



# PLACEMENT PERMIT FOR DUMPSTERS & PORTABLE STORAGE UNITS

## City of Tea

600 E. 1st St. - PO Box 128 - Tea, SD 57064  
 Telephone: (605) 498-5191 Fax: (605) 498-5665  
 www.teasd.com

### APPLICANT INFORMATION

Applicant is: <input type="checkbox"/> Owner <input type="checkbox"/> Provider <input type="checkbox"/> Other:		
Name:	Phone Number:	
Address:	Email:	

### PROPERTY OWNER (if different from applicant)

Name:	Phone Number:
Address:	Email:

### PROVIDER

Name:	Phone Number:
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### TYPE: Dumpster Portable Storage Unit

### START DATE:

Site Address:	Street Location:
Location on Private Property:	Reason for Street Placement:

### PERMIT FEES

- Placed Upon Private Property: No Charge
- Placed on Street or Public Ground: \$25.00

### PENALTY FEES

- Failure to obtain a permit: Application fee plus \$50
- Violation of Section 4.02 (E), General Restrictions: \$100

### DURATION OF PERMITS - RESTRICTIONS & REQUIREMENTS

Permits issued for placement on private property shall be limited in duration to 45 days.

Permits issued for placement on streets and/or public grounds shall be limited in duration as follows:

- Dumpsters: Thirty (30) Days
- Portable Storage Units: Fourteen (14) Days

The duration of permits may be extended for good cause shown at the discretion of the Zoning Official or designated representative.

### RESTRICTIONS & REQUIREMENTS

- Shall not be filled beyond the top of the unit
- Shall not be placed closer than 40 feet from any intersection
- Shall not be filled by means of dropping, throwing, using a chute, conveyor, belt or other device located in, above, on or across a street
- During times the unit is not actively being filled or emptied with materials, it should be covered by a tarpaulin or other secured material
- Affixed to each unit, a placard or decal having warning signs of a contrasting color identifying the container is dangerous
- By applying for a permit, each provider or applicant agrees to any and all provisions of Ordinance 221, section 4.02
- Shall be emptied as soon as practical, or when full
- Shall be visible at night from all angles of traffic flow

### EMERGENCY REMOVAL

In the event of an emergency, any dumpsters or portable storage units in or upon any street or public grounds or upon private property may be removed by the Zoning Official or designated representative, and/or police, fire or public utility personnel. The City shall not be liable for any loss or damage caused by such emergency removal.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

For Office Use Only - Ordinance 221, Section 4.02 Approved By: \_\_\_\_\_ Payment Type: \_\_\_\_\_ Amount: \_\_\_\_\_ Date: \_\_\_\_\_

## **ORDINANCE 221, SECTION 4.02. TEMPORARY PLACEMENT OF DUMPSTERS AND PORTABLE STORAGE UNITS WITHIN THE CITY OF TEA.**

**PURPOSE.** It shall be illegal for any person to place one or more dumpsters or portable storage units in or upon any street or public grounds or upon private property without first having obtained a Permit. Unless specifically listed herein the provision of Section 4.01 Garbage and Trash shall apply.

**DEFINITIONS.** For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**DUMPSTER:** A container designed to receive, transport and dump waste

**PORTABLE STORAGE UNIT:** A container designed or used for the storage of personal property which is typically rented to owners or occupants of property for their temporary use and which is delivered and/or removed by truck

### **PERMIT.**

Every person seeking to place one or more dumpsters or portable storage units in or upon a street or public grounds or upon private property shall first apply to the Zoning Official or designated representative for a Permit. No permit shall be issued for placement of one or more dumpsters or portable storage units on a street or public grounds unless placement on private property is not reasonably feasible.

The application fee for a permit allowing the temporary placement of dumpsters or portable storage units in or upon any street or public grounds or upon private property shall be set by resolution of the City Council. The fee for failing to obtain a permit prior for the placement of a dumpster or portable storage shall be set by resolution of the City Council. The application fee is waived for any permit allowing the temporary placement of dumpsters or portable storage units upon private property.

Every provider applying for a permit to place one or more dumpsters or every applicant applying for a permit to place one or more portable storage units in or upon any street or public grounds or upon private property shall provide a bond in the amount of \$1,000 to cover the cost to repair any damage caused by the applicant's use of the street or public grounds for such purpose. No permit shall be issued until such bond has been provided to the city. If the cost to repair any damage caused by the provider or applicant's use of the street or public grounds exceeds the value of such bond, such amount shall become the debt of the applicant, immediately due and owing to the city.

Application for a permit must be submitted to the Zoning Official or designated representative at least 3 working days prior to the proposed placement of one or more dumpsters or portable storage units in or upon any street or public grounds or upon private property.

Each provider or applicant holder shall allow access to private property by the Zoning Official or designated representative, during reasonable hours of the day to verify compliance with the applicable provisions of this ordinance.

By applying for a permit, each provider or applicant agrees to any and all provisions of this ordinance.

### **DURATION OF PERMITS.**

Permits issued for placement on streets and/or public grounds shall be limited in duration as follows:

Dumpsters – 30 days                      Portable storage units – 14 days

Permits issued for placement on private property shall be limited in duration to 45 days.

The duration of permits may be extended for good cause shown at the discretion of the Zoning Official or designated representative.

### **GENERAL RESTRICTIONS AND REQUIREMENTS.**

No dumpsters or portable storage units in or upon any street or public grounds or upon private property shall be filled beyond the top of such dumpster or portable storage facility.

Dumpsters or portable storage units in or upon any street or public grounds or upon private property units shall be emptied as soon as practical, or when full, and no mechanical hydraulic or electrical loader, compactor, packer or conveyor in the residential districts may begin before 7:00 a.m.

No dumpsters or portable storage units in or upon any street or public grounds or upon private property shall be filled by means of a chute, conveyor, belt, or other device, located in, above, on or across a street, or by dropping or throwing items in, above, on or across a street, unless the permit authorizing placement of such dumpsters or portable storage units in or upon any street or public grounds or upon private property specifically authorizes such methods.

During such times that dumpsters or portable storage units in or upon any street or public grounds or upon private property are not actively being filled or emptied with materials, all dumpsters and portable storage units shall be covered by tarpaulin or other secured material, as approved by Zoning Officer or designated representative to prevent debris from blowing out of the container.

### **GENERAL PLACEMENT.**

#### **Visibility**

Dumpsters or portable storage units in or upon any street or public grounds shall not be placed closer than 40 feet from any intersection. The Zoning Officer or designated representative must approve the proposed location of any dumpsters or portable storage units in or upon any street or public grounds.

A placard or decal shall be affixed to each dumpster or portable storage units in or upon any street or public grounds or upon private property until such time as the dumpster or portable storage facility is removed. Such placard or decal shall have one or more warning signs of a contrasting color to identify that the container is dangerous, that children should be kept away, that playing in, on or about the dumpster or portable storage facility is prohibited.

Dumpsters or portable storage units in or upon any street or public grounds shall be visible at night from all angles of traffic flow. Means to provide nighttime visibility include, but are not limited to, the use of reflecting tape at least 2 inches in width, reflectors, cones or other methods as approved by the Zoning Officer or designated representative.

When required by the City Engineer, additional traffic control devices meeting the latest US Department of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD) standard shall be placed on the street to warn traffic of obstacles on the street.

All required visibility devices and/or signage shall be provided by the applicant owner, agent, contractor, employer or permit holder.

**EMERGENCY REMOVAL.** In the event of an emergency, any dumpsters or portable storage units in or upon any street or public grounds or upon private property may be removed by the Zoning Officer or designated representative, and/or police, fire, or public utility personnel. The city shall not be liable for any loss or damage caused by such emergency removal.

**USE RESTRICTIONS.** No hazardous material or organic waste shall be placed in a dumpster or portable storage facility. It shall be the responsibility of the permit holder to maintain the dumpster or storage unit rodent, vermin and insect free. Any person who violates the restrictions set forth herein may be held liable for such conduct, which liability is in addition to any other penalties or sanctions that may be imposed.

**DUTY TO REMOVE.** It shall be the responsibility of the applicant, owner, agent, contractor, employer, or permit holder to remove the dumpster or portable storage unit prior to the expiration of the permit, or when ordered to by authorized city personnel. The city or designee shall have the right to enter upon any street, public grounds or upon private property or any lot or parcel of land for the purpose of removing any dumpster or portable storage unit remaining after the permit has expired. All costs of removal, including an administrative fee to defray costs of enforcing this section, will be assessed to the applicant, owner, agent, contractor, employer, or permit holder, except those incurred for emergency removal.

**PENALTY.** Any person who violates the restrictions set forth in this 4.02 may be subject to an administrative fee established by resolution of the city Council and removal costs incurred by the city, and shall be in addition to the required permit fees. Violations of this ordinance shall also be subject to a fine in an amount set by resolution and not to exceed the maximum amount allowed by state law or by imprisonment not exceeding 30 days or by both the fine and imprisonment

**SAVING CLAUSE.** In the event that any part of this ordinance is declared, by a duly authorized court of law, to be unconstitutional, in conflict with South Dakota Codified Laws, or in Conflict with the Administrative Rules of South Dakota, such part of this ordinance shall become null and void. In the event of such a finding against a part of this ordinance, the remainder of this ordinance shall continue to be effective.

**SEPARABILITY.** All prior ordinances or parts of prior ordinances in conflict with the provisions of this ordinance are hereby repealed.