



Legislation Details (With Text)

File #: PO-2017-06 **Version:** 2 **Name:** Dumpster Enclosure Ordinance
Type: Ordinance **Status:** Passed
File created: 1/26/2017 **In control:** Regular City Commission Meeting
On agenda: 4/19/2017 **Final action:** 4/19/2017
Title: An Ordinance Of The City Of Hollywood, Florida, Amending Chapter 50, "Solid Waste And Recycling Management" Of The Code Of Ordinances Revising The Regulations Relating To Dumpsters And Dumpster Enclosures.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Chp50beachdumpsterrevison2017citywide (3).pdf

Date	Ver.	Action By	Action	Result
4/19/2017	2	Regular City Commission Meeting	adopt on second and final reading	Pass
3/1/2017	1	Regular City Commission Meeting	amended	Pass
3/1/2017	1	Regular City Commission Meeting	adopt on first reading	Pass
3/1/2017	1	Regular City Commission Meeting	amended	

An Ordinance Of The City Of Hollywood, Florida, Amending Chapter 50, "Solid Waste And Recycling Management" Of The Code Of Ordinances Revising The Regulations Relating To Dumpsters And Dumpster Enclosures.

Staff Recommends: Approval of Ordinance

Explanation:

At the April 20, 2016 Regular City Commission Meeting, upon the request of the City Commission, the Public Works Department presented information regarding the current regulations for dumpsters and dumpster enclosures. The Commission provided feedback about the unsightly appearance of dumpsters without enclosures and the need for improvement in this regard.

Section 50.02(B) of the Code of Ordinances sets forth the regulations for dumpsters and dumpster enclosures, of which the applicability of the areas of the City the regulations apply is further designated by Resolution, more specifically through the adoption of Resolution No. R-2002-89. Currently, the requirement to enclose dumpsters has been established in two defined areas of the City. The first area lies between I-95 and Federal Highway, from Sheridan Street to Pembroke Road. The second area is located on the barrier island, between Sherman Street and Jefferson Street.

The proposed Resolution repeals the previously adopted Resolution R-2002-89 and expands the applicability of the dumpster enclosure regulations set forth in Chapter 50.02(B) of the Code Ordinances to encompass all areas within the City, including the Beach and Downtown. Properties will not be eligible for grandfathering and must comply with these regulations. In the event that a property is determined to not have adequate space to accommodate a dumpster enclosure, and the provisions of the regulations have been met where possible, the current regulations allow consideration to camouflage or utilize alternative screening methods. Applicants can apply to Development Services for approval under these circumstances.

In an effort to allow properties within the newly proposed regulated areas of the City an appropriate time to come into compliance, non-conforming properties shall be required to be brought into full compliance with the dumpster enclosure requirements set forth in Section 50.02(B) by September 1, 2018. However, those properties required to have dumpster enclosures in the currently regulated areas of the City as established under Resolution No. R-2002-89 must already be in compliance with the regulations as previously enacted by Ordinance No. O-2002-15, and the grace period of September 1, 2018 would not apply.

City staff will be implementing educational methodologies including website updates, email blasts and newsletter articles to assist property owners with understanding the regulations. In addition, the Code Compliance Division will be implementing a zone by zone survey of non-compliant properties within the first 120 days of approval of the Resolution. Properties will be posted with an informational packet regarding the requirements and how to comply, and a Notice Of Violation will be completed with the date of compliance due September 1, 2018.

Dumpster enclosures typically cost between \$3,000.00 for a fence style enclosure on existing asphalt to up to \$20,000.00 for a concrete slab with concrete block walls and stucco. Costs are dependent upon the materials, size and construction impacts. In an effort to assist property owners with cost impacts and permitting requirements, the City has prepared standard architectural drawings that may be utilized by property owners for design and permitting documents. In addition, for dumpster enclosures that utilize fencing material such as wood or plastic lumber and are up to and including 6 foot tall, the construction is code prescriptive, meaning that the Building Code has the details of how the fence is built. The Building Department would simply need the dimensions, the location for the application and a site plan or survey for the permit application.

Additionally, in response to feedback regarding unsightly dumpster conditions received by the City Commission, Staff is also proposing certain revisions to the current dumpster Ordinance, for which an agenda item has been prepared as a companion item to this Ordinance amendment. First, the proposed Ordinance amendment revises language to require dumpster enclosures City-wide. Second, the proposed amendment eliminates the exception in the current Ordinance which stipulates that enclosures are not required for dumpsters located on interior lots, behind the extension of the building line which directly abuts the alley. The elimination of this provision will require enclosures for dumpsters that abut any alley.

This is in response to concerns raised about the visible condition of alleys. It also requires enclosures placed adjacent to residential property lines to be placed furthest away from the abutting residential property line when possible.

Finally, the Ordinance amendment also proposes eliminating the requirement for a separate pedestrian gate in addition to the service gate. While the requirement for a separate pedestrian gate assists with ease of access to the dumpster, staff is recommending the elimination of this requirement as existing enclosures throughout the City do not have a pedestrian gate component. Eliminating this requirement will assist in minimizing construction costs to property owners. The current Ordinance language requires the service gate to have proper functioning gates, therefore the need for a separate pedestrian gate could be considered as an optional design component.

Recommended for inclusion on the agenda by:

Dr. Wazir Ishmael, City Manager

Mel Standley, Assistant City Manager for Public Safety

Gus Zambrano, Assistant City Manager for Sustainable Development

Sylvia Glazer, Director, Public Works

Thomas Barnett, Director, Development Services