

ORDINANCE 14-07

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits; and

WHEREAS, Hyrum City's residents and businesses receive its solid waste services from Logan City/Cache County Environmental Services; and

WHEREAS, upon recommendation of the Logan City/Cache County Environmental Services to no longer require commercial, manufacturing, or industrial businesses to enclose dumpster areas with a fence.

NOW, THEREFORE, following a public hearing held by the Planning Commission as required by Section 17.08.150, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING TITLE 17 (ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE TO COMPLY WITH CACHE COUNTY/LOGAN CITY ENVIRONMENTAL DEPARTMENT POLICIES BY ELIMINATING THE REQUIREMENT FOR DUMPSTER AREAS TO BE FENCED IN COMMERCIAL, MANUFACTURING, AND PROFESSIONAL ZONES AND OTHER MISCELLANEOUS CHANGES.

BE IT ORDAINED, by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Sections 17.44.055, and 17.45.055 of Title 17 of the Hyrum City Municipal Code are hereby amended to read as follows:

**Trash enclosure regulations - commercial use.**

- A. *Applicability.* Dumpster enclosures may be required at high public visibility areas. Regardless of location or placement, the dumpsters require a level, hard surface pad and approach.
- B. *Space.* The space inside the enclosure shall be reserved for dumpsters only.
- C. *Parking.* No parking shall be allowed in front, behind or on either side of the dumpster.

- D. *Minimum Size.* Each enclosure shall provide a minimum ten-foot interior depth (minimum eleven-foot interior depth, if bollards or a curb are placed behind the dumpster) and a six-foot height. For single enclosures, with or without gates, the minimum interior opening shall be twelve-feet. For double enclosures, without gates, the minimum interior opening shall be twenty-two feet, and for double enclosures, with gates, the minimum interior opening shall be twenty-four feet.
- E. *Bollards.* Bollards or a six inch curb should be placed behind the dumpster in order to protect the enclosure wall from damage. On enclosures without gates a bollard should be placed outside of the opening face, one at each corner as to not interfere with collection.
- F. *Safety.* Each enclosure shall provide a minimum of two-feet of clear space between each side of the dumpster and the adjacent wall surface of that enclosure, or any other dumpsters within that same enclosure.
- G. *Placement.* Dumpsters must be placed side-by-side. The stacking of dumpsters in a single wide enclosure will be approved only on a case-by-case basis, before construction begins.
- H. *Pedestrian Access.* A pedestrian opening on one wall of the enclosure for employee or customer access to the dumpster shall be required.
- I. *Overhangs.* Overhanging caps on the enclosure walls are prohibited.
- J. *Concrete Pad.* The enclosure shall be placed on a concrete pad with a concrete depth of six (6) to eight (8) inches and the pad shall extend eight-feet out in front of the enclosure. Furthermore, the floor of the enclosure and the approach to the enclosure shall be level and at the same height.
- K. *Gates.* Gates are *strongly* discouraged because of the negative impact on collection efficiency. However, any gates on the enclosures must be mounted with the hinges on the front of the posts and not on the inside. The gates must be able to be opened to at least the twelve-foot wide measurement. A gate stop or latch system must be installed on the gates so that they will remain in the open position. Gate clearance from the concrete pad shall be 4 to 6 inches to allow for ice and snow build up.
- L. *Access.* A minimum of sixty-feet of straight on access to the dumpster is required. Any collection point

further than one-hundred-fifty (150) feet from the public right of way must provide an on-site turn around. A minimum of twenty-foot overhead clearance from building eaves, parking awnings, trees, poles, overhead power or cable wires, etc. is required.

- M. *Maintenance.* Enclosures shall be maintained in good condition and appearance at all times. Gate latches shall be kept fully operable; it is the owner(s) responsibility to ensure that access to the enclosure is not obstructed. This includes removing snow, ensuring there is no parking in the area and repairing or rebuilding concrete pads whenever the pavement deteriorates.
- N. *Visibility.* Clear visibility for all interior aisles shall be maintained. Trash enclosures shall be located away from main traffic areas and be sheltered from street sight as much as possible.
- O. *Residential Areas.* Trash enclosure shall be located so as to minimize disturbance to single-family residential development. Trash enclosure shall be at least fifty (50) feet away from any single family residential zoning district unless it is approved by the Zoning Administrator.

2. Sections 17.48.100, 17.49.100, and 17.50.095 are hereby added to Title 17 of the Hyrum City Municipal Code to read as follows:

**Trash enclosure regulations - commercial use.**

- A. *Applicability.* Dumpster enclosures may be required at high public visibility areas. Regardless of location or placement, the dumpsters require a level, hard surface pad and approach.
- B. *Space.* The space inside the enclosure shall be reserved for dumpsters only.
- C. *Parking.* No parking shall be allowed in front, behind or on either side of the dumpster.
- D. *Minimum Size.* Each enclosure shall provide a minimum ten-foot interior depth (minimum eleven-foot interior depth, if bollards or a curb are placed behind the dumpster) and a six-foot height. For single enclosures, with or without gates, the minimum interior opening shall be twelve-feet. For double enclosures, without gates, the minimum interior opening shall be twenty-two feet, and for double enclosures, with gates, the minimum interior opening shall be twenty-four feet.

- E. *Bollards.* Bollards or a six inch curb should be placed behind the dumpster in order to protect the enclosure wall from damage. On enclosures without gates a bollard should be placed outside of the opening face, one at each corner as to not interfere with collection.
- F. *Safety.* Each enclosure shall provide a minimum of two-feet of clear space between each side of the dumpster and the adjacent wall surface of that enclosure, or any other dumpsters within that same enclosure.
- G. *Placement.* Dumpsters must be placed side-by-side. The stacking of dumpsters in a single wide enclosure will be approved only on a case-by-case basis, before construction begins.
- H. *Pedestrian Access.* A pedestrian opening on one wall of the enclosure for employee or customer access to the dumpster shall be required.
- I. *Overhangs.* Overhanging caps on the enclosure walls are prohibited.
- J. *Concrete Pad.* The enclosure shall be placed on a concrete pad with a concrete depth of six (6) to eight (8) inches and the pad shall extend eight-feet out in front of the enclosure. Furthermore, the floor of the enclosure and the approach to the enclosure shall be level and at the same height.
- K. *Gates.* Gates are *strongly* discouraged because of the negative impact on collection efficiency. However, any gates on the enclosures must be mounted with the hinges on the front of the posts and not on the inside. The gates must be able to be opened to at least the twelve-foot wide measurement. A gate stop or latch system must be installed on the gates so that they will remain in the open position. Gate clearance from the concrete pad shall be 4 to 6 inches to allow for ice and snow build up.
- L. *Access.* A minimum of sixty-feet of straight on access to the dumpster is required. Any collection point further than one-hundred-fifty (150) feet from the public right of way must provide an on-site turn around. A minimum of twenty-foot overhead clearance from building eaves, parking awnings, trees, poles, overhead power or cable wires, etc. is required.
- M. *Maintenance.* Enclosures shall be maintained in good condition and appearance at all times. Gate latches shall be kept fully operable; it is the owner(s) responsibility to ensure that access to the enclosure is not obstructed. This includes removing snow,

ensuring there is no parking in the area and repairing or rebuilding concrete pads whenever the pavement deteriorates.

- N. Visibility. Clear visibility for all interior aisles shall be maintained. Trash enclosures shall be located away from main traffic areas and be sheltered from street sight as much as possible.
- O. Residential Areas. Trash enclosure shall be located so as to minimize disturbance to single-family residential development. Trash enclosure shall be at least fifty (50) feet away from any single family residential zoning district unless it is approved by the Zoning Administrator.

3. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

4. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

5. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

5. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 19<sup>th</sup> day of June, 2014.

HYRUM CITY

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Stephanie Miller  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Posted: \_\_\_\_\_