



## Construction Dumpster Permit Procedures



[Adopted 4-20-2015 by Ord. No. 007-2015]

### § 241-48. Definitions.

As used in this article, the following term shall have the meaning indicated:

**CONSTRUCTION DUMPSTER** - A roll-off waste container transported to and from the place of use by trucks or trailers and positioned at a construction site for the collection and eventual disposal of construction waste.

### § 241-49. Application/permit procedures.

Any property owner or private contractor intending to utilize a construction dumpster shall complete a permit application in the Construction Office. The permit shall require that the applicant certify that the location is compliant of the provisions § 241-50A and B below. It is the policy of the town to require the placing of dumpsters on private property and to permit placement of same upon the public roadways if and only if placement on private property is not possible. Where placement is proposed for a public roadway, the application shall be provided to the Chief of Police who shall determine whether public safety shall be jeopardized by the proposed placement. If the Chief of Police deems the location appropriate, he/she shall indicate his/her approval on the application and return same to the Construction Office.

### § 241-50. Construction dumpster locations.

**A. Single-family residential zones.** No construction dumpster shall be located within 10 feet of an abutting dwelling, unless the owner of the abutting dwelling agrees to such in writing which shall be submitted with the permit application. No dumpster shall be placed so that it blocks any public sidewalk. Only in those instances where it is physically impossible to locate the construction dumpster on the residential premises shall it be placed in the roadway and then only if all other pertinent sections of this article are complied with.

**B. Multifamily, commercial and industrial zones.** No construction dumpster shall be located within 10 feet of an abutting residential property unless the occupant of the abutting dwelling agrees to such in writing which shall be submitted with the permit application. No dumpster shall be placed so that it blocks any public sidewalk. Only in those instances where it is physically impossible to locate the construction dumpster on the residential premises shall it be placed in the roadway and then only if all other pertinent sections of this article are complied with.

**C. Location on public street.** If permitted, any construction dumpster placed on a public roadway shall be positioned directly in front of or on the side of the property address utilizing the dumpster. Additionally, a dumpster placed in a roadway shall:

- (1) Be not more than 12 inches from the curb;
- (2) Not obstruct driveways of abutting properties;
- (3) Not obstruct traffic or create a "blind spot" which would jeopardize the safety of pedestrians, bicyclists or other motorists;
- (4) Be protected at both ends by a barricade, which after sunset shall have a flashing yellow light attached to it; and
- (5) Have a reflector or reflective area of not less than 36 square inches at each end.

**D. No parking zones.** A dumpster shall not be placed on a public street if on-street parking for vehicles is not allowed at that location.

**E. Time limitations.**

(1) Single-family residential zones. A construction dumpster and any replacement dumpster placed under this subsection and not in a public street may be placed for not more than a total of 30 days in any six-month period. An exception to this time limit shall be made for dumpsters associated with the construction of new residential dwellings which shall be permitted to remain upon the premises (as opposed to on any roadway) from the date of construction permit issuance to the date of a Certificate of Occupancy issuance. A construction dumpster and any replacement dumpster placed upon a public street may be placed for not more than a total of 14 days in any six-month period.

(2) Multifamily and commercial. A construction dumpster and any replacement dumpster placed under this subsection and not in a public street may remain in the site as long as required, but not to exceed a total of six months. A construction dumpster or any replacement dumpster placed upon a public street may be placed for not more than a total of 14 days in any six-month period.

(3) Industrial. A dumpster or any replacement dumpster placed under this subsection may remain on the site as long as needed, but not to exceed a total of 18 months.

**F. Sanitation.** The following requirements shall be maintained regardless of the dumpster's location:

(1) The area around the dumpster shall be kept free of debris and litter;

(2) Any dumpster into which animal or vegetable waste or material has been dumped or deposited shall be removed or emptied within 24 hours;

(3) Any dumpster producing or causing noxious, foul or offensive odors shall be immediately removed or cleaned to eliminate the odor;

(4) A full dumpster shall be removed from the site and emptied within two days; and

(5) The dumpster must be covered at night and when not in active use.

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

**H. 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 weatherproof manner on the dumpster.

**I. Permit required.** A permit shall be required for all dumpsters. The permit shall be obtained from the Construction Office after paying the required fee of \$25; however, if the dumpster is going to be placed in the roadway, a fee of \$200.00 shall be required. The permit shall be displayed in a weatherproof manner on the dumpster.

**J. Insurance.** For any dumpster to be placed in a public roadway, the applicant shall provide proof of insurance in the amount of \$1,000,000.00 combined single limit which also names the town as an additional insured.

**K. Abatement.** Any dumpster not in compliance with this subsection is hereby declared to be a public nuisance and may be abated by the municipality at the property owner's and/or responsible person's expense. Abatement shall, at the municipality's option, include the removal and/or the emptying of the dumpster.

**L. Violations; penalties.**

(1) Violation of any provision of this subsection shall be punishable by a fine in an amount up to \$1,000.00 plus court costs which may be assessed against both the property owner and any other responsible party. Each day that the violation continues may be considered a separate offense.

(2) In addition, a person found guilty of a violation of this subsection shall be ordered to abate the problem and pay the cost incurred by the Town of Hammonton if the town abated the problem.