

## ORDINANCE NO. 551

### AN ORDINANCE TO AMEND CHAPTER 207, ENTITLED SOLID WASTE

Chapter 207, Article II, Section 207-38, entitled Method of Disposal; approval required is hereby amended by adding the following, **Placement of Dumpsters, Temporary Dumpsters or Portable Storage Devices on Public Streets and deleting Ordinance No. 542** of the Borough of Danville.

#### **1. Purpose**

The primary purpose of public streets is for use by vehicular and pedestrian traffic. Reasonable regulation of obstruction in public streets and sidewalks is necessary to protect the health, safety and welfare of the general public.

#### **2. Definitions**

**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.

**Dumpster Hauler** - An individual or company responsible for the placement and removal of the dumpster, temporary dumpster or portable storage device.

**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 nature.

**Portable Storage Device** - Any item placed in a street that is not a motor vehicle as defined by the Pennsylvania Vehicle Code, or a temporary dumpster, including, but not limited to, containers commonly known as "portable storage devices" or "PODS®."

#### **3. Permit required**

Prior to the issuance of any permit for any dumpster, temporary dumpster, or portable storage device, its location and usage shall be reviewed and approved by the Police Department and/or Borough.

A permit for a dumpster, temporary dumpster, or portable storage device shall be for an initial term of not more than 45 days. Provided the applicant is in compliance with all provisions of this article and all other applicable Danville Borough regulations. A renewal permit may be approved and issued for an additional 45 day period upon application and payment of the permit renewal fee. Not more than one renewal permit shall be issued by the Borough of Danville for any dumpster, temporary dumpster, or portable storage device placed upon any Borough street.

Temporary dumpster or portable storage devices shall be removed prior to the expiration of the permit.

#### **4. Requirements**

The following requirements shall apply to any dumpster, temporary dumpster, or portable storage device placed upon public streets or pedestrian ways in the Borough:

1. No dumpster, temporary dumpster, or portable storage device may be placed on any Arterial or Collector roads in the Borough; within 40 feet of an intersection; or within any prohibited or restricted areas.
2. Sufficient reflective tape shall be placed upon all four sides of the dumpster, temporary dumpster, or portable storage device in such a manner as to make it visible at night.
3. Each of the dumpster, temporary dumpster, or portable storage device rollers or wheels (if any) must be placed upon a wooden pad of at least six inches by six inches and at least 3/4 of an inch in thickness, or on a similarly protective device in order to prevent damage to the road surface.
4. No dumpster, temporary dumpster, or portable storage device shall be placed nearer than 15 feet to any fire hydrant within the cart way or other area intended for fire-fighting equipment.
5. The name, address and telephone number of the dumpster, temporary dumpster, or portable storage device owner/operator shall be conspicuously placed on at least two sides of the device.
6. No dumpster, temporary dumpster, or portable storage device shall be placed within the cart way of any street extending a distance of more than 9 feet from the curb line or edge of cart way.
7. The location of any dumpster, temporary dumpster, or portable storage device upon any public street shall not interfere with any required clear sight distance across any intersection.
8. The location of any dumpster, temporary dumpster, or portable storage device upon any public street shall not obstruct any pedestrian way or the travel lane of any public street.
9. No dumpster, temporary dumpster, or portable storage device 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.
10. No dumpster, temporary dumpster, or portable storage device shall contain any hazardous waste unless pursuant to a permit for such waste issued by the appropriate

governmental entity.

11. No materials contained in a dumpster, temporary dumpster, or portable storage device shall emit any noxious or offensive odor or otherwise create any hazard or risk to public health.

12. No dumpster, temporary dumpster, or portable storage device shall be placed in such a manner as to interfere with the operation or maintenance of any public utility.

13. If approved a permit sticker will be issued and shall be conspicuously placed in a location that permits it to be identified from a public street.

14. The placement of any dumpster, temporary dumpster, or portable storage device shall be in accordance with all requirements of the Commonwealth of Pennsylvania Motor Vehicle Code.

If any damage to the cart way, curb or sidewalk is done by the placement of or removal of any dumpster, temporary dumpster or portable storage device on any street or road hereunder, the Dumpster Hauler of any dumpster, temporary dumpster or portable storage device shall be responsible and liable for the same. The Borough shall retain the right to repair or replace the cart way, curb and/or sidewalk to its original condition and collect the cost for the repair or replacement from the Dumpster Hauler.

#### **5. Penalties**

Payment for all work done by the Borough under the provisions hereof shall be made by the person made liable therefor under the provisions hereof within 30 days after a bill therefor is sent to such Dumpster Hauler by the Borough. Upon failure to pay such charges within such time, the same shall be collectible by the Borough in the manner provided by law for the collection of municipal claims.

#### **6. Fees**

A permit will be issued for a period of time not to exceed 45 calendar days. All dumpsters or portable storage devices must be removed prior to the expiration of the permit. Costs for the permits and renewals are twenty dollars (\$20.00) each.

**ENACTED AND ORDAINED** this 10th day of April 2018.




Scott A. Richardson, President of Council

**APPROVED** this 10th day of April 2018.



Bernie M. Swank, Mayor

**ATTEST**



Shannon Berkey, Borough Manager

(SEAL)