

CITY OF BELLEVUE, KENTUCKY

ORDINANCE 2010 - 07 - 01

AN ORDINANCE OF THE CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY, AMENDING CHAPTER 97 OF THE CITY OF BELLEVUE CODE OF ORDINANCES TO REGULATE THE PLACEMENT OF TEMPORARY STORAGE UNITS, PORTABLE STORAGE UNITS AND DUMPSTERS; ESTABLISHING A PERMIT FEE FOR SAME; AND PROVIDING A PENALTY FOR VIOLATIONS THEREOF.

WHEREAS, at times it becomes necessary for residents of Bellevue to utilize dumpsters, temporary storage units and/or portable storage units; and

WHEREAS, regulating these types of devices on private property and within the public rights-of-ways is necessary to maintain public safety and community standards.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNCIL OF THE CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY, that Chapter 97 of the City of Bellevue Code of Ordinances shall be amended by adding the following text:

§ 97.12 TEMPORARY STORAGE UNITS, PORTABLE STORAGE UNITS AND DUMPSTERS.

Temporary storage units, portable storage units, "PODS" or dumpsters (hereinafter "devices") may be placed upon private property or a city street in accordance with the following limitations:

(A) A permit must be obtained from the Zoning Administrator prior to the placement of any device. The cost of the permit shall be \$20.00. Such devices must be placed upon private property unless some physical condition exists that would prohibit placement in the yard or driveway. If the device cannot be placed on private property it may be placed on a city street directly in front of the property of the permit holder.

(B) A permit issued by the Zoning Administrator shall be valid for seven (7) days from the date of issuance. The Zoning Administrator may grant an extension of up to seven (7) days upon showing of good cause by the applicant. Not more than two such extensions shall be permitted, for a maximum of twenty-one (21) days in any consecutive twelve (12) month period.

(C) A permit issued by the Zoning Administrator shall be valid for ninety (90) days when issued in conjunction with a building permit when there is an active construction project occurring and when such device is placed on private property. The Zoning Administrator may grant an extension of up to ninety (90) days upon showing of good cause by the applicant. Not

more than two such extensions shall be permitted, for a maximum of two hundred seventy (270) days in any consecutive twelve (12) month period.

(D) A permit issued by the Zoning Administrator shall be valid for one hundred eighty (180) days when issued in conjunction with a Development Plan. The Zoning administrator may grant extensions upon showing of good cause by the applicant and depending on the scope of the project. Should work cease on the project for more than thirty (30) days, the Zoning Administrator may revoke the permit and require removal of the device.

(E) The device may not be located in any manner that restricts or impedes visibility of motorists.

(F) The device shall not placed on any city street where parking is not permitted or that has a pavement width of less than eighteen (18) feet measured from inside of curb to inside of curb, or from edge of pavement to edge of pavement.

(G) The device shall not exceed eight (8) feet in width, nor be placed in a manner that restricts the remaining street width to less than ten feet measured from inside of curb or edge of pavement to the device.

(H) The device must be associated with temporary storage or a project for the property of the permit holder and not more than one (1) temporary or portable storage unit or more than one (1) dumpster shall be permitted at any time.

(I) The device shall not be placed in a manner which damages any public improvement, including but not limited to, the pavement, curb, gutter, grass, landscaping or tree located within the public right-of-way. If the device causes damage to any public improvement, the applicant shall reimburse the city the cost of repair.

Any device which is placed in violation of this section or is not removed at the end of the time for which it is authorized by the city to remain in place may be removed by the city, with prior notice of not less than twenty-four (24) hours, and the cost of such removal, together with the cost of administration of its removal, shall be reimbursed to the city by the applicant. Penalty, see § 10.99

SECTION II

All ordinances, resolutions or parts thereof, in conflict with the provisions of this ordinance, are to the extent of such conflict, hereby repealed.

SECTION III

The provisions of this Ordinance are severable. If any provision, section, paragraph, or part thereof be held invalid, such decision shall not affect or impair the validity of the remainder of this Ordinance.

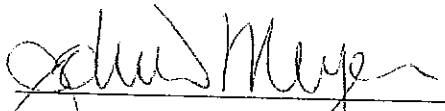
SECTION IV

This ordinance can be read and published in summary form.

SECTION V

This Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

APPROVED:



John D. Meyer, Mayor

1st Reading:

2nd Reading:

Publication:

ATTEST:

Mary Scott, City Clerk

