



Dumpster Enclosure Waiver/Exception Application

Please fill out the application legibly and in its entirety. For items which are "not applicable," please designate as "N/A."

Waiver: _____ Exception: _____ Date: _____

1. Property address: _____

2. Property Owner's name: _____ Phone: _____

3. Owner's Agent or Representative Name: _____ Phone: _____

4. Type of Enclosure Proposed (check one):

<input type="checkbox"/> WOOD	<input type="checkbox"/> STONE
<input type="checkbox"/> CHAIN-LINK FENCE	<input type="checkbox"/> CONCRETE
<input type="checkbox"/> BRICK	<input type="checkbox"/> OTHER: _____

5. Dumpster Enclosure Checklist:

- ___ Appointment with a Planner
- ___ Proof of Ownership (warranty Deed)
- ___ 10 sets of Site Plan or Survey (to scale, showing entire property & all parking spaces, at a minimum plans should be 11x17 size)
- ___ Justification Statement (Waivers and Exceptions)
- ___ \$228.80 application fee (Waivers only)
- ___ \$75 Public Hearing Fee (Exceptions Only) until April 15, 2010
otherwise \$1,029.60 there after.

Property Owner Signature: _____

Owner's Agent or Representative: _____

****In addition to the City of Oakland Park Land Development Code requirements, all dumpster enclosures must meet all Florida Building Code regulations****

OFFICE USE ONLY	
Property Address: _____	
This application is (check one) APPROVED DENIED	
Application Reviewer: _____	Date: _____

SEND APPLICATIONS TO: City of Oakland Park Planning and Zoning Division:
5399 N. Dixie Highway, Suite 3, Oakland Park, Florida 33334
(954) 630-4333.

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ORDINANCE NO. O-2009-010

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING CHAPTER 13, CODE OF ORDINANCE, SOLID WASTE, SPECIFICALLY SECTION 13-08, PLACEMENT FOR COLLECTION; AND CHAPTER 24, CODE OF ORDINANCES, LAND DEVELOPMENT CODE, SPECIFICALLY SECTION 24-106 (B) (3) ENTITLED, MANDATORY LOCATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 15, 1989, the City adopted ordinance 89-20 which required that all newly placed dumpsters be enclosed with a fence or concrete wall;

WHEREAS, dumpsters placed on properties prior to November, of 1989, remain unscreened and some dumpsters are located within public rights of ways and alleys.

WHEREAS, the City of Oakland Park performed a Community Appearance Study which was completed in November of 2006, which recommended that all dumpsters placed prior to November 15, 1989, be screened from view of roads and residential areas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

Section 2. That Chapter 13, "Placement for Collection" Section 13-8 is hereby amended as follows:

Sec. 13-8. Placement for collection and removal after collection.

(a) All solid waste carts and recycling containers to be emptied by the public works department shall be placed at the locations designated by the city before 7:00 a.m. and removed by 11:00 p.m. on the collection days designated by the department. Solid waste carts and recycling containers may be placed in a public right of way for collection in a manner which does not impede the safe flow of vehicular or pedestrian traffic. All solid waste carts and recycling containers, if visible from the right of way, shall be stored

1 behind the front, or side of the building provided service, where lot conditions allow for
2 such storage. Containers which are not removed from the collection locations by the time
3 allowed in this section are subject to removal and proper placement by the service
4 provider. The customer will be charged for the service provider's removal service. A
5 service fee, on file in the city clerk's office, for each such removal service provided by the
6 service provider shall be assessed against the owner or occupant of the property and shall
7 be collected in the manner provided by section 13-11.5. The fee shall be supplemental to
8 any other penalties provided for violation of this section.

9
10 **Sec. 13-23. Placement and screening of refuse and recycling mechanical, dumpster,**
11 **compaction, and roll-off containers.**

12
13 (A) All refuse and recycling mechanical, dumpster, compaction, and roll-off
14 containers shall be placed for storage in a location approved by the Public Works
15 Director, or designee. No such container shall be placed for storage in a right of
16 way, but with the approval of the Public Works Director or designee, may be
17 temporarily placed in a right of way if necessary for collection.

18
19 (B) All permanently located refuse or recycling mechanical, dumpster,
20 compaction, or roll-off containers in use within the city limits shall be screened
21 from view of any public right-of-way or alleyway by April 15, 2010, as follows:

22
23 (1) Screening shall be on at least three sides and shall consist of wood,
24 vinyl-coated chain-link fence with slats, brick, stone, concrete or similar
25 material of a quality approved by the Public Works Director. The
26 unscreened side shall not be visible from a public right-of-way, alleyway
27 or residential zoning district. The screening shall encompass the full
28 height, length, and width of the container, and shall meet land
29 development code requirements. All screenings shall be maintained for
30 function, safety, and appearance.

31
32 (2) Gates intended for service access shall provide an opening width of at
33 least 10 feet for each mechanical container, and shall be designed to
34 remain open when collection service is provided. Gates shall be required
35 when the service entrance of the screening enclosure faces a public right-
36 of-way, alleyway or is visible from a residential zoning district.

37
38 (3) Where a gate in the screening structure faces a public right-of-way,
39 alleyway or is visible from a residential district, the gate shall be closed
40 except when collection service is provided. The service provider may
41 close any gate left open in violation of this subsection. A service fee, on

1 file in the city clerk's office, for each such closure service provided by the
2 service provider shall be assessed against the owner or occupant of the
3 property and shall be collected in the manner provided by section
4 13-11.5. The fee shall be supplemental to any other penalties provided for
5 violation of this section.

6
7 (4) All screening structures shall be reasonably accessible for collection
8 service vehicles and shall not be located within the right-of-way of any
9 public street or alleyway.

10
11 (5) Refuse containers which are the subject of this ordinance shall be
12 located as far as practical from abutting residential property lines.

13
14 (C) When existing site conditions do not lend themselves to a location that
15 conforms with the requirements of this section, the Development Review
16 Committee is authorized to grant waivers from the required number of required
17 parking spaces, minimum pervious area requirements, or landscaping, buffering,
18 and/or setback requirements of the Land Development Code in order to
19 accommodate the location of an existing refuse or recycling mechanical,
20 dumpster, compaction, or roll-off container in conformance with paragraph (B)
21 above. In considering which, if any, waivers to grant, the Development Review
22 Committee shall consider the number, extent and relative importance of existing
23 and resulting non-conformities to proper site functioning and compatibility with
24 adjacent uses. Appeal of a rejected waiver request may be made to the Public
25 Works Director or other designee of the City Manager within 10 days of written
26 notification of the rejected waiver.

27
28 (D) In circumstances where it is not physically possible for a property to
29 accommodate a refuse or recycling mechanical, dumpster, compaction, or roll-off
30 container and the required screening enclosure; and where the granting of waivers
31 is deemed unacceptable by the Development Review Committee; and where the
32 container is situated in a public right of way, service shall be changed from
33 dumpster to cart service.

34
35 (E) The City Commission, following review and recommendation by the
36 Development Review Committee, at a duly noticed public hearing may grant
37 exceptions to the container screening enclosure requirements of this section, and
38 allow the container service to remain, where specific lot conditions make
39 compliance impractical, the visibility of the container from a roadway is minimal,
40 or the safety of the collection vehicle or the public in general would be
41 compromised by the construction of the screening enclosure.

1
2 (F) Temporary mechanical, dumpster, compaction or roll-off containers used for
3 the collection of refuse or recycling during special events for a period of less than
4 7 days are exempt from the container screening requirements contained in this
5 section.

6
7 (G) Refuse or recycling mechanical or dumpster containers on wheels which are
8 stored out of the public view, except during collections, are exempt from the
9 screening requirement of this section.

10
11 (H) Temporary mechanical, dumpster, compaction or roll-off containers used for
12 the collection of refuse or recycling during construction activities are exempt
13 from the container screening requirements contained in this section.

14
15 **Section 3.** That Chapter 24, "Mandatory Locations" Section 24-106 (B) is
16 hereby amended as follows:

17
18 *(3) Dumpsters:*

19 ~~All dumpsters and recycling containers shall be enclosed by a six-foot fence or~~
20 ~~concrete wall. Such enclosure shall have double gates each seven and one half (7~~
21 ~~1/2) feet wide minimum, in the front, set back five (5) feet from any driveway or~~
22 ~~aisle.~~

23
24 **Section 4.** If any section, subsection, sentence, clause or provision of this
25 Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such
26 invalidity.

27
28 **Section 5.** That all Ordinances or parts of Ordinances and all resolutions or
29 parts of Resolutions in conflict with this Ordinance are repealed to the extent of such
30 conflict.

31
32 **Section 6.** It is the intention of the City Commission of the City of Oakland
33 Park, that the provisions of this Ordinance shall become and be made a part of the Code of
34 Ordinances of the City of Oakland Park, Florida, and that the Sections of this ordinance may
35 be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"
36 "Article," or such other word or phrase in order to accomplish such intention.

37
38 **Section 7.** This Ordinance shall be effective upon its passage and adoption by
39 the City Commission of the City of Oakland Park.

40

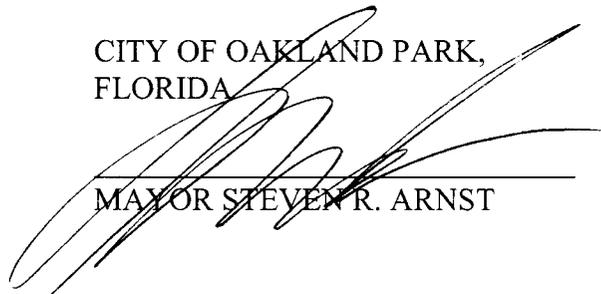
1 PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,
2 FLORIDA, ON FIRST READING, THIS 1st DAY OF April, 2009.

3
4 A. MURPHY YES
5 A. NIEDWIECKI YES
6 S. BOISVENUE YES
7 A. SALLEE YES
8 S. ARNST YES
9

10 PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
11 OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 15TH DAY OF
12 APRIL, 2009.

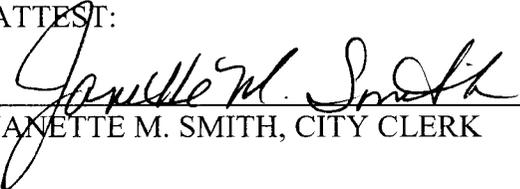
13
14 A. MURPHY YES
15 A. NIEDWIECKI YES
16 S. BOISVENUE YES
17 A. SALLEE YES
18 S. ARNST YES
19

20
21 CITY OF OAKLAND PARK,
22 FLORIDA



23
24
25 MAYOR STEVEN R. ARNST
26
27

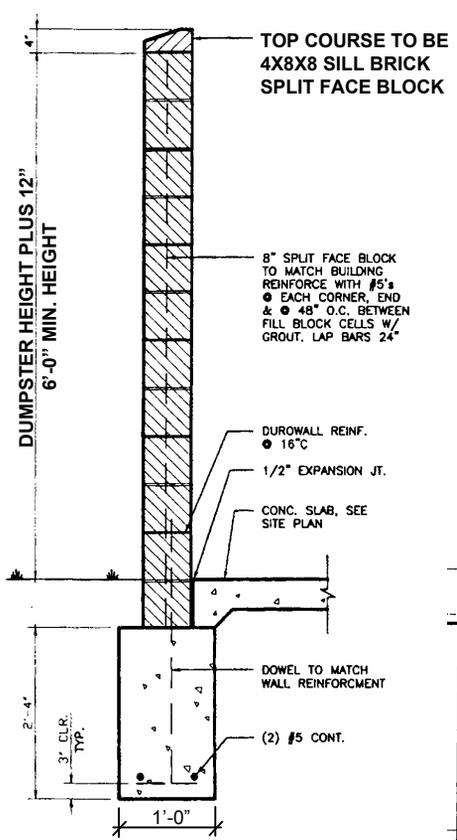
28 ATTEST:

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31 JANETTE M. SMITH, CITY CLERK
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33

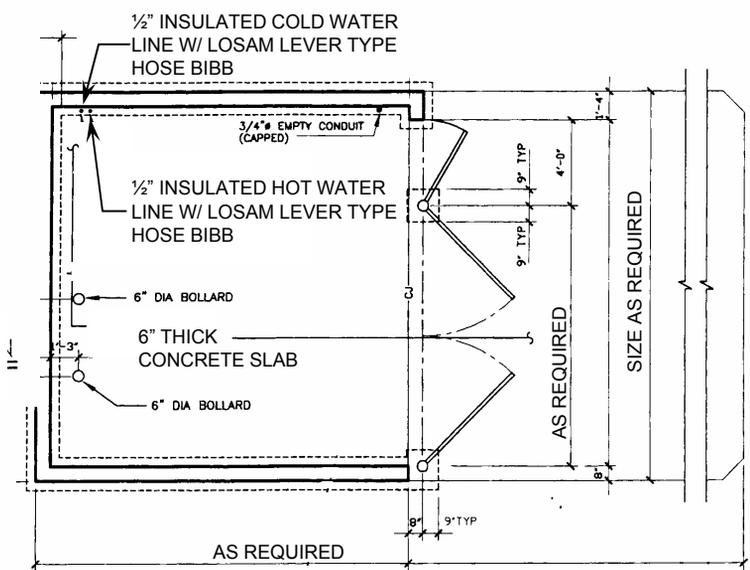
34 LEGAL NOTE

35 I hereby certify that I
36 have approved the form of this Ordinance.
37

38
39
40 _____
41 DONALD J. DOODY
CITY ATTORNEY



TYPICAL MASONRY WALL SECTION

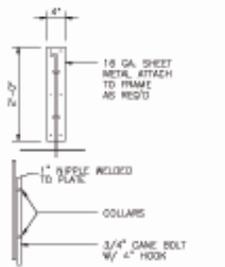


CONCRETE BLOCK DUMPSTER ENCLOSURE PLAN DETAIL

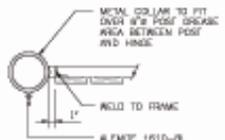
Disclaimer:

These drawings are provided only as ideas and alternative designs for consideration. Each permit application must meet dumpster/building code and permit requirements for their specific site.

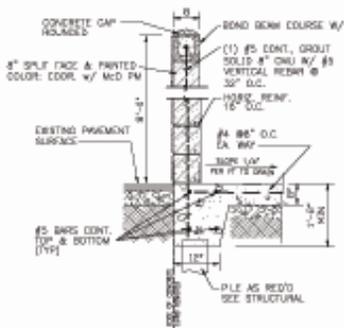
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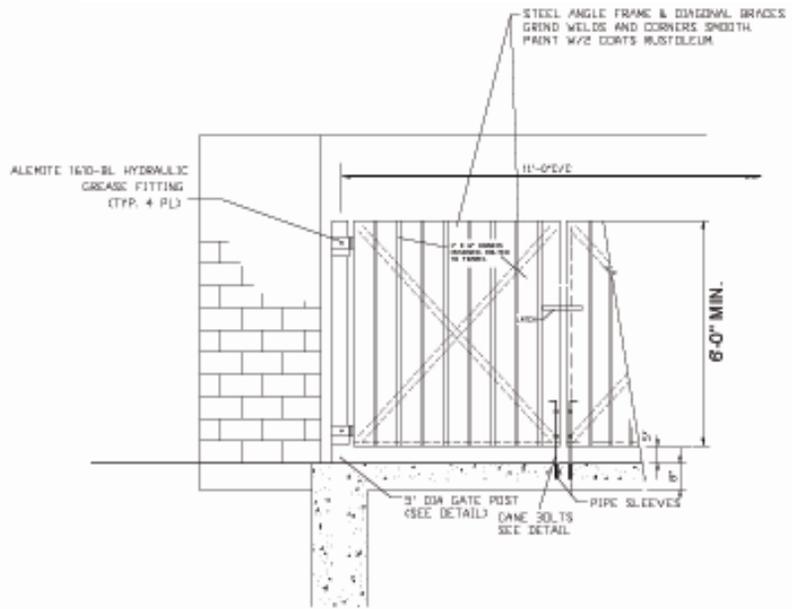
BOLT DETAILS
NOT TO SCALE



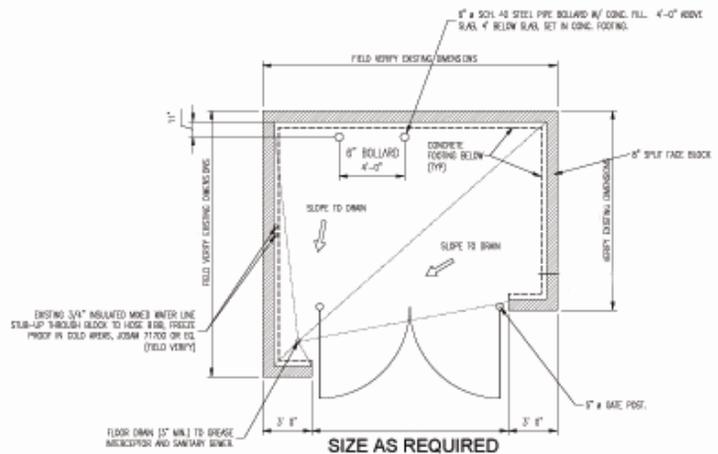
HINGE DETAILS
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TYP. WALL SECTION
NOT TO SCALE



PARTIAL FRONT ELEVATION



NEW DUMPSTER ENCLOSURE FLOOR PLAN

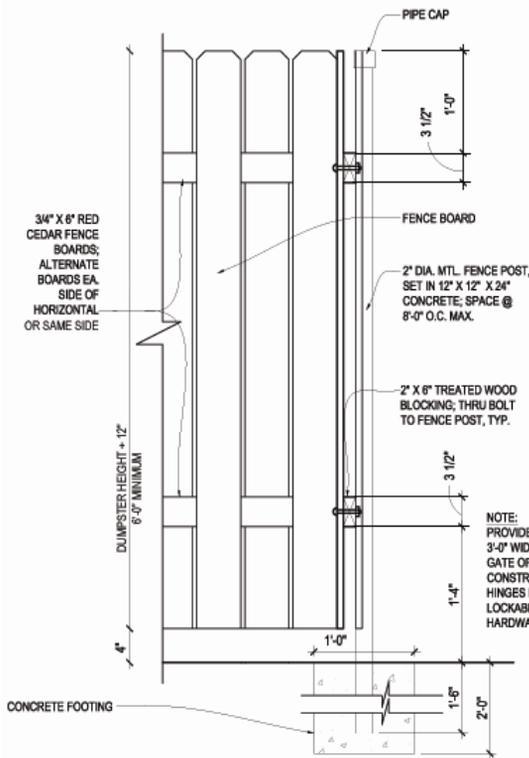
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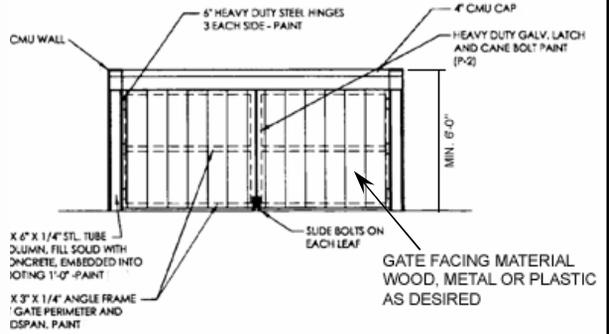
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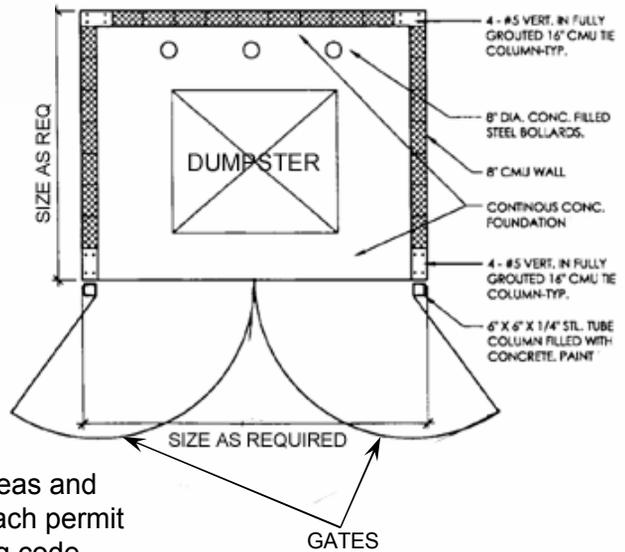
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**SECTION
WOOD DUMPSTER WALL
NO SCALE**



**FRONT ELEVATION - GATES
NO SCALE**



DUMPSTER ENCLOSURE PLAN

Disclaimer:

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DRAWING NO.

No scale

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