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**Sec. 24-41. Temporary construction dumpsters.**

- (a) No person shall place or service a dumpster or roll-off container on residential property for the collection and removal of demolition, construction, or remodeling refuse within the city unless granted the authority and exclusive franchise by the city. All solid waste companies (franchisees) must register with the City clerk's office and execute a franchise agreement prior to leasing dumpsters in the City.
- (b) The franchisee shall be subject to the following operating requirements:
- (1) No temporary construction dumpster or roll-off container shall be placed on a residential property unless the property owner has first obtained a building-citybuilding or city permit and the dumpster shall remain on the property only so long as the building permit is current.
  - (2) The franchisee shall be responsible for promptly responding to any and all complaints which involve actions that create a nuisance or have the potential to create a nuisance.
  - (3) The franchisee shall handle all collection and removal of debris and refuse from dumpsters and roll-off containers with reasonable care and shall clean up all materials that are spilled during its collection operations.
  - (4) The franchisee shall placed the dumpster or roll-off container so as not to obstruct any right-of-way, and shall be set back a minimum of five feet from any property line.
  - (5) The franchisee shall provide only dumpsters and roll-off containers that are good repair so as to prevent leakage of materials.
  - (6) The franchisee shall make a cover available to prevent weather from scattering debris, from accumulating water in the dumpster, and to prevent animals or humans from climbing in the dumpster.
  - (7) The franchisee ~~and~~ shall remove the collected debris and refuse as necessary to prevent overflow of material from the dumpster or roll-off container.
  - ~~(68)~~ The franchisee shall provide to the city, each month, all locations where it has placed or is servicing any dumpsters within the city and the name of the property owner.
  - ~~(79)~~ The franchisee shall have sole responsibility for the billing and collection of service fees and shall, on a quarterly basis, pay to the city a franchise fee in an amount to be determined by the franchise agreement.
  - ~~(810)~~ Failure by the franchisee to comply with any of these operating requirements may result in the rescission of the franchise by the city.

(Ord. No. 03-40, § 2(6-42), 10-21-2003)