

COUNCIL OF THE TOWN OF RIVERDALE PARK

ORDINANCE 2012-OR-09

Introduced By: CM Thompson

Date Introduced: May 7, 2012

Date Adopted: June 4, 2012

Date Effective: June 24, 2012

An Emergency Ordinance concerning

Dumpsters and Storage Receptacles on Streets, Sidewalks and Other Public Property

FOR the purpose of prohibiting the placing of certain dumpsters and storage receptacles on streets, sidewalks and other public property except pursuant to a permit issued by the Town; providing for the issuance of and fees for such permits; providing penalties for violations; providing for the removal of certain dumpsters and receptacles under certain circumstances and for collecting the cost of removal; and generally relating to the regulation of the placement of certain dumpsters and storage receptacles on streets, sidewalks and other public property in the Town of Riverdale Park.

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BY adding
Chapter 57 – Streets and Sidewalks
Article I, General Provisions
Section ~~50~~ 57-24.1
Code of the Town of Riverdale Park
(January 2008 Revision)

BY repealing and reenacting, with amendments
Chapter 57 - Streets and Sidewalks
Article I, General Provisions
Section 57- 25
Code of the Town of Riverdale Park
(January 2008 Revision)

SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK, That new Section 57-24.1 is hereby added to the Code of the Town of Riverdale Park (January 2008 Revision), Chapter 57 – Streets and Sidewalks, Article I, General Provisions, to follow immediately after Section 57-24 and to read as follows:

Chapter 57 – Streets and Sidewalks

Article I, General Provisions

§ 57-24.1. DUMPSTERS AND STORAGE RECEPTACLES ON RESIDENTIAL PUBLIC PROPERTY.

- A. NO DUMPSTER OR OTHER RECEPTACLE FOR THE STORAGE OR TRANSPORT OF CONSTRUCTION OR OTHER DEBRIS, OR FOR THE STORAGE OF HOUSEHOLD OR OTHER ITEMS, SHALL BE INSTALLED OR PLACED ON ANY STREETS, ALLEYS, RIGHTS-OF-WAY OR OTHER PUBLIC PROPERTY, INCLUDING SIDEWALKS OR DRIVEWAY APRONS, WITHOUT A PERMIT ISSUED BY THE CITY. TOWN. PERMITS SHALL EXPIRE NOT LATER THAN 30 DAYS AFTER ISSUANCE, AND SHALL BE SUBJECT TO SUCH FURTHER CONDITIONS AS THE TOWN ADMINISTRATOR MAY REQUIRE. A PERMIT MAY BE EXTENDED FOR UP TO AN ADDITIONAL 60 DAYS IN ANY TWELVE MONTH PERIOD BY THE DIRECTOR OF PUBLIC WORKS, AND THEREAFTER BY THE TOWN ADMINISTRATOR FOR UP TO AN ADDITIONAL 90 DAYS IN THE SAME PERIOD UPON GOOD CAUSE SHOWN. ANY FURTHER EXTENSION WITHIN THE SAME PERIOD MAY BE AUTHORIZED ONLY BY THE TOWN COUNCIL UPON A SHOWING OF EXCEPTIONAL CIRCUMSTANCE. THE FEE FOR A PERMIT ISSUED UNDER THIS SECTION IS \$ _____. PERMITS MAY BE ISSUED FOR, AND EXPIRE AT THE END OF, A PERIOD OF 30 DAYS, AT A COST OF \$25. A PERMIT MAY BE EXTENDED FOR AN ADDITIONAL 60 DAYS AT AN ADDITIONAL COST OF \$50, AND THEREAFTER MAY BE EXTENDED FOR GOOD CAUSE SHOWN FOR AN ADDITIONAL 90 DAYS AT A FURTHER COST OF \$75. PERMITS SHALL BE SUBJECT TO SUCH FURTHER CONDITIONS AS THE PUBLIC WORKS DEPARTMENT MAY REQUIRE. UPON A SHOWING OF EXCEPTIONAL CIRCUMSTANCES, THE TOWN COUNCIL, BY THE AFFIRMATIVE VOTE OF A MAJORITY OF THE ENTIRE COUNCIL, MAY

AUTHORIZE A FURTHER EXTENSION OF A PERMIT UPON SUCH TERMS AND CONDITIONS, AND SUBJECT TO THE PAYMENT OF SUCH ADDITIONAL FEE, AS MAY BE PRESCRIBED BY THE COUNCIL.

- B. THE TOWN SHALL HAVE THE RIGHT, UPON FIVE DAYS' NOTICE TO THE OWNER, TO REMOVE ANY SUCH IMPROPER INSTALLATION OR PLACEMENT. ANY DUMPSTER OR OTHER RECEPTACLE SO REMOVED MAY BE DISPOSED OF BY THE CITY TOWN AFTER 30 DAYS' NOTICE TO ANY KNOWN PROPERTY OWNER. THE PROPERTY OWNER SHALL BE CHARGED FOR SUCH REMOVAL AND DISPOSAL WORK AND SERVICES, AND THE CITY OF COLLEGE PARK TOWN OF RIVERDALE PARK MAY COLLECT PAYMENT THEREFOR IN THE SAME MANNER AS CITY TOWN TAXES. THE COST ASSOCIATED WITH REMOVAL AND DISPOSAL SERVICES INCLUDES, BUT IS NOT LIMITED TO, ALL WAGE AND BENEFIT COSTS FOR THE TOWN'S ADMINISTRATIVE, PUBLIC WORKS AND POLICE DEPARTMENT PERSONNEL WHO RENDERED SUCH SERVICES, CHARGED AT SUCH PERSONNELS' REGULAR HOURLY WAGE AND BENEFIT RATES.

SECTION 2: AND BE IT FURTHER ENACTED that Section 57-25 of the Code of the Town of Riverdale Park (January 2008 Revision), Chapter 57 – Streets and Sidewalks, Article I, General Provisions, is hereby repealed and reenacted, with amendments, to read as follows:

Chapter 57 – Streets and Sidewalks

Article I, General Provisions

§ 57-25. Penalties.

Violations of the provisions of §§ 57-1 through 57-9, and §§ 50-11 through 57-24 57-24.1 are declared to be municipal infractions, the penalty for which shall be one hundred dollars (\$100) for each violation.

SECTION 3: AND BE IT FURTHER ENACTED this Ordinance shall become effective twenty (20) days after its passage by the Council.

ATTEST:

COUNCIL OF THE TOWN OF RIVERDALE PARK


Sara Imhulse, Town Administrator


Vernon Archer, Mayor

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.