

# **Ordinance #65**

An Ordinance for the Regulation of Construction Dumpsters within the City of Fountain City, WI

The Common Council of the City of Fountain City, Wisconsin do ordain as follows:

No construction dumpster shall be placed in a City Street or right-of-way without a permit. The permit shall be obtained from the City Clerk's office after paying the required fee, as defined on the City of Fountain City Fee Schedule.

**A. DEFINITIONS.**

1. Construction Dumpster – a large trash receptacle designed to be hoisted onto a truck.

**B. LOCATION OF CONSTRUCTION DUMPSTERS.** 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. Not be placed on a city sidewalk;
5. Occupy the minimum possible number of on-street marked parking stalls, and

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

**C. TIME LIMIT.** The permit period shall be for a maximum of 45 calendar days from the date of issuance. Prior to expiration, the permit period may be renewed at the City Clerk's office up to one time. Upon renewal, the permit period shall be valid for an additional 45 calendar days. Any further request for extension of the permit period shall be approved by the Common Council.

**D. SANITATION.** The following requirements shall be maintained when the dumpster is on-site:

1. The area around the dumpster shall be kept free of debris and litter, to include the removal of nails, screws, etc.;
2. Any dumpster producing or causing noxious, foul or offensive odors shall be immediately removed or cleaned to eliminate the odor.

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

**F. 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.

**G. 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 expense of the owner or responsible person. Abatement shall at the City's option, include the removal and/or the emptying of the

dumpster. The City reserves the right to require the removal of a dumpster from a city street, including but not limited to; for snow removal purposes, for street cleaning, for public safety, for repair or reconstruction of public streets, sewer, or water service. The determination as to removal of a dumpster shall be made by the Public Works Supervisor.

- H. VIOLATIONS. Violation of any provision of this chapter shall be punishable by a fine as defined on the City of Fountain City Fee Schedule. All penalties and costs imposed as a result of a violation of any provision of this ordinance and all deposits shall be paid to the Fountain City Clerk-Treasurer, 42 N. Main Street, Fountain City, WI 54629.
- I. 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.

This ordinance shall take effect and be in force from and after its passage, posting and/or public action as required by law.

Dated this 19<sup>th</sup> day of April 2022.

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Gwen Katula, Mayor

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Marcia Drysdale, Clerk-Treasurer

This ordinance was unanimously passed and adopted at a meeting of the Common Council of the City of Fountain City, Wisconsin, on April 19, 2022.