

**AN ORDINANCE REGULATING THE USE OF DUMPSTERS AND PORTABLE TOILET FACILITIES AT NEW HOME, LARGE OUT-BUILDING AND ROOFING/REROOFING SITES**

Whereas, the Town of Mantua has experienced a large increase in the number of new home construction in recent years.

Whereas, the residents of areas adjacent to new construction sites have lodged numerous complaints with the Town regarding litter caused by construction activities being unsecured and scattered about by the wind.

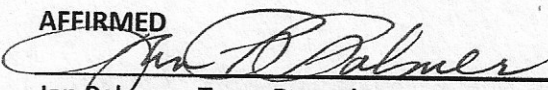
Whereas, the Town of Mantua has the obligation to ensure a clean, healthy and pleasant environment for all residents of the community and provide for the enforcement of litter and nuisance laws.

**THEREFORE, BE IT ORDAINED:**

1. Any active, new home, large out building construction and or roofing/re-roofing sites with an area to exceed 1000 square feet, shall be required to provide an onsite, large style dumpster, trailer or other device capable of securely containing refuse created at the construction or repair site. Such dumpsters, trailers or other devices shall not be left or parked upon Town right-of-ways.
2. All such dumpsters shall be fitted with a lid and a mechanism which can secure the lid of the dumpster. All dumpster lids shall be closed and secured at the finish of each construction day or other times when necessary to prevent the wind from scattering the contents or deter unauthorized individuals from utilizing them.
3. Any active, new home, large out building construction site and or roofing/re-roofing site (any of which exceed 1000 square feet) shall be required to provide an onsite portable toilet facility. Such an onsite portable toilet facility is not required if toilet access is available within the residence, or available at a nearby construction site or nearby residence with common agreement for its use.
4. The general contractor or property owner, if currently occupying the residence, shall be responsible for the placement and maintenance of dumpsters and toilet facilities at the construction site and shall be liable for citations issued for violation of this ordinance or as result of litter or other construction materials left or carried by the wind onto another's or public property.
5. Violation of this ordinance is an Infraction. Anyone found in violation of this ordinance shall first be provided with a written warning issued by law enforcement personnel, the Town's maintenance chief or a member of the Town Council. If compliance is not demonstrated within 5 (five) days of notice, the violator shall be punished by a fine of not more than \$100 for the first offense and up to \$100 per each day of non-compliance thereafter.
6. The requirements of this ordinance in no way nullifies or voids any other provisions set forth in Town ordinances or State or County statutes regarding littering or creating a nuisance.

This ordinance having been duly considered and approved by the Mantua Town Council according to law, this 20<sup>th</sup> day of December 2018

AFFIRMED

  
Jan Palmer, Town Recorder

  
Michael D. Johnson Mayor