

SUBSTITUTE ORDINANCE NO. BL2018-1316

An ordinance to amend Section 17.24.060 of the Metropolitan Code of Laws pertaining to special screening requirements for dumpsters and other trash receptacles (Proposal No. 2018Z-006TX-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.24.060 of the Metropolitan Code of Laws is hereby amended by deleting subsection A thereof in its entirety and substituting in lieu thereof the following:

- A. Dumpsters and other trash receptacles for all structures other than single-family and two-family residences shall be screened by an enclosure from public streets and from properties which are zoned or policed for residential use. The following design standards shall apply:
 1. Receptacles shall be placed on a concrete pad, constructed from steel reinforced concrete and a minimum of eight inches (8") ~~four inches (4")~~ thick.
 2. Enclosures shall consist of a fence or wall constructed of opaque-type materials, such as wood, masonry, or other permanent materials, which prevent direct visibility of the receptacle. Evergreen plants may be used in part to meet the requirement of opacity.
 3. Enclosures shall be constructed to a minimum height of one foot (1') higher than the height of the enclosed receptacle, or six feet (6') in height, whichever is higher.
 4. Enclosures shall be constructed in such a manner that all structural members, including braces, posts, poles, and other projections, are located within the interior of the enclosure.
 5. Unless the service opening is oriented away from adjacent public streets and residential properties, enclosures shall have a service access gate meeting the following design standards:
 - a) Access gates shall be of sufficient size to remove the receptacle from the enclosure.
 - b) Access gates shall be constructed of opaque-type materials which prevent direct visibility of the receptacle.
 - c) Access gates shall be constructed with a latch to keep the access gate closed when the receptacle is not in use.
 - d) Access gates shall not open directly onto public streets or sidewalks.
 6. Enclosures may have an additional side door for accessing the receptacle. This additional side door may be up to three feet (3') in width and may be secured or unsecured.
 7. Receptacles shall be located in the rear of the building or structure which they service. If a receptacle cannot be placed behind the building or structure it services, the location shall be determined by the department of codes administration.
 8. Receptacles must remain readily accessible to the Nashville Fire Department.
- B. On sites which are developed at the time of adoption of the ordinance codified in this chapter which are subsequently upgraded, dumpsters shall be screened to meet the standards set out in this subsection if:
 1. Any single expansion of the site increases the total building area by twenty-five percent or more;
 2. Multiple expansions within a five-year period increase the total building area by twenty-five percent or more;
 3. The value of any single expansion is more than twenty-five percent of the existing value of improvements;
 4. The total value of all improvements increases by fifty percent or more as a result of multiple expansions over a five year period.

Section 2. All other subsections of Section 17.24.060 shall be renumbered accordingly.

Section 3 ~~2~~. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jacobia Dowell
Member of Council