

AN ORDINANCE AMENDING SECTION 66-48 OF THE CODE OF ORDINANCES OF
THE CITY OF BRANDON, MISSISSIPPI

BE IT ORDAINED THAT SECTION 66-48 OF THE CODE OF ORDINANCES OF THE
CITY OF BRANDON, MISSISSIPPI, SHOULD BE AND THE SAME IS HEREBY
AMENDED¹ TO READ IN FULL AS FOLLOWS, TO-WIT:

Sec. 66-48. - Commercial containers.

Commercial or business solid waste and rubbish containers (informally known as "dumpsters"), shall be located behind the business in which they are under contract. If container cannot be placed behind the building, the city building official shall determine the location. All containers, with exception to temporary construction containers, will be enclosed by a ~~wooden fence, concrete masonry units, or brick, six feet in height with gates that remain latched unless in use.~~ Within 12 months after passage of this ordinance [from which this section derives], ~~all containers shall be altered to comply.~~ dumpster enclosure. A building permit is required for the construction of a dumpster enclosure. A site plan shall be submitted to the director of community development for approval before a building permit for a dumpster enclosure will be issued. All site plans for high density residential, mobile home park residential, commercial, industrial, and special use zones proposed following the effective date of this Ordinance shall indicate the location of waste disposal facilities on the site and the type of enclosure to be installed and shall include specifications of dimensions and materials.

~~(1) Maintenance of enclosures.~~

~~a.~~

~~All enclosures and all components thereof, including walls, fences, and supports, shall be maintained in finished condition.~~

~~b.~~

~~The immediate area around the enclosure shall be kept clear of all debris and maintained by the landowner in an attractive manner so as not to create visual blight.~~

~~c.~~

~~The director of community development may cause to be removed any container no longer being used.~~

~~(2) All locations with a restaurant, or with food preparation on a commercial level, are required to have an approved type of grease capture/containment system installed at the dumpster.~~

Upon the effective date of this Ordinance, all waste disposal facilities located on the site of high density residential, mobile home park residential, commercial, industrial, and special use zones shall be enclosed.

The following design standards shall be used:

1. Enclosure shall be constructed of an opaque type material such as architectural masonry or brick that is compatible with the aesthetics of the surrounding area or a landscaped screen on three sides.

¹ Added language is highlighted. Deleted language is stricken through.

2. Landscape screened enclosures shall include a minimum of a 6' black vinyl coated chain link fence to contain the dumpster.
3. Enclosures must have an access gate of sufficient size to remove the container from the enclosure.
4. Enclosure shall be large enough to accommodate the dumpster and be placed on the lot for adequate service from the rubbish company.
5. Gate shall be designed in a manner which conceals the dumpster, and does not allow the inside of the dumpster enclosure to be visible.
6. Gates cannot open into a drive lane or across the sidewalk.
7. Enclosures may have an additional side door access point for accessing the dumpster. This access point can be 2-3 feet in width and may be secured or unsecured.
8. Enclosures shall be a minimum of one foot (1') higher than the height of the waste container or at least six feet (6') in height, whichever is higher.
9. Enclosure shall be on a concrete slab.
10. Enclosure must prevent direct visibility of the waste cans, dumpster, or recycle bin.
11. Enclosures shall be located in the rear of the building or structure in which they service. If it cannot be placed behind the building the director of community development shall determine the location.
12. Enclosure must be readily accessible to Fire Department access.
13. Alternative designs may be submitted by the property owner for approval; and said approval shall be made by the Director of Community Development or his/her designee.

The following construction standards shall be used:

1. Opaque material used for the gate shall be mounted to a steel frame which is securely anchored in the ground. A minimum of a 2"x2" x 1/8" steel tube is required for the frame mounted to either a 6" round or 4"x4"x1/4" steel post. The post shall be set a minimum of 36" in the ground.
2. The gates shall be constructed of an opaque material that is compatible with the aesthetics of the surrounding area. Shadowbox wood fence, black vinyl coated chain link material or wrought iron may be accepted.
3. The gates shall be constructed with commercial grade hinges, poles and hasps.
4. The gate shall be constructed with a latch which shall remain latched when not in use.
5. The enclosure shall be constructed in such a manner that all structural members, including braces, posts, poles and other projections, shall be on the interior of the enclosure.
6. The pad for the waste disposal container shall be constructed from steel reinforced concrete and shall be a minimum of 4" thick.
7. Drives and waste truck access areas shall be constructed from steel reinforced concrete which shall be a minimum of 8" thick.
8. Bollards may be required depending on enclosure material to prevent damage from service vehicles..
9. Alternative designs may be submitted by the property owner for approval; and said approval shall be made by the Director of Community Development or his/her designee or his/her designee.

All locations with a restaurant, or with food preparation on a commercial level, are required to have an approved type of grease capture/containment system installed. A drain inlet shall be installed at the corner of the dumpster pad and shall be connected to the grease capture/containment system and then to the sanitary sewer system. The city shall charge a monthly fee for the transport and treatment of this water through the sanitary sewer system. This fee will be based upon the drainage area which impacts this drainage inlet and the average number of inches of rainfall for Jackson, MS, according to the National Weather Service which is 54.1 inches.

Maintenance of enclosures.


1. All enclosures and all components thereof, including walls, fences, shrubs and supports, shall be maintained in finished condition.
2. The immediate area around the enclosure shall be kept clear of all debris and maintained by the landowner in an attractive manner so as not to create visual blight.
3. Gates shall remain closed at all times and containers must be entirely inside enclosures except during service.
4. The director of community development may cause to be removed any container no longer being used.

Within 12 months after passage of this Ordinance, all waste disposal facilities and enclosures shall be altered to comply. Failure to maintain such waste disposal facilities in a neat and sanitary manner shall constitute a violation of this Ordinance and be subject to the general penalty provisions in Section 1-12 of the Code of Ordinances and such other penalties as provided in this Chapter.

1. This Ordinance shall supersede any and all ordinances which are in conflict herewith.
2. This Ordinance shall go into effect 30 days after passage, in accordance with Miss. Code Ann. Section 21-13-11 (1972 as amended).
3. Said Ordinance having previously been reduced to writing, a motion was made by Alderman Morris and seconded by Alderman Morrow to adopt the Ordinance, and no request having been made by any member of the Mayor and Board of Aldermen that said Ordinance be read by the Clerk before a vote was taken, said Ordinance was adopted by the vote of the Board of Aldermen, the results being as follows:


James Morris, Alderman at Large	<u>Aye</u>
Monica Corley, Alderman Ward 1	<u>Aye</u>
Cris Vinson, Alderman Ward 2	<u>Aye</u>
Harry Williams, Alderman Ward 3	<u>Aye</u>
Lu Coker, Alderman Ward 4	<u>Aye</u>
Bobby Christopher, Alderman Ward 5	<u>Aye</u>
Bob Morrow, Alderman Ward 6	<u>Aye</u>

The Mayor thereby declared the Motion carried and the Ordinance adopted and approved on this the 2nd day of February A.D., 2015.



BUTCH LEE,
MAYOR

ATTEST:



ANGELA BEAN, CITY CLERK



M.B. 218
PAGE 107
DATE ADOPTED 2/2/15
DATE PUBLISHED 2/18/15
CLERK Angela Bean

AFFIDAVIT

PROOF OF PUBLICATION

RANKIN COUNTY NEWS • P.O. BOX 107 • BRANDON, MS 39043

STATE OF MISSISSIPPI
COUNTY OF RANKIN

THIS 18TH DAY OF FEBRUARY, 2015, personally came Marcus Bowers, publisher of the Rankin County News,

a weekly newspaper printed and published in the City of Brandon, in the County of Rankin and State aforesaid, before me the undersigned officer in and for said County and State, who being duly sworn, deposes and says that said newspaper has been published for more than 12 months prior to the first publication of the attached notice and is qualified under Chapter 13-3-31, Laws of Mississippi, 1936, and laws supplementary and amendatory thereto, and that a certain

ORDINANCE AMENDING SECTION 66-48

DUMPSTER ORDINANCE

a copy of which is hereto attached, was published in said newspaper One (1) week, as follows, to-wit:

Vol 167 No. 31 on the 18th day of February, 2015

Marcus Bowers
MARCUS BOWERS, Publisher

Sworn to and subscribed before me by the aforementioned Marcus Bowers this 18th day of February, 2015

Frances Conger, Notary Public
FRANCES CONGER
My Commission Expires: January 25, 2018

PRINTER'S FEE: (12 cents per word for first insertion and 10 cents per word for each subsequent insertion)

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Sec. 66-48. Commercial containers. Commercial or business solid waste and rubbish containers (informally known as "dumpsters") shall be located behind the business in which they are under contract. If containers cannot be placed behind the building, the city building official shall determine the location. All containers, with exception to temporary construction containers, will be enclosed by a wooden fence, concrete masonry walls, or brick six feet in height with gates that remain latched unless in use. Within 12 months after passage of this ordinance (from which this section derives) all containers shall be altered to comply. Dumpster enclosure. A building permit is required for the construction of a dumpster enclosure. A site plan shall be submitted to the director of community development for approval before a building permit for a dumpster enclosure will be issued. All site plans for high density residential, mobile home park residential, commercial, industrial, and special use zones proposed following the effective date of this Ordinance shall indicate the location of waste disposal facilities on the site and the type of enclosure to be installed and shall include specifications of dimensions and materials.
(1) Maintenance of enclosures. All enclosures and all components thereof, including walls, fences, and supports, shall be maintained in finished condition.
b. The immediate area around the enclosure shall be kept clear of all debris and maintained by the landowner in an attractive manner so as not to create visual blight.
c. The director of community development may cause to be removed any container no longer being used.
(2) All locations with a restaurant or food preparation on a commercial level, are required to have an approved type of grease capture containment system installed at the dumpster.
3. Upon the effective date of this Ordinance, all waste disposal facilities located on the site of high density residential, mobile home park residential, commercial, industrial, and special use zones shall be enclosed.
The following design standards shall be used:
1. Enclosure shall be constructed of an opaque type material such as architectural masonry or brick that is compatible with the aesthetics of the surrounding area or a landscaped screen on three sides.
2. Landscape screened enclosures shall include a minimum of a 6" black vinyl coated chain link fence to contain the dumpster.
3. Enclosures must have an access gate of sufficient size to remove the container from the enclosure.
4. Enclosure shall be large enough to accommodate the dumpster and be placed on the lot for adequate service from the rubbish company.
5. Gate shall be designed in a manner which conceals the dumpster and does not allow the inside of the dumpster enclosure to be visible.
6. Gates cannot open into a drive lane or across the sidewalk.
7. Enclosures may have an additional side door access point for accessing the dumpster. This access point can be 2-3 feet in width and may be secured or unsecured.
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9. Enclosure shall be on a concrete slab.
10. Enclosure must prevent direct visibility of the waste cans, dumpster, or recycle bin.
11. Enclosures shall be located in the rear of the building or structure in which they serve. If it cannot be placed behind the building, the director of community development shall determine the location.
12. Enclosure must be readily accessible to fire department access.
13. Alternative designs may be submitted by the property owner for approval, and said approval shall be made by the Director of Community Development or his/her designer. The following construction standards shall be used:
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4. The gate shall be constructed with a latch which shall remain latched when not in use.
5. The enclosure shall be constructed in such a manner that all structural members, including braces, posts, poles and other projections shall be on the interior of the enclosure.
6. The pad for the waste disposal container shall be constructed from steel reinforced concrete and shall be a minimum of 4" thick.
7. Drives and waste truck access areas shall be constructed from steel reinforced concrete which shall be a minimum of 8" thick.
8. Bollards may be required depending on enclosure material to prevent damage from service vehicles.
9. Alternative designs may be submitted by the property owner for approval, and said approval shall be made by the Director of Community Development or his/her designer.
All locations with a restaurant or with food preparation on a commercial level are required to have an approved type of grease capture containment system installed. A drain inlet shall be installed at the corner of the dumpster pad and shall be connected to the grease capture containment system and then to the sanitary sewer system. The city shall charge a monthly fee for the transport and treatment of this waste through the sanitary sewer system. This fee will be based upon the drainage area which impacts the drainage unit and the average number of inches of rainfall for Jackson, MS, according to the National Weather Service which is 54.1 inches.
Maintenance of enclosures. All enclosures and all components thereof, including walls, fences, shrubs and supports, shall be maintained in finished condition.
The immediate area around the enclosure shall be kept clear of all debris and maintained by the landowner in an attractive manner so as not to create visual blight.
Gates shall remain closed at all times and containers must be entirely inside enclosures except during service.
The director of community development may cause to be removed any container no longer being used.
Within 12 months after passage of this Ordinance, all waste disposal facilities and enclosures shall be altered to comply. Failure to maintain such waste disposal facilities in a neat and sanitary manner shall constitute a violation of this Ordinance and be subject to the general penalty provisions in Section 1-12 of the Code of Ordinances and such other penalties as provided in this Chapter.

The Ordinance shall supersede any and all ordinances which are in conflict therewith.
This Ordinance shall go into effect 90 days after passage in accordance with Miss. Code Ann. Section 21-13-11 (1972 as amended).
Said Ordinance having previously been reduced to writing, a motion was made by Alderman Morris and seconded by Alderman Morrow to adopt the Ordinance and no request having been made by any member of the Mayor and Board of Aldermen that said Ordinance be read by the Clerk before a vote was taken said Ordinance was adopted by the vote of the Board of Aldermen, the results being as follows:
James Morris, Alderman at Large Aye
Morica Corley, Alderman Ward 1 Aye
Cris Vinson, Alderman Ward 2 Aye
Harry Williams, Alderman Ward 3 Aye
Lu Coker, Alderman Ward 4 Aye
Bobby Christopher, Alderman Ward 5 Aye
Bob Morrow, Alderman Ward 6 Aye
The Mayor, thereby, declared the Motion carried and the Ordinance adopted and approved on this the 2nd day of February, A.D. 2015.
BUTCH LEE, MAYOR
ATTEST:
ANGELA BEAN, CITY CLERK
February 18, 2015
#221

