

APR 15 2013

**ORDINANCE NO. 3018**

*J. Ronald Colby*  
City Clerk

**AN ORDINANCE AMENDING SECTION 15.70 OF TITLE 15 (BUILDINGS AND CONSTRUCTION) REGULATING DUMPSTERS LOCATED IN TRAFFIC RIGHTS-OF-WAY OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS BY ADDING A NEW SECTION 15.70.040 OF TITLE 15 (BUILDINGS AND CONSTRUCTION) REGULATING DUMPSTERS AND P.O.D.S (PORTABLE ON DEMAND STORAGE) UNITS ON PRIVATE PROPERTY IN THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS**

WHEREAS, the City Council of the City of Columbia, Illinois has determined it is necessary and appropriate and in the public interest to regulate dumpsters in traffic rights-of-way and dumpsters and p.o.d.s. (portable on demand storage units) on private property by adding a new Section 15.70 of Title 15 (Buildings and Construction) regulating dumpsters and p.o.d.s. (portable on demand storage) units;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** Section 15.70 (Regulation of Dumpsters Located in Traffic Rights-of-Way) of Title 15 (Buildings and Construction) of the City of Columbia, Illinois Municipal Code is hereby amended, in bold, as follows:

**Chapter 15.70 REGULATION OF DUMPSTERS AND P.O.D.S. (PORTABLE ON DEMAND STORAGE) UNITS**

Section 15.70.010 It shall be unlawful for any person, firm or corporation to cause or permit the location in any public way (or on private rights-of-way subject to use for municipal police protection and/or fire protection in the City) a dumpster of any capacity (a "street-dumpster") without first obtaining a permit therefor from the City Clerk.

Section 15.70.020 Upon proper application and payment of the street-dumpster permit fee required by the City's fee ordinance, an applicant may be issued a street-dumpster permit allowing the applicant to deposit in a traffic way in the City, (subject to regulation of the location thereof by the City Police Department), for a period of not to exceed fourteen (14) consecutive days. Upon payment of the required permit fee, the street-dumpster permit shall be subject to being renewed and extended for one (1) additional

fourteen (14) day term by the City Clerk. A third or subsequent extension of the street-dumpster permit shall require the approval of the City's Zoning Administrator and payment of the required renewal fee; except that, no more than four (4) extensions of the permit shall be allowed without the approval of the City Council.

A copy of each street-dumpster permit issued by the City Clerk shall be provided to the City's Chief of Police and the City's Fire Chief by the City Clerk, as soon as practicable after each such permit is issued, so that those officials will be advised of the issuance of the permit and the proposed location of the street-dumpster to be deposited in a traffic right-of-way pursuant to the permit.

Section 15.70.030 Notwithstanding anything allowed and provided for in this Chapter of the City's Municipal Code, no person, firm or corporation shall locate a street-dumpster upon and within a traffic right-of-way in the City which is subject to regulation under this Chapter 15.70 of the City's Municipal Code, except that they shall install and maintain barricades with steady burning lights approved by the City Police Department, at each end of the street-dumpster that encroaches upon and is located within a traffic way.

**Section 15.70.040 Residential lot owners may maintain a dumpster or p.o.d.s. (portable on demand storage) units on site for up to thirty (30) calendar days after obtaining a permit. If the activities on the property require the use of a dumpster for more than thirty (30) calendar days, a one-time extension of a permit for dumpsters may be granted for up to sixty (60) additional calendar days. As part of the application for the extension of the permit, the applicant shall provide a timetable for completion of the project and shall call out any conditions needed to insure the health, safety and traffic concerns are addressed in a manner as is reasonable and appropriate. Additional extensions past the one time sixty (60) calendar day extension of the permit will require approval by the City Council of the City of Columbia, Illinois. A permit for a dumpster on the same property within a one (1) year period after expiration of a previous dumpster permit will not be allowed except with City Council of the City of Columbia, Illinois approval. Permits for p.o.d.s. (portable on demand storage) units will not be required if on the property for five (5) days or less. P.o.d.s. (portable on demand storage) units will be limited to one permit for thirty (30) calendar days. An extension of the permit for p.o.d.s. (portable on demand storage) units will require approval of the City Council of the City of Columbia, Illinois. The primary responsibility for obtaining the necessary permits shall be the property owner(s) however; a duly authorized representative, purchaser, lessee, devisee or judiciary may be allowed to represent the**

property owner with proper consent. Dumpsters utilized for construction of new homes shall not require a permit although such dumpsters shall be removed once construction is completed. Fees for dumpster and p.o.d.s. (portable on demand storage) units permits will be as required by the City's fee ordinance.

**Section 15.70.050** Any person, firm or corporation who violates this Chapter 15.70 of the City's Municipal Code shall be subject to a fine of not less than Seventy-Five Dollars (\$75.00) and not more than Seven Hundred Fifty Dollars (\$750.00) for each violation and each day or part thereof a violation exists shall be deemed to be a separate violation or offense.

**Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form, as provided by law.

Alderman Agne moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Mathews and Reis.

NAYS: None.

ABSENT: None.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 15<sup>th</sup> day of April, 2013.

  
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KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
\_\_\_\_\_  
J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS     )  
                                          ) SS  
COUNTY OF MONROE    )

**CERTIFICATE OF TRUE COPY**

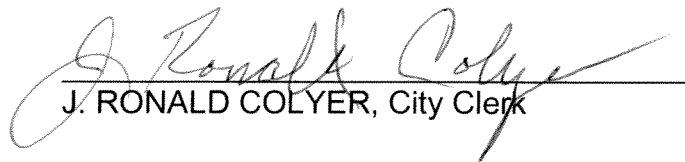
I, J. Ronald Colyer, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 3018, entitled:

**“AN ORDINANCE AMENDING SECTION 15.70 OF TITLE 15 (BUILDINGS AND CONSTRUCTION) REGULATING DUMPSTERS LOCATED IN TRAFFIC RIGHTS-OF-WAY OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS BY ADDING A NEW SECTION 15.70.040 OF TITLE 15 (BUILDINGS AND CONSTRUCTION) REGULATING DUMPSTERS AND P.O.D.S (PORTABLE ON DEMAND STORAGE) UNITS ON PRIVATE PROPERTY IN THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS”**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois City Council held on the 15<sup>th</sup> day of April, 2013.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 15<sup>th</sup> day of April, 2013.

  
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J. RONALD COLYER, City Clerk

(SEAL)