



BUILDING DEPARTMENT

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TRASH CONTAINMENT ON CONSTRUCTION/DEMOLITION SITES

Per the Growth Management Director, at the earliest point when trash/debris is generated a trash/debris receptacle must be on-site.

CONSTRUCTION/DEMOLITION SITES (Palm Bay City Ordinance 150.30 – Selected Sections only)

A. Refuse disposal.

1. Prior to the issuance of a building permit, all building contractors and persons acting in the capacity of a building contractor, engaged in building or remodeling operations shall certify in writing that they shall make the necessary arrangements to provide for cleanup and legal disposal of all trash and refuse as required by this chapter.
2. Prior to the issuance of a certificate of occupancy for any residential, commercial, or industrial building, both a statement from the Building Division that the provisions of this chapter have been complied with and verification of compliance with this chapter must be provided to the Building Division.

B. Receptacles required.

It shall be unlawful for any construction and/or demolition contractor to fail to provide roll-off bulk containers, dump trailers, dump trucks, metal refuse containers, or anchored wire mesh container (s) on the construction/demolition site sufficient for the storage and collection of loose debris, paper, building material waste, scrap material, and other trash produced by those working on the construction/demolition site. All such material shall be containerized. The number of containers required at the work site, and the frequency of disposal shall be determined by the volume of refuse produced.

C. Adjacent areas.

Dirt, sand, construction materials, or other debris cast or scattered upon any adjacent public or private property as a result of construction or demolition activities shall be removed by the construction/demolition site contractor no later than the end of the work day of the incident or earlier if the materials shall cause a public nuisance.

D. Engaging in business of construction and demolition (C&D) debris collection and disposal; issuance of non-exclusive franchise agreements to private collectors.

1. It shall be unlawful for any C&D debris collector to provide roll off container service to any property located within the corporate limits of the city between the hours of:
 - a) 12:00 a.m. and 7:00 a.m. on Monday;

- b) 7:00 p.m. and 7:00 a.m. Monday through Saturday;
- c) 7:00 p.m. and 12 p.m. on Saturday; and
- d) At any time on Sunday.

12. *Placement and maintenance of containers.* Roll off containers shall not be placed in the public right-of-way. Equipment and another franchisee property shall be maintained, and all operations shall be conducted, in compliance with this chapter. The city, in its discretion, may require a change in the location of, or replacement of, a container if it becomes an unsightly nuisance, causes a code violation to occur, poses a threat to the surrounding environment threatens the health and/or safety of the city's population or becomes unsanitary and/or inoperable.

18. The Building Official shall collect a C&D Debris Collection and Disposal Surcharge ("C&D Surcharge") on all permits issued by the city pursuant to Section 170.008(A) of the Code of Ordinances of the city of Palm Bay. The C&D surcharge shall be computed at the rate of 0.25% of the value of the work permitted provided that no C&D surcharge shall be less than two dollars and fifty cents (\$2.50) nor more than one hundred dollars (\$100.00) for single-family or mobile home properties nor more than five hundred dollars (\$500.00) for all other properties. The surcharge shall be deposited in the General Fund of the city.

19. Nothing in this section shall prohibit a roll off container service provider who obtains a franchise from continuing to provide the same service that is provided prior to the effective date of this ordinance.

E. Enforcement.

1. Enforcement shall occur through the Building Division when the site is not clean. When notified by the Building Division, the contractor shall have twenty-four (24) hours to clean the site or all inspections shall be stopped. A re-inspection fee of fifty dollars (\$50) shall be paid to determine compliance and to authorize inspections. The fee for a second re-inspection shall be one hundred dollars (\$100). The fee for each subsequent re-inspection shall be two hundred dollars (\$200). Re-inspections shall be counted based on the life of the permit.
 - a) Persons with an interest in property. It shall be a violation for any person to permit collection of C&D debris by any non-franchised C&D debris service providers from any parcel of land owned or leased by, or in the control of, such person.
 - b) General contractors. It shall be a violation for any general contractor to permit collection of C&D debris by any non-franchised C&D debris service providers from any parcel of land which the general contractor holds a building permit.

For the complete text of Sec. 150.30 please go to: https://www.amlegal.com/codes/client/palm-bay_fl/

Acknowledge by: _____

Date: _____