

Section 845 - Permits for Temporary Placement of Containers
(Added, Ord. No. 96-04, Sec. 1)

845.01. Definition. For purposes of this section, "container" means a dumpster, collection bin, collection box, tub, roll-off box, roll-off container, portable storage container or any other receptacle used to store construction, remodeling or demolition debris or any goods or materials being temporarily or permanently stored. (Amended, Ord. No. 03-08)

845.03. Permit procedure. No person shall place a container on any public right-of-way without first obtaining a permit from the city engineer.

845.05. Permit application. An applicant for a permit shall provide the following information:

- (a) the name and address of the applicant;
- (b) the location of the project to be undertaken;
- (c) the length of time for which the permit is needed;
- (d) the type of debris that will be deposited in the container;
- (e) proof that the applicant has all necessary licenses required to perform the project; and
- (f) any other information deemed necessary by the city engineer.

845.07. Insurance. A permit holder shall maintain or cause to be maintained the following insurance with respect to the container:

- (a) public liability insurance in an amount of not less than \$1,000,000 for injuries including accidental death to any one person, subject to the same limit for each occurrence; and
- (b) property damage insurance in an amount of not less than \$500,000 for each accident and not less than \$1,000,000 aggregate.

The insurance required by this subsection shall protect the city from defense costs and claims for damage for bodily injury, personal injury, including accidental death, and claims for property damage.

845.09. Condition of container. Containers must be well-maintained and in good working condition, display the name and telephone number of the owner of the container, and be suitably supported at each contact point to prevent damage to paved surfaces. Containers must be covered when not in use if the material inside is easily airborne, poses a hazard, gives off odors or is otherwise offensive. Debris generated by the project must be placed inside the container and may not be placed on the public right-of-way or in any place in which such debris interferes with use of the public right-of-way.

845.11. Warnings required. The container shall be properly reflectorized at all times. (Amended, Ord. No. 02-07)

845.13. Duration of permit. No permit shall be issued for a period of more than seven days.

845.15. Permit fee. The permit fee shall be in such amount as the City Council may from time to time establish by resolution and list in Appendix B.

845.17. Denied and conditional permits. The city engineer may deny a permit or place conditions upon issuance of a permit if the denial or conditions are required due to traffic, width, public health or safety, or other considerations.

845.19. Revocation of permits. The city engineer may revoke a permit if the permit holder violates any provision of this section or any other applicable law, ordinance, rule, or regulation.

845.21. Applicability of other law. The owner of the container and the person placing it in the public right-of-way shall comply with all other laws, ordinances, rules, and regulations governing its use and maintenance.

845.23. Violation of this section. The city may remove any container placed in a public right-of-way in violation of this section. The owner of the container or the person placing it in the public right-of-way shall pay to the city all costs, fees, penalties, or other expenses incurred by the city in removing the container, and storing and disposing of the container and its contents. In addition, the city shall charge daily storage fees in such amount as the City Council may from time to time establish by resolution and list in Appendix B. If the container is not claimed within 30 days by its owner or the person responsible for placing it in the public right-of-way, it may be disposed of as abandoned property, but such disposal shall not diminish the responsibility of the owner or the person responsible for placing it in the public right-of-way to pay all amounts due under this subsection. A container shall not be released from storage by the city until all amounts due under this subsection have been paid. The provisions of this subsection are in addition to any other penalty provided for in this code.