

**VILLAGE OF THIENSVILLE
OZAUKEE COUNTY, WISCONSIN
ORDINANCE NO. 2019-02
AN ORDINANCE CREATING
SECTION 30-92 REGULATING THE
USE OF TEMPORARY DUMPSTERS**

WHEREAS, the Village of Thiensville Board of Trustees desires to regulate the use of Temporary Dumpsters; and

WHEREAS, the Village Board finds that regulating the use of Temporary Dumpsters is in the best interest of the health, general welfare, and safety of Village Residents.

NOW, THEREFORE, the Village Board of the Village of Thiensville does ordain as follows:

SECTION 1. Section 30-92 of the Village of Thiensville Code is hereby amended as follows:

Sec. 30-92. - Use of Temporary Dumpsters.

- (a) *Purpose.* In order to protect the health, safety and welfare of the residents of the Village and to maintain the desirability, amenities and property values of the residential, commercial and industrial neighborhoods of the Village, it shall be the responsibility of the owner, occupant or lessee of any premises to conform to the requirements of this section regulating the use of Temporary Dumpsters.
- (b) *Definitions.* For the purposes of this section the following terms shall mean:
 - (1) *Temporary Dumpster.* Temporary Dumpster shall mean any container, receptacle, compactor unit, trailer, roll-off, or other similar unit with or without wheels that is used for the temporary storage, containment, or transport of refuse, garbage, demolition debris, or other discarded materials.
 - (2) *Public Nuisance.* Public Nuisance shall mean the acts, omissions, conditions and things that are specifically enumerated and declared a Public Nuisance under Article 30-34 of the Village Code.
- (c) *Limitation on Use of Temporary Dumpsters.* Except for as used in Sec. 30-92(d) below, a Temporary Dumpster shall not remain at a property in any Village zoning district in excess of 30 consecutive days.
- (d) *Use of Temporary Dumpsters Associated with Permitted Construction.* Temporary Dumpsters associated with construction at a site where a building permit has been issued, are permitted for the duration of construction and shall be removed from the site within 14 days of the end of construction.
- (e) *Use of Temporary Dumpsters in Village Right of Way Prohibited.* Temporary Dumpsters shall not be placed on any Village right of way without written permission from the Village. Proper signage and reflective road barricades will be required. With Village permission dumpsters placed on the road surface shall not remain longer than 7 consecutive days.

- (f) *Immediate Removal of Full Temporary Dumpsters.* Temporary Dumpsters that are full, overflowing, or causing a Public Nuisance shall be removed within 24 hours of becoming full, overflowing or causing a Public Nuisance.
- (g) *Enforcement.* Any person who violates a provision of this section 30-92 may be issued a citation by any authorized officer, employee or representative of the village to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this section.
- (h) *Penalties.* Any person who violates a provision of this section may be required to forfeit not less than \$10 nor more than \$1,000 for each violation.

SECTION 2. Severability. If any provision of this ordinance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions of this ordinance.

SECTION 3. Effective date. This ordinance shall be effective upon publication.

PASSED AND ADOPTED this 18th day of March, 2019.

Van A. Mobley, Village President

ATTESTED TO:

Amy L. Langlois, Village Clerk/Deputy Treasurer