

## ORDINANCE NO. 1480 - 15

AN ORDINANCE REGULATING THE USE OF PORTABLE DISPOSAL UNITS AND PORTABLE STORAGE UNITS WITHIN THE CITY OF MUSCLE SHOALS, ALABAMA

**BE IT ORDAINED** by the Council of the City of Muscle Shoals, Alabama as follows:

### **Section I.** Definitions-Portable waste disposal and portable storage units.

(a) **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

**Active and ongoing** means any construction project in a residential area for which constant demolition, construction, or remodeling activity is occurring. A period of time longer than two consecutive weeks without such activity is not considered "active and ongoing."

**Portable waste disposal** units means any temporary disposal unit measuring five (5') by twelve (12') feet or larger that is delivered to a residence by the owner of the disposal unit or placed thereon by the owner or occupant of a residence for purposes of containing construction or building material waste as necessary for construction or renovation of the residence or additions thereto for a limited period of time.

**Portable storage units** means any temporary storage unit or temporary accessory building measuring seven (7') by seven (7') feet or larger that is delivered to a residence by the owner of the storage unit for purposes of containing household items, personal property or items necessary for construction or renovation for a limited period of time and then removed to a permanent structure for longer storage or returned to the premises of the owner of the unit or used to assist in the relocation of household items, including any temporary bag-like units delivered to the premises whose purpose is for the disposal of waste.

(b) **Use.** A portable waste disposal unit may be used by the contractor or the owner or occupant of the residence for disposal of construction or building material waste as necessary for construction or renovation of the residence or additions thereto for a limited period of time as set out below.

**Use.** A portable storage unit may be used for storage of household items or personal property for a limited period of time as set out herein and shall not be used in lieu of a garage or permanent accessory building fixed to the property. A portable storage unit may also be used by general or subcontractors for the temporary storage of items necessary for construction or renovation of the residence.

### **Section II.** Duration and permit fee

(1) A portable waste disposal unit or a portable storage unit may be located on the

property of a residence for a period of ten days without a permit. For use by a resident for a period of time longer than ten days, the individual shall apply for a 90-day permit from the city's building department. The fee for each such permit shall in the sum of \$10.00, payable upon application. A resident may apply for and obtain a total of two 90-day permits, for a total duration of 180 days and a nonrefundable fee for each period as set forth hereinabove.

(2) For use by a general contractor for a period of time longer than ten days involving an active and ongoing construction project, the contractor shall apply for a 90-day permit from the city. The fee for each permit shall be \$10.00, payable upon application. A contractor may apply for and obtain up to a total of three (3) 90-day permits, for a total duration of 270 days (or 9 months) and a nonrefundable fee for each period as set hereinabove, provided the related construction project is active and ongoing. Contractors may apply and pay for all permits simultaneously in advance.

(3) Number of units. No more than one unit per residence shall be permitted.

**Section III** Violations. It shall be a violation of the terms of this section for:

(a) An individual to allow a portable waste disposal unit or portable storage unit on their property or at their residence for longer than ten (10) days without a permit from the city; or

(b) An individual to allow a portable disposal unit or a portable storage unit to be parked upon the city's streets, alleys, easements or rights-of-way for longer than one day.

**Section IV.** Penalties.

Violations of this section shall be punishable by payment of a fine of \$100.00 per day for each violation, in addition to the cost of any necessary permit for extended use.

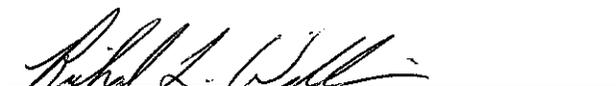
**Section V.** The Ordinance, and its provisions, shall become upon publication or posting pursuant to law or otherwise as provided by law.

**ADOPTED AND APPROVED** this 2<sup>nd</sup> day of November 2015.

COUNCIL OF THE CITY OF MUSCLE SHOALS,  
ALABAMA

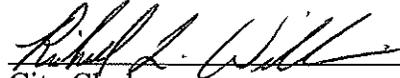
By:   
JAMES E. HOLLAND, Council President

ATTEST:

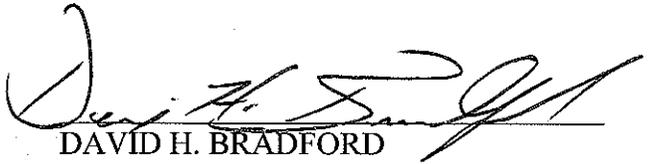
  
RICHARD L. WILLIAMS, City Clerk

TRANSMITTAL

I hereby certify that the above ordinance was passed on the 2nd day of November 2015 by the Council of the City of Muscle Shoals and was transmitted to the Mayor on the 3rd day of November 2015 at 10:00 a m o'clock.

  
\_\_\_\_\_  
City Clerk

APPROVED on November 3, 2015 at 10:00 a m o'clock.

  
\_\_\_\_\_  
DAVID H. BRADFORD  
Mayor of the City of Muscle Shoals, Alabama

**CERTIFICATE OF POSTING**

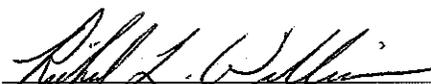
I, Richard L. Williams, City Clerk for the City of Muscle Shoals, Alabama, hereby certify that the above and foregoing Ordinance was duly and properly adopted by the Council of the City of Muscle Shoals, Alabama at a regular meeting of the said Council held on the 2<sup>nd</sup> day of November 2015 at 6:00 o'clock p.m. in said City.

The said Ordinance has been duly and properly published on this the 3<sup>rd</sup> day of November 2015, pursuant to and in compliance with Act. 2011-680 of the Acts of Alabama, by posting a copy of said Ordinance at the Office of the Mayor at City Hall in the City of Muscle Shoals, Alabama; Muscle Shoals Public Library; Muscle Shoals Recreation Building # 1, Gattman Park; and First Metro Bank, Muscle Shoals Branch; being four conspicuous public places lying and being within the City of Muscle Shoals, Alabama, there being no newspaper published and of general circulation in the City of Muscle Shoals, Alabama.

I certify that a copy of the said Ordinance has been posted to the City's website which may be found at [www.cityofmuscleshoals.com](http://www.cityofmuscleshoals.com)

Reasonable steps will be undertaken to maintain the postings for not less than thirty (30) days.

This 3<sup>rd</sup> day of November 2015.

  
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RICHARD L. WILLIAMS  
CITY CLERK

