

ORDINANCE NO. 2018-10-4

AN ORDINANCE OF THE CITY OF HAHIRA, GEORGIA

To amend certain provisions of Chapter 66, Solid Waste, of the Code of the City of Hahira (“the City Code”) to add provisions for handling of construction waste and for other purposes,

BE IT ORDAINED by the Mayor and Council of the City of Hahira and it is hereby ORDAINED by the authority thereof:

I.

Section 66-1, Definitions, is amended by adding definitions for Construction Site and Construction Waste as follows:

Sec. 66-1. Definitions.

Construction Site: Any private or public property upon which repairs or renovations to existing buildings, construction of new buildings, or demolition of existing structures is taking place.

Construction Waste: Solid Waste that is produced or generated during construction, demolition, remodeling, or repair of pavements, houses, commercial buildings, or other structures. Construction waste includes, but is not limited to, scrap lumber, wire, sheet rock, broken brick, shingles, glass, pipes, concrete, paving materials, and metal and plastics if the metal or plastics are a part of the material of construction or empty containers of such materials.

II.

Section 66-4, Pre-Collection, is amended by adding a new subsection (f) Construction Site, as follows:

Section 66-4 (f) **Construction Site.**

- (1) (i) **Litter prohibited.** It shall be unlawful for any owner or agent of a construction site, or any contractor on a construction site, to cause, to permit, or allow the presence of litter or construction waste on such site outside of a proper receptacle or to cause, permit, or allow litter or construction waste to be spilled, discharged, or blown by wind or water. It shall be the responsibility of the owner or agent of the property and the primary contractor performing work on the site to keep the property free of litter. All litter and construction waste from construction activities or any related activities shall be picked up at the end of each workday and placed in

containers, which will prevent litter and construction waste from being carried by the elements to adjoining premise.

(ii) Receptacles required. The owner, agent, or primary contractor in charge of a construction site shall furnish on such site receptacles sufficient to contain worker's litter and receptacles sufficient to contain all construction waste. All receptacles shall be conveniently available and maintained and secured or covered so as to prevent litter and construction waste from being spilled, discharged, or blown by wind or water. The primary contractor should determine the number and capacity of receptacles to be present at each construction site. All receptacles shall be emptied as necessary, but not less frequently than weekly. All receptacles required under this subsection shall remain conveniently available on the site from the time construction activity commences until the construction activity ceases.

(iii) Construction site stormwater runoff control. Per 40 Code of Federal Regulations (CFR), Part 122.34(b)(4)(ii)(C), incorporated into NPDES Permit No. _____, the construction site operator(s) is required to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse water quality impacts.

(iv) Exclusion. The requirement for receptacles in this section shall not apply to any construction site on which only repair or renovation of the building is taking place and this work is being performed by the owner of the property, who is also a resident on the property, where work is being performed. This provision in no way eliminates any responsibility of any party regarding sub section (f)(1)(i) under this provision regarding keeping the property free of litter.

(v) Penalties. Failure to abide by this subsection shall subject the violating party to a fine of not less than \$100.00 or more than \$500.00 per first offense. The second offense and each offense thereafter shall have a minimum fine of \$350.00. The offender shall also be liable for the actual cost of pickup, but not less than \$75.00 per pickup, if the material is picked up by the City of Hahira.

III.

All other provisions of the City Code shall remain in full force and effect except as amended hereby.


IV.

This Ordinance shall become effective immediately upon adoption.

V.

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

ORDAINED this 7th day of October, 2018.


Bruce Cain, Mayor

ATTEST:


City Clerk