

## City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

### CHAPTER 2016-17

**No. 161 AN ORDINANCE AMENDING CHAPTER 12, "HEALTH AND SANITATION," ARTICLE III, "GARBAGE, TRASH, AND REFUSE," SECTION 64, "FREQUENCY AND METHOD OF REMOVAL OF WASTES AND SECTION 61.1, "USE OF DUMPSTERS"**

**EFFECTIVE May 2, 2016**

*Be it ordained by the City of Providence:*

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 12, Section 64 is hereby amended by adding thereto the following:

Sec. 12-64. Frequency and method of removal of wastes.

- 1) All household rubbish, garbage and recyclables shall be removed from the curbside in front of or near such dwelling in accordance with the other sections of this article, and the department of public works shall only be required to pick up such household rubbish, garbage and recyclables as is placed on or near the curbside in front of or near each such dwelling.
- 2) Such regular weekly removals and pickups by the department of public works or any private entity under contract with the city shall be carried out only on the days of Monday, Tuesday, Wednesday, Thursday and Friday of each week. When a holiday falls on the normally scheduled collection day for a given street or neighborhood, collection for that street or neighborhood shall occur on the following day. Each normally scheduled collection day thereafter in that week shall be postponed by one day.
- 3) Collection of household rubbish, garbage and recyclables by the department of public works or any private entity under contract with the city shall begin no earlier than 7 a.m. and shall be completed by 5 p.m. of the designated pickup day unless alternate collection times are authorized by contract as ratified by the City Council. The provisions of Section 12-64 (3) shall be enforced by the director of public works who shall:
  - a. promulgate such rules as they may be necessary to effect the purposes of Section 12-64 (3); and
  - b. be empowered to assess fines up to five hundred dollars (\$500) for each violation.
- 4) The requirements of Section 12-64 shall be included in the formal agreement between the city and any private entity contracted to conduct regular weekly removal and pickup of household rubbish, garbage, and recyclables.
- 5) No person shall operate any trash, rubbish, garbage, or recycling collection activities within any residentially zoned district, within one thousand (1,000) feet of any residentially zoned district or within two hundred (200) feet of a residential structure between the hours of 11:00 p.m. and 7:00 a.m. unless alternate collection times are authorized by contract as ratified by the City Council.

SECTION 2. The Code of Ordinances of the City of Providence, Chapter 12, Section 61.1 is hereby amended as follows:

Section 12-61.1.- Use of Dumpsters.

Any person engaged in the business of providing dumpsters to others shall, prior to placing a dumpster on public or private property for any period of time, shall first obtain a permit from the director of public works. Said permit shall specify the size and location of the dumpster and the length of time that said dumpster may be used on the said public property.

- (1) Minimum standards. Any dumpster used in the city shall meet the following standards:
- (a) The dumpster shall be painted so as to be reasonably resistant to rust and corrosion.
  - (b) The name and telephone number of the dumpster owner shall be clearly painted on at least two (2) sides of the dumpster.
  - (c) Dumpsters less than twenty (20) cubic yards in size shall be capable of being closed on all sides, except when opened for deposit or servicing.
  - (d) Dumpsters greater than twenty (20) cubic yards in size shall be capable of being secured so as to prevent the spillage of refuse, waste or garbage from the container.
  - (e) No dumpster located within two hundred (200) feet of a residential property located in a zone in which dwellings are permitted, shall be serviced between the hours of 11:00 p.m. and 7:00 a.m.
- (2) *Use.* Any dumpster used in the city shall be maintained and serviced with a frequency sufficient to prevent spillage from overflow, to prevent the buildup of offensive odors, and to prevent a public hazard. The responsibility for the maintenance and servicing of dumpsters shall rest with the owner of the dumpster. The maintenance of dumpsters shall include the cleanup and removal of all litter thrown or left on the dumpster premises to prevent litter from drifting or blowing on to adjacent premises. Any dumpster regularly used to contain decomposable matter or other odor-generating waste shall be steam cleaned with disinfectant on a monthly basis. Drain holes in dumpsters shall be maintained to prevent leakage of waste fluids and to prevent entry by rodents.
- (3) *Illumination or reflectorization of trash containers.* All commercial garbage and/or trash containers or dumpsters so-called located within the city on any part or portion of the public right-of-way, that is, sidewalk, pedestrian footpath, or roadway shall be illuminated with flashing beacon lights affixed thereto or in the absence of beacons, sheeted/affixed with high intensity reflectorized orange and silver construction work-zone sheeting pursuant to regulations specified by the traffic engineer.
- All dumpsters shall be illuminated or reflectorized twenty-four (24) hours daily. The traffic engineer shall cause to be printed and have available for inspection and distribution the aforecited regulations concerning specifications for beacon illumination or sheeting reflectorization.
- (4) *Placement and screening on private property.* Dumpsters on private property shall not be placed within twenty (20) feet of the public right-of-way or city street line. All dumpsters shall be screened from public view on at least three (3) sides by a solid wall, opaque fence, or compact planting screen of at least five (5) feet in height if such area is not within an enclosed building or structure. Screening shall be constructed in a manner to allow inspection and shall be the responsibility of the property owner.
- Provided, however, that upon permit from the director of public works or his/her designee, this requirement may be waived. In approving or rejecting said application, the director shall determine, based upon the totality of the circumstances, whether or not said permit shall be granted. Among the factors the director shall consider are (a) the proximity of the dumpster to the street line, (b) the availability of other space for on-site placement, (c) the impact, if any, such requirement will have on available on-site parking, and (d) the availability and proximity of alternative off-street, parking.
- (5) *Violations and penalties.* Any person who shall violate any provision of this section, or any provisions of any rule or regulation adopted pursuant to authority granted by this section, shall upon conviction, be punished by a fine of one dollar (\$1.00) up to and including five hundred dollars (\$500.00). That upon determination by the director of public works or his/her designee, that the public health, safety and welfare would be better served, the director may give notice of such violation and abate said condition according to statute or give notice of said violation and petition the municipal court for an order to abate any such violation.

(6) *Enforcement.* The provisions of this section shall be enforced by the director of public works who shall promulgate such rules as they may be necessary to effect the purposes of this chapter. Additionally, said director shall take reasonable steps to notify residents and owners of the requirements of this chapter and the scheduled days of trash and of the scheduled days of trash and white goods collection.

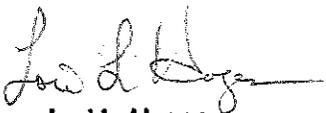
SECTION 3. This ordinance shall take effect upon passage.

IN CITY COUNCIL

APR 07 2016  
FIRST READING  
READ AND PASSED

  
CLERK

Effective without the  
Mayor's Signature

  
Lori L. Hagen  
City Clerk

IN CITY  
COUNCIL

APR 21 2016  
FINAL READING  
READ AND PASSED

  
PRESIDENT  
  
CLERK