

**CITY OF ALIQUIPPA
BEAVER COUNTY, PENNSYLVANIA**

Introduced By: TRUMP First Reading: 9/1/10
Public Notice: 9/22/10 Adopted: 10/6/10

ORDINANCE NO. 9 of 2010

**AN ORDINANCE OF THE CITY OF ALIQUIPPA, COUNTY OF BEAVER
AND COMMONWEALTH OF PENNSYLVANIA, REGULATING THE
PLACEMENT OF TEMPORARY DUMPSTERS ON CITY STREETS**

**BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE
CITY OF ALIQUIPPA, COUNTY OF BEAVER AND COMMONWEALTH OF
PENNSYLVANIA AND IT IS HEREBY ENACTED AND ORDAINED BY THE
AUTHORITY OF THE SAME.**

SECTION 1: Definitions.

As used in this article, the following terms shall have the meanings indicated, except where the context specifically indicates otherwise:

DUMPSTER: A metal storage receptacle used to temporarily store debris or garbage and which is then emptied of its contents or removed with its contents to a dumpsite.

PERSON: Any natural person, association, partnership, firm or corporation.

STREET: The portion of any street, alley, and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private.

TEMPORARY DUMPSTER: Any dumpster used or intended as a disposal facility for construction, renovation or demolition projects, special events, seasonal use, or other purposes not permanent in the future.

SECTION 2: Permit requirement.

Every person, firm or corporation desiring to utilize any dumpster, open-top container, portable outdoor storage facility or compaction container on a public street or private property within the City shall apply for the permit required by this chapter by submitting an application on a form prepared and furnished by the Department of Code Enforcement. The application shall set forth the name of the owner and operator, if not the same, the location and size of the container, the dates of use and such other information as the Department of Code Enforcement may require.

SECTION 3: Permit fee and time limit.

The permit shall be issued only for the actual period of use not to exceed thirty days from the date of issuance. In the event any permit expires while the container is still in use, the applicant on or before the expiration date must apply for and receive a renewal permit for another thirty-day period. When an initial application is filed, a permit fee in the amount of \$25.00 shall be paid to the City, with a renewal fee of \$15.00.

SECTION 4: Duration of permit.

- A. A permit for temporary dumpsters shall be for an initial term of not more than thirty days. Provided the applicant is in compliance with all provisions of this article and all other applicable City regulations, a renewal permit may be approved and issued for an additional thirty-day period upon application and payment of the permit renewal fee. Not more than one renewal permit shall be issued by the City for any temporary dumpster(s) placed upon any City street, pedestrian way or state highway. Upon the expiration of the initial permit period or any renewal thereof, the dumpster shall be promptly removed.
- B. Not more than one permit, including all renewals thereof, shall be issued for any property during any one-year period.

SECTION 5: Placement and usage of dumpster.

- A. Prior to the issuance of any permit for any temporary dumpster, its location and usage shall be reviewed and approved by the City of Aliquippa Police Bureau.
- B. The following requirements shall apply to any temporary dumpster placed upon public streets or pedestrian ways in the City:
 - (1) Reflectors or reflective tape, a minimum of six inches in diameter, shall be placed upon all four sides of the dumpster, each side containing a minimum of four reflectors, in such a manner as to make the dumpster visible at night.
 - (2) Each of the dumpster rollers or wheels (if any) must be placed upon a wooden pad of at least six inches by six inches and at least $\frac{3}{4}$ of an inch in thickness in order to prevent damage to the road surface.
 - (3) No dumpster shall be placed nearer than 15 feet to any fire hydrant within the cart way or other area intended for fire-fighting equipment.
 - (4) The name, address and telephone number of the dumpster owner/operator shall be conspicuously placed on at least two sides of the dumpster.
 - (5) No dumpster shall be placed within the cart way of any street extending a distance of more than 10 feet from the curblineline or edge of cart way.
 - (6) The location of any dumpster upon any public street shall not interfere with any required clear sight distance across any intersection or otherwise endanger the safe and convenient movement of vehicular and pedestrian traffic.
 - (7) The location of any dumpster upon any public street shall not obstruct any pedestrian way of the travel lane of any public street.

- (8) No dumpster shall be loaded in such a manner as to cause its contents to spill onto any street, sidewalk or other area intended for pedestrian travel.
- (9) No dumpster shall contain any hazardous waste unless pursuant to a permit for such waste issued by the appropriate governmental entity.
- (10) No materials contained in dumpster shall emit any noxious or offensive odor or otherwise create any hazard or risk to public health.
- (11) No dumpster shall be placed in such manner as to interfere with the operation or maintenance of any public utility.
- (12) The permit shall be conspicuously placed in a location that permits it to be identified from a public street.
- (13) No container shall be transported, emptied, or serviced between the hours of 7:00 p.m. and 6:00 a.m., Monday through Friday, 7:00 p.m. and 8:30 a.m. on Saturday or at anytime on any Sunday or legal holiday, nor shall any mechanical, hydraulic or electric loader, compactor, packer or conveyor be utilized during such hours.

SECTION 6: Insurance.

Each application for a permit authorized under this chapter shall be accompanied by a policy or certificate of insurance including the applicant and the City as named insured's and evidencing general liability coverage to protect the public from bodily injury or property damage sustained as a result of the use of such dumpster and/or construction container. Such policy or certificate shall contain limits of at least \$100,000/\$300,000 for bodily injury and \$50,000 for property damage and shall provide at least 30 days notice of cancellation to be afforded to the City Administrator of the City of Aliquippa. If any dumpster is placed solely on private property, a certificate of liability insurance will not be required.

SECTION 7: Emergency removal.

In the event of an emergency, any container may be removed by the City of Aliquippa Police Bureau, Highway Department or Fire Bureau.

SECTION 8: Revocation of permit.

Violation of any terms and conditions of this chapter by the applicant, his agents, employees or any container hired by the applicant shall be reason for immediate revocation of the permit. The container shall be removed from the public or private property immediately upon revocation. Such action shall be in addition to the penalties provided for in Section 9.

SECTION 9: Violations and penalties:

For each violation of the provisions of this article, any person who commits, takes part in, or assists in any such violation shall be liable upon conviction thereof in a summary proceeding to pay a fine of not less than \$300 nor more than \$1,000 for each offense,

together with the costs of prosecution and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty days. Each day or portion thereof in which a violation exists shall be considered a separate violation of this article and each section of this article that is violated shall be considered a separate violation.

SECTION 10: Effective date:

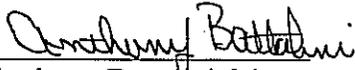
This Ordinance shall become effective on the date of adoption.

ORDAINED and ENACTED this 6th day of October, 2010.

ATTEST:

CITY OF ALIQUIPPA

By: 
Thomas A. Stoner, City Administrator

By: 
Anthony Battanni, Mayor

APPLICATION FOR DUMPSTER PLACEMENT

Name: _____

Address: _____

Phone Number: _____

Location of Dumpster: _____

Size of Dumpster: _____

On Street: _____ **Private Lot:** _____

Dates: **From:** _____ **To:** _____

Company Rented From: _____

Address: _____

Phone Number: _____

Initial Fee: \$ 25.00

Renewal Fee: \$ 15.00

Fee Paid: _____

I have received a copy of City of Aliquippa Ordinance No. 9 of 2010. _____
Initial

(Signature)

(Date)