**TOWNSHIP OF RESERVE**

**ORDINANCE NO. 674-18**

**AN ORDINANCE OF THE TOWNSHIP OF RESERVE, ALLEGHENY COUNTY, PENNSYLVANIA REGULATING THE USE OF REFUSE DUMPSTERS IN THE TOWNSHIP OF RESERVE**

**Section 1 Definitions.**

Refuse Dumpster or Dumpster is any portable container used or designed for collection of, transportation of, or disposal of refuse, waste, construction/demolition materials, or the like. Refuse dumpster shall include, but is not limited to, “roll off” boxes or containers, collection bins, tubs, bags and portable storage containers.

**Section 2 Requirements**.

Complete application for use of a refuse dumpster, designating the location of the placement of the dumpster and the period of time it will be on the location.

1. Township Code Enforcement Officer must approve initial 30-day application for use of a refuse dumpster and for additional months thereafter.
2. A fee in the amount of $25 shall be charged for the first 30 days and $10 for each additional month, or such other fees as the Board of Commissioners may set from time to time by resolution.
3. A resident shall be allowed to have one dumpster for 30 days on private property without need of a permit. After the thirty-day period, the owner must apply and obtain a permit from the Township.

**Section 3 Rules**.

Dumpsters must be well maintained and in good working condition, displaying the name or logo and telephone number of the owner of the dumpster, and be suitably supported at each contact point to prevent damage to paved surfaces.

1. Dumpsters must be covered when materials inside are easily airborne, pose a hazard, emit an odor or are otherwise offensive.
2. Debris must be placed inside the dumpster; not alongside or on top of it.
3. All dumpsters are required to be emptied when full. For the purpose of this ordinance, full is defined as when the contents of the dumpster reach an average level of one foot below the top edge of the dumpster sides. Any dumpster that has reached the full status, and is not emptied within seven (7) calendar days shall be considered in violation of this ordinance.
4. Cleaning dumpsters on the street or sidewalk is not permitted.

**Section 4 Dumpsters in the Public Right-of-Way.**

A dumpster placed in the public right-of-way must have a flasher or reflector on the outside corner facing traffic at all times. Where traffic may approach from either side, the dumpster must have a flasher or reflector on the outside corner on both sides. Type I or Type II barricades can be used as an alternate to flashers or reflectors.

1. No dumpster placed on a public right-of-way shall exceed eight feet in width or take up more than two parking spaces.
2. Dumpsters shall not block a public sidewalk or be placed in a location that restricts the “sight lines” of an intersection. The Township Code Enforcement Officer will determine “Sight lines”.
3. Dumpsters placed in the public right-of-way for construction, remodeling or demolition projects shall be removed immediately upon the completion of the project. No dumpster shall be placed in the public right-of-way for more than thirty (30) days. The Township Code Enforcement Officer may approve a permit renewal and application extension.
4. No dumpster shall be placed on streets, sides of streets or areas designated as “No Parking”, “Restricted Parking” or “Disabled Parking”. Dumpsters shall not be placed in public parking lots or parks without prior written permission from the Township Code Enforcement Officer.
5. The owner and/or the user of a dumpster on a public right-of-way **is/**are responsible for any public property, street, curb and gutter, or public infrastructure damage.
6. No dumpster shall be placed in the public right-of-way during the winter snow season, defined for the purpose of this ordinance as the period from December 1 to the next following April 1. Code Enforcement Officer can provide written approval for dumpster placement in right of way during winter snow season with approval of Township Manager and Public Works Foreman.

**Section 5 Denial of Dumpster Use.**

The Township Code Enforcement Officer may deny the use of dumpsters in the public right-of-way if the dumpster is too wide to allow public safety vehicles through, or due to any other traffic concerns.

1. The Township Code Enforcement Officer may also deny the use of dumpsters to protect public health or safety concerns.

**Section 6 Violation of this Ordinance.**

Any violation of this ordinance is a misdemeanor.

1. The Township may remove or have a container removed from the public right-of-way, if the container is in violation of this ordinance.
2. The owner of the container, or if the owner cannot be determined, the person placing it in the public right-of-way shall pay all costs, fees, penalties or other expenses incurred by the Township in removal, storage fees and disposal of any container and its contents.
3. If the container is not claimed within 30 days by its owner or person responsible for placing it in the public right-of-way, it may be disposed of as abandoned property, but disposal shall not diminish the responsibility of the owner or the person responsible for placing the container in the public right-of-way to pay all amounts due.
4. The Township shall not release a container from storage until all amounts due under this section have been paid.
5. Any person, persons, firm or corporation who shall violate any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not less than $100 nor more than $1000, together with the costs of prosecution, and in default of the payment of the fine and costs, by imprisonment for a term not to exceed 30 days. Such fine and penalty may be collected by suit brought in the name of the Township before any Magisterial District Judge in like manner as debts of like amount may be used for by existing laws. Each violation of any provision of this chapter shall be deemed to be a separate and distinct offense.

ORDAINED AND ENACTED into law this 13th day of November 2018.

ATTEST: TOWNSHIP OF RESERVE

/s/Donna M. Kaib /s/Ronald G. Neurohr

Township Secretary President, Board of Commissioners