to obtain such permit, an application accompanied by a plat of the property on which the dumpster and screening is to be located, drawn to scale and showing the location of all structures, public rights-of-way, and the location of the proposed dumpster and all required screening, shall be submitted to the director of the division of waste management. All dumpster enclosures will be inspected by the division of waste management to determine whether the enclosure conforms to the plans provided in the initial application. Deviation from the initial application or the dumpster service standards may result in denial or revocation of dumpster permit. A fee in the amount of twenty-five dollars (\$25.00) shall be paid to the director of the division of waste management prior to issuance of any dumpster and screening permit except as provided in subsection (b)(3).

*We believe per article 12 that the director of waste management has the power to revoke dumpster permits. We simply want to make that clear in this section, as well as referencing the dumpster service guide/standards.*

*We had also discussed having new permits expire, or having them require some renewal process or re-inspection. Currently, dumpster permits never expire. This has caused administrative issues on our end, simply tracking down old permits has proved impossible. It's also a safety issue, as our standards have changed over time. Dumpsters only need to be re-permitted when they are moved or when they change owners. We think a renewal period of TWO years is reasonable & may consider as a future proposal.*

(b)(2) Any dumpster or screening placed or constructed without a permit as required by this subsection shall be removed within forty-eight (48) hours of notice to the person responsible for placement of the dumpster or screening unless a permit is immediately obtained as provided in subsection (b)(3). The notice shall state that a civil citation may be issued if two (2) or more notices to remove unpermitted dumpsters or screening have been issued to the same person within any ~~twelve~~ <sup>six</sup>-month period notwithstanding whether a permit was obtained after the prior notices.

*We would like to improve our capacity to enforce dumpster permit violations. Code Enforcement have communicated to our Enforcement team that they would like this to have more teeth. Because dumpsters sometimes switch owners frequently, unpermitted dumpster notices may not be issued to the same person within the time frame required by this 3 strikes rule. The dumpster may remain unpermitted, be moved back and forth without a permit, etc.*

(b)(3)(d) All dumpsters, regardless of whether collection service will be provided by the urban county government or by private hauler, shall be maintained in a safe and sanitary condition and shall be cleaned by the owner/occupant of the dumpster site as often as necessary to prevent the dumpster from becoming malodorous. Litter and debris, e.g. wooden pallets, mattresses, furniture, tires, or grease receptacles, shall not be allowed to accumulate around

the dumpster, and all refuse shall be deposited in such manner as to prevent it from blowing out of the dumpster.

Sec. 16-11. - Dumpster collection schedules.

(b) A dumpster container will not be collected when in the opinion of the director of waste management the container is filled with special handling wastes, hazardous wastes, construction material, or when the combined weight of the container and its contents is of such an excessive weight (Define "excessive weight") as to pose a threat to the proper functioning of the packer truck lifting equipment.

*We need to define an excessive weight, which we think would be the gross weight of one of our current front-loader trucks and the maximum load weight of that truck. I'm going to get this exact number tomorrow. Refuse trucks have, however, gotten bigger over the years and may get bigger in the future. This could be moved to the dumpster service standards.*

Sec. 16-14. - Special collections.

(c) Items generated from residential units such as televisions, tires off rims (up to four (4)), furniture, small scrap metal pieces, etc., will be collected free of charge by calling the division of waste management. Calls must be made at least twenty-four (24) hours in advance of the requested special pick-up. There is a maximum of one (1) special pickup per week, in addition to the regular pickup. Dumpsters placed in an apartment complex, townhouse complex or condominium complex will require a designated site for the collection of any special handling waste such as furniture, tires, etc. The location of this site must be indicated in the dumpster permit application. This site must be at least six (6) feet away from the screening of any dumpster enclosure and must not impede access to any dumpster enclosure. Clear signage must be posted indicating the "Pickup Area."

*A major issue we face is that refuse, especially bulky refuse and construction material, tends to build up around dumpster enclosures. This is a safety issue for our employees and a liability for the city, as lifting a dumpster in an enclosure with bulky items in it is likely to damage the enclosure. As a result our drivers often skip these enclosures, causing frustration for the business.*

*Allowing refuse to pile up in the enclosures is already banned in the ordinance, but we would like to mandate this additional pickup area for "apartment complexes, townhouse complexes, or condominium complexes" as defined by the ordinance. We would like some reference to this in the ordinance, although it could just be a reference and then "per the dumpster service standards."*