

Chapter 48**DUMPSTERS AND ROLL-OFF CONTAINERS**

§ 48-1. Title.

§ 48-2. Definitions.

§ 48-3. Rules and regulations.

§ 48-4. Enforcement.

§ 48-5. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring 7-22-1993 as L.L. No. 5-1993. Amendments noted where applicable.]

GENERAL REFERENCES

Building Construction - See Ch. 40.

Littering - See Ch. 59.

Recycling - See Ch. 93.

§ 48-1. Title.

This chapter shall be cited as the "Village of Cold Spring Dumpsters and Roll-Off Containers Law."

§ 48-2. Definitions.

As used in this chapter, unless the context otherwise requires, the following terms shall have the meanings indicated:

BUILDING INSPECTOR - The Building Inspector of the Village of Cold Spring or his or her designated representative.

LESSEE - The person renting the roll-off container or dumpster from the owner-lessor.

OWNER-LESSOR - The person owning or leasing to third parties the roll-off container or dumpster.

PERSON - Any individual, partnership, firm or corporation.

ROLL-OFF CONTAINER or DUMPSTER - The type of container designed for use with a vehicle containing hydraulic or mechanical capabilities to lift a prefabricated container from the ground onto the truck for transport purposes or to lift and dump the material contained therein into the body of said truck, the contents of which container is solid waste consisting of refuse, rubbish and other debris.

STREET or HIGHWAY - A thoroughfare within the public domain not less than twenty (20) feet in width, curb to curb.

§ 48-3. Rules and regulations.

- A. The roll-off container shall be placed parallel to the curb with the street side of the container not more than eight (8) feet six (6) inches from the nearest curb adjacent to the container.
- B. Roll-off containers shall have permanent enclosure installed around the container of brick, block or suitable fencing to extend at least one (1) foot above the container.
- C. The roll-off container shall not obstruct any part of the sidewalk or the sidewalk areas adjacent to the street, and the contents thereof shall be emptied and disposed of upon reaching the container's water line.
- D. Roll-off containers and dumpsters must be equipped with covers, and all dumpsters and roll-off containers must be covered at all times except during filling or emptying.
- E. Roll-off containers and dumpsters placed on the street shall be equipped with a flasher-type warning device located to face oncoming traffic.
- F. The owner-lessor shall be responsible for the repair of any street, sidewalk and curb damage caused by the placement, movement or removal of any roll-off container.

- G. The Building Inspector shall receive at least forty-eight (48) hours prior notice through a written or verbal communication from the owner-lessor before a roll-off container or dumpster is placed upon any Village street or other facility.
- H. The Building Inspector shall have the right to prohibit the placement of any roll-off container or to direct the removal of a roll-off container from any street location if, in his or her sole judgment, he or she determines that the placement of any roll-off container at any street location shall constitute a public nuisance and a hazard because of contour, narrow width, traffic or highway conditions peculiar to the street at or near the proposed location.
- I. Any individual or entity who places a dumpster in a roadway or upon the Village right-of-way shall provide a certificate of insurance from the owner-lessor providing public liability coverage insuring the Village of Cold Spring in an amount not less than one hundred thousand dollars (\$100,000) for personal injury, including wrongful death to any one (1) person, and not less than three hundred thousand dollars (\$300,000) liability for injuries sustained on account of any occurrence; and not less than fifty thousand dollars (\$50,000) liability for property damage on account of any occurrence. Such certificate shall provide that such insurance policy shall not be cancelled except on thirty (30) days notice to the Village.
- J. Permission to place a roll-off container on a Village street shall be valid for thirty (30) days. Said thirty day period may only be extended by application to the Building Inspector. Failure to remove said container after the thirty day period will be deemed a violation of this chapter.

§ 48-4. Enforcement.

It shall be the duty of the Police Department of the Village of Cold Spring to enforce the provisions of this chapter at the request of the Building Inspector.

§ 48-5. Penalties for offenses.

A violation of any of the provisions of this chapter shall constitute a violation pursuant to the Penal Law. Any person violating any provision of this chapter shall be subject to a fine of not more than two hundred fifty dollars (\$250) or imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment.