

0066-19

Sec. 42-31. - Accumulation and storage of solid waste.

No person shall accumulate or store on any premises, improved or vacant, or on any open lot, street or alley in the city any materials considered to be in the category of solid waste. Yard areas shall not be used to store appliances, furnaces, hot water heaters, water softeners, building materials or other bulky waste not to be used within five days. This section in no way affects solid waste being stored on occupied premises for solid waste collection purposes in accordance with the provisions of section 78-31 et seq.

When special circumstances or exceptional site characteristics are applicable to the property involved, the requirements of this article may be modified by the commissioner of public works upon his/her finding that each of the following criteria is met:

- (1) Granting the modification will not be unreasonably detrimental to the public welfare or to property in the neighborhood of the subject property; and
- (2) Granting the modification will not, under the circumstances of the particular case, unreasonably affect the health or safety of persons working or residing in the neighborhood of the subject property.

Any person aggrieved by a decision of the commissioner of public works under this section shall have the right to appeal therefrom to the public works and services committee, provided that a written request therefor is filed with commissioner of public works within ten days after his or her decision. The committee, after a hearing on such appeal and consideration of the above factors, may affirm, modify or overrule the denial from which the appeal is made. The decision of committee shall constitute the final level of appeal.

Nothing in this section shall be construed to affect or limit the applicability of the zoning requirements under chapter 114 of the Municipal Code of Ordinances.

(Code 1973, § 11.03.040; Ord. No. 29-92, pt. 2, 9-15-92; Ord. No. 10-15, pt. 1, 4-13-16)