

JUL 21 2014

ORDINANCE NO. 3112

  
City Clerk

**AN ORDINANCE AMENDING CHAPTER 15.68 (UNENCLOSED REFUSE CONTAINERS OR DUMPSTERS) OF TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS BY DELETING CHAPTER 15.68 IN ITS ENTIRETY AND REPLACING CHAPTER 15.68 WITH A REVISED CHAPTER 15.68**

WHEREAS, the City Council of the City of Columbia, Illinois has determined it is necessary and appropriate and in the public interest to amend Chapter 15.68 (Unenclosed Refuse Containers or Dumpsters) of Title 15 (Buildings and Construction) in the City of Columbia, Illinois by revising the requirements for unenclosed refuse containers or dumpsters; and,

WHEREAS, Chapter 15.68 (Unenclosed Refuse Containers or Dumpsters) will be revised by deleting Chapter 15.68 in its entirety and replacing Chapter 15.68 with a revised Chapter 15.68.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** Chapter 15.68 (Unenclosed Refuse Containers or Dumpsters) of Title 15 (Buildings and Construction) of the City of Columbia, Illinois Municipal Code is hereby amended by deleting Chapter 15.68 in its entirety and replacing Chapter 15.68 with a revised Chapter 15.68. Said revised Chapter 15.68 is attached to this ordinance as Exhibit A.

**Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form, as provided by law.

Alderman Agne moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Reis, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Roessler, Mathews, Reis and Holtkamp.

NAYS: None.

ABSENT: Aldermen Niemietz and Huch.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 21<sup>st</sup> day of July, 2014.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

(SEAL)

STATE OF ILLINOIS        )  
                              ) SS  
COUNTY OF MONROE      )

**CERTIFICATE OF TRUE COPY**

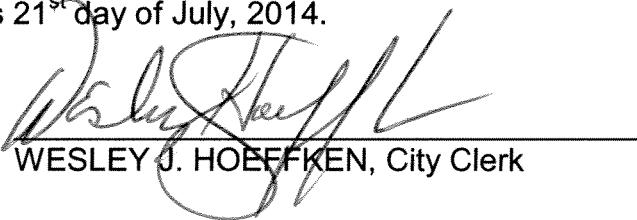
I, Wesley J. Hoeffken, hereby certify that I am the duly appointed City Clerk of the City of Columbia, Illinois and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 3112, entitled:

**“AN ORDINANCE AMENDING CHAPTER 15.68 (UNENCLOSED REFUSE CONTAINERS OR DUMPSTERS) OF TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS BY DELETING CHAPTER 15.68 IN ITS ENTIRETY AND REPLACING CHAPTER 15.68 WITH A REVISED CHAPTER 15.68”**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois City Council held on the 21<sup>st</sup> day of July, 2014.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 21<sup>st</sup> day of July, 2014.



WESLEY J. HOEFFKEN, City Clerk

(SEAL)

## EXHIBIT A

### CHAPTER 15.68 ENCLOSED REFUSE CONTAINERS OR DUMPSTERS

#### Section 15.68.010 Entities, Enclosures and Size

All entities using and/or occupying multi-family and nonresidential buildings located within the city shall visibly screen, physical cover and enclose all refuse containers greater than or equal to one cubic yard in size which are located on the outside of any building on a real estate lot in the city. (Ord. 1841 § 1 (part), 2000)

#### Section 15.68.020 Required Screening

A. All such refuse containers or dumpsters shall be screened if in the absence of screening they shall be visible to:

1. Persons located within any dwelling unit or residential property other than where the refuse container is located;
2. Persons located within any multi-family dwelling unit on which the refuse container is located;
3. Occupants, customers, or other invitees located within a building on nonresidential property other than where the refuse container is located;
4. Persons traveling on any public street, sidewalk or other public way.

#### Section 15.68.030 Enclosure Size

- A. Refuse enclosures shall be a minimum of six (6) feet in height. The enclosure must be two (2) feet higher than the refuse container it holds.
- B. Refuse enclosures shall have a minimum of three (3) feet of spacing from the side of the container to the side of the enclosure.
- C. Gate openings shall be a minimum of four (4) feet larger than the refuse container width.

#### Section 15.68.040 Enclosure Location

- A. All refuse containers shall be accessible for collection service vehicles.
- B. The servicing area shall not be located within the right-of-way of an public street or alley or located within a private street, access lane or any other travelway for vehicular traffic.
- C. Refuse enclosures shall not be located in the required front yard.
- D. All refuse enclosures shall be located behind the front building line or behind the front of the primary structure, whichever is the greatest distance from the front property line.
- E. Refuse enclosures shall be located a minimum of five (5) feet from any property line.
- F. Refuse enclosures shall not be located within any easements of record.
- G. Refuse enclosures shall not be located within designated fire lanes and the gates shall swing clear of designated fire lanes.

### Section 15.68.050 Enclosure Construction

- A. A site plan with construction plans or photos of proposed enclosure shall be submitted to obtain an enclosure permit for existing buildings and developments or reconstruction of an existing enclosure. New building or development construction may include the enclosure details in the information submitted for a building permit.
- B. Enclosures may be constructed of wood, vinyl, cmu (concrete block), brick or stone.
  - a. Other optional materials are chain link or vinyl coated chain link fencing. Chain link fencing shall have privacy slats installed for visual screening.
  - b. Metal material is optional in industrial areas.
  - c. It is encouraged to have the materials utilized in the enclosure match the primary building materials.
- C. Gates shall be designed so as to swing out to an angle greater than 90 degrees.
- D. Enclosures shall be constructed of materials and equipment which complies with the Columbia Building Codes. (Ord. 1841 § 1 (part), 2000)
- E. Pads, approaches and access lanes for dumpster enclosures shall be constructed of a minimum six inches (6") of concrete on four inches (4") of crushed stone or four inches (4") of asphaltic concrete on six inches (6") of crushed stone.
- F. Gates shall be reinforced with a minimum of two inch (2") diameter steel tubing or equal material in strength going around the perimeter of the inside of the gate with a cross member of the same material running diagonally within the perimeter material to provide lateral bracing.

### Section 15.68.060 Enclosure Maintenance

- A. Enclosures and gates shall be maintained in good working order and free of defects.
- B. Gates on enclosures shall be closed when not being serviced.
  - 1. The opening and closing of the gates for servicing shall be the responsibility of the property owner, the lessee of the building and/or property or the tenant.

### Section 15.68.070 Exceptions

- A. Single family residential totes or garbage cans shall be exempt for the required screening.
- A. Temporary refuse containers or dumpsters allowed by temporary dumpster permits are exempt from the required screening.
- B. Temporary refuse containers utilized for special events and for less than three (3) days are exempt from screening requirements.

**Section 15.68.080 Non-conforming Refuse Containers or Dumpsters**

- A. Dumpster enclosures constructed, upgraded or reconstructed after the adoption of the revisions to this chapter shall meet the requirements set forth in this chapter.
- B. Existing refuse enclosures deemed in good condition shall be exempt from complying with the revisions to this chapter.

**Section 15.68.090 Penalty**

Any person, firm, or corporation violating or refusing to comply with any provision of this chapter of the city's municipal code shall be fined not less than seventy-five dollars (\$75.00), nor more than seven hundred and fifty dollars (\$750.00) for each offense; and, a separate offense shall be deemed to have been committed on each day during or on which the violation occurs or continues. (Ord. 1841 § 1 (part), 2000)