

ORDINANCE NO. 4526

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 15-419 OF THE OFFICIAL CITY CODE OF THE CITY OF HASTINGS, NEBRASKA, TO PROVIDE FOR PERMIT REQUIREMENTS FOR THE PLACING DUMPSTERS ON PUBLIC STREETS; TO REPEAL ANY ORDINANCE IN CONFLICT HEREWITH; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

SECTION 1. That Section 15-419 of the Official City is hereby amended to read as follows:

15-419. Parking- Dumpsters and roll-off containers

- 1) For the purposes of this section, a roll-off/dumpster shall be defined as any container used in the normal course of demolition, construction or other work for the purpose of storing, containing and/or carting debris, or similar container provided to property owners by a hauler on a temporary basis or for a rental fee, but shall not include residential totes or trash cans.
- 2) For the purposes of this section a hauler shall be defined as any person, firm or corporation, permitted by the City of Hastings for such business, that provides a roll-off/dumpster to a property owner, contractor or other individual for the purpose of storing, containing or removing debris from a property.
- 3) No person shall place or cause to be placed a roll-off/dumpster on or along any City Street, Right of Way, or other City Property in the City without first obtaining a permit from the Development Services Department. No such permit shall be issued until a fee has been paid, as set forth in the most recent Council Fee Resolution, and is in conformity in every aspect with all the provisions of Hastings City Code. There shall be a separate permit for each roll-off/dumpster. A permit may be revoked by the Building Inspector at any time, when found not in conformity with the permit. Application for a dumpster permit shall be on a form prescribed by the Development Services Department. Permits shall be obtained by the hauler prior to placing the roll-off/dumpster. The permit shall be prominently displayed on the roll-off/dumpster. Permits shall be valid for 30 days, and may be extended for an additional 30 days upon written request with adequate justification for the extension.
- 4) Roll-off/Dumpsters shall be located in accordance with the following:

- A) Roll-off/Dumpsters shall not be placed in a location that obstructs vision clearance at an intersection or driveway, as described in Hastings City Code 34-305.
- B) Roll-off/Dumpsters shall not be placed in a location that obstructs the normal flow of traffic.
- C) Roll-off/Dumpsters shall be placed so as to minimize disruption to parking and vision for vehicular traffic and pedestrians. Roll-off/Dumpsters shall not be placed blocking sidewalks on the Right of Way.
- D) Roll-off/Dumpsters placed on a City Street, ROW or other City property shall be marked with approved reflective material having a minimum area of 48 square inches, with the smallest dimension not less than 4 inches. Such reflective area shall be applied to all sides of the dumpster, not more than 16 inches from each corner of the dumpster. Reflective material shall be maintained and replaced as needed. The reflective material shall be oriented so the long dimension is vertical.
- E) Roll-off/Dumpsters placed on a City Street, ROW or other City property shall post the permit on the dumpster, so that it is visible to the street.
- F) Roll-off/Dumpsters placed on asphalt paving shall be provided with dunnage or blocking that will prevent the roll-off/dumpster from sinking into the asphalt, gouging the asphalt or otherwise damaging the asphalt. Damage to paving shall be repaired by the City of Hastings and the cost thereof charged to the hauler responsible for the roll-off/dumpster.
- G) Roll-off/Dumpsters shall not create an illicit discharge as defined in Hastings City Code 42-102 and 42-107.
- H) The City of Hastings reserves the right to have any roll-off/dumpster removed from site if deemed necessary for unforeseen reasons.

SECTION 2. That any ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict herewith is hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form, said effective date being the 29th day of November, 2017, and this ordinance shall be included in the Hastings City Code Book.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this 13th day of November, 2017.



Mayor

ATTEST:

Kimberly S. Jacobitz
City Clerk

(S E A L)

APPROVED TO FORM:

Cliff N. Smith
City Attorney

