

## CHAPTER 737

### Bulk Waste Containers Dumpsters

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#### 737.01 DEFINITIONS

For purposes of this Chapter:

- (a) **DUMPSTER** shall be defined as a large trash receptacle designed to be hoisted and emptied into a truck.
- (b) **BULK WASTE CONTAINER** shall be defined as a roll off container, utility trailer or bag type container that is intended to contain waste, generally construction and demolition debris or other bulk waste, and is loaded onto a specialty vehicle or transported by a motor vehicle for disposal.

(Ord. 35-23. Passed 6-27-23.)

#### 737.02 PERMIT REQUIRED.

No person shall place or cause to be placed upon any property, street, sidewalk, alley or public right-of-way within the Village any bulk waste container, without first having obtained a written permit from the utilities office by making an on-line application or by an in-person application at the utilities office. It shall be the responsibility of the user of the bulk waste container to obtain a permit and to provide a copy of such permit to the owner of the bulk waste container before placement of any bulk waste container. In emergency situations, a bulk waste container may be placed prior to obtaining a permit (see Section 737.03 below). No permit will be required for the placement of a dumpster.

(Ord. 35-23. Passed 6-27-23.)

#### 737.03 PERMIT APPLICATION.

A permit application shall be submitted to the Village one week prior to the date of planned delivery of the bulk waste container on an application form obtained on-line or provided by the utilities office. The form requires the description of the location of placement, length of placement and reason for placement. In emergency situations, a bulk waste container may be placed prior to obtaining a permit, provided a permit is applied for the first business day after placement of the bulk waste container. (Ord. 35-23. Passed 6-27-23.)

#### 737.04 PERMIT FEE AND DURATION.

Upon approval of the on-line or in person permit application, a written permit for placement of a bulk waste container shall be issued by the Village upon payment of the permit fee in the amount of fifty dollars (\$50.00). Permits shall be good for a period of thirty (30) days from the date of issuance. Provided that the permit holder has complied with the requirements of this Chapter and the permit issued hereunder, the permit may be renewed for additional periods of thirty (30) days upon payment to the Village of a renewal permit fee for each renewal in the amount of twenty-five dollars (\$25.00). Any change in the permit fee by the Village may be done by ordinance or resolution from time to time.

(Ord. 35-23. Passed 6-27-23.)

#### 737.05 PERMIT CONDITIONS.

Upon issuance of a permit as set forth in this chapter, the permit holder agrees to comply with the following requirements.

- (a) Any bulk waste container placed on a street, sidewalk, alley or public right-of-way for which a permit is issued as set forth in this chapter shall bear reflectorized or illuminated marking in order to provide adequate warning of the placement of such bulk waste container to pedestrians and motorists. If the bulk waste container does not bear these markings, then orange safety cones are to be placed on all traffic sides.
- (b) Any bulk waste container placed on Village streets shall be removed within thirty (30) days from the date of permit issuance unless a renewal permit is granted in writing from the utilities office pursuant to Section 737.04.
- (c) If at any time there is damage caused by the bulk waste container to any Village property, the permit holder shall be held responsible for the damages and be given notification as to the costs of repairs to the Village's property.
- (d) After any bulk waste container is filled to capacity, the same shall be emptied or caused to be emptied or removed within three calendar days thereof. If removed, a replacement bulk waste container shall be permitted for the remainder of the thirty (30) days from permit issuance at no cost, subject to the requirement for permit renewal upon the termination of the permit.
- (e) At all times, the permit holder agrees to prevent any items or debris from leaving the bulk waste container due to weather, high winds or other cause, and, if necessary, shall place a tarp over the bulk waste container.
- (f) No bulk waste container shall be placed on any street, sidewalk, alley or public right-of-way such that it blocks the flow of vehicle or pedestrian traffic.
- (g) If the Village determines that the bulk waste container is not in active use, renewal of the permit may be denied, and the bulk waste container shall be removed even if not filled to capacity.
- (h) No bulk waste container larger than forty (40) cubic yards shall be placed in any district zoned R-1, R-2, R-3 or R-4.
- (i) Failure of the permit holder to have the bulk waste container emptied as required herein, the area around the bulk waste container clean and/or odor control maintained will be considered a violation of this Chapter and subject the permit holder to penalties described herein.

(Ord. 35-23. Passed 6-27-23.)

#### 737.06 PERMIT REVOCATION.

Any permit issued or renewed by the Village may be immediately revoked by the Village upon mailing of notice of revocation to the permit holder at the address stated in the permit application, or by service of the Service Director/Zoning Inspector or his/her designee, for any one of the following reasons:

- (a) Failure to comply with any provision of this Chapter or any requirement as set forth in the permit or permit application;
- (b) The emission of any foul or noxious odor from material contained in the bulk waste container, regardless of whether the bulk waste container is filled to capacity or not; or
- (c) The presence of any vehicular, pedestrian, fire, health or safety hazard or potential hazard arising after issuance of a permit or renewal thereof.

(Ord. 35-23. Passed 6-27-23.)

**737.07 DUMPSTER RESTRICTIONS**

(a) In districts zoned R-1, R-2, R-3 and R-4, no dumpster shall be placed within the front yard setback line, based on the front door street address, except on collection day. A residential garbage/refuse dumpster must have a secured lid or lids.

(b) In districts zoned R-3, R-4, B-1, B-2, B-3 or M-1, dumpsters shall be surrounded and enclosed by discreet fencing.  
(Ord. 35-23. Passed 6-27-23.)

**737.99 PENALTY.**

(a) Any person violating any provision of this Chapter shall be guilty of a minor misdemeanor, and shall be fined pursuant to Section 501.99(a)(2)E. of the Codified Ordinances.

(b) Each separate violation of any section of this Chapter shall be considered a separate minor misdemeanor.

(c) Upon revocation of any permit granted or renewed by the Village, failure to remove any bulk waste container for which a permit has been revoked shall constitute a separate violation for each day after revocation. Except in emergency situations as set forth in Section 737.03, for each day that a bulk waste container is placed without having obtained a permit therefore, a separate violation shall exist. The Village shall have the right to remove any said bulk waste container from a Village street, sidewalk, alley or public right-of way.  
(Ord. 35-23. Passed 6-27-23.)

**CODIFIED ORDINANCES OF MINERVA**