

FEEs DOUBLE IF WORK IS PERFORMED WITHOUT PERMIT BEING ISSUED



NON - TRANSFERABLE NO REFUNDS EXPIRES IN 180 DAYS

Permits and Inspections Department Email: permits.inspections@cityofkaty.com

APPLICATION FOR DUMPSTER PERMIT

DATE OF APPLICATION: _____

PROJECT ADDRESS: _____

LEGAL PROPERTY OWNER: _____

Owner's Address/City/State/Zip: _____

Owner's Home Phone _____ Business # _____

CONTRACTOR NAME: _____

Address/City/State/Zip: _____

Contractor's Phone #: _____ Email: _____

NUMBER OF RECEPTACLES: _____

NAME OF COLLECTION COMPANY: _____

SCREENED AREA AND PAD PERMIT FEE \$ 25.00

I HEREBY ACCEPT ALL CONDITIONS SET ABOVE AND CERTIFY THAT ALL STATEMENTS MADE HEREIN ARE TRUE. APPLICANT ACKNOWLEDGES THAT SIGNATURES TRANSMITTED ELECTRONICALLY OR BY FACSIMILE TRANSMISSION HAVE THE SAME LEGAL EFFECT AS ORIGINALS. (revised 1-8-15)

APPLICANT ORIGINAL SIGNATURE _____ Printed Name _____ Date _____

APPROVED BY: INSPECTOR _____ DATE APPROVED: _____

11.408)

(b) Pad; screening and gates; setback; access.

(1) The owner of a commercial operation and/or the owner of the property on which a commercial operation is already located on the effective date of this section shall provide a level all-weather surface or pad on which all garbage, trash and refuse receptacles servicing the commercial operation shall be placed. A level pad and screening from public view shall always be required. The term "pad" as used herein shall mean an all-weather surface designed to withstand ten thousand (10,000) pound single wheel loads. The pad and access shall be of sufficient size to allow placement of a receptacle or receptacles, construction of screening, and allow access from the owner's or operator's driveway or parking lot to a private hauler. A fence no less than 6 feet tall but at least 12 inches taller than the tallest dumpster inside, through which no light may pass, shall surround such area. Such fence shall be sight-obscuring with a gate with a latch, to secure the doors when closed, and to allow the placement of garbage, trash and refuse in said receptacles as well as access for a private hauler. Such gates shall be closed and latched at all times except when opened to provide access to the receptacles. Gates may be left opened during regular business hours on each regularly scheduled collection day.

(2) If the location is such that access must be directly from a public right-of-way or roadway, the receptacle must be placed in a location no closer than fifteen feet (15') to the curb of a paved curb and gutter street. The owner and operator must provide a curb cut with lay-down driveway access to the pad. If the location is such that access must be directly from a public right-of-way or roadway, the receptacle must be placed in a location no closer than twenty feet (20') to the edge of the paved traveled portion of a street which is not a curb and gutter street. It shall be unlawful for any truck or other vehicle to cross over a curb for purposes of picking up garbage, trash or refuse. The driver or operator of any vehicle found guilty of violating this provision shall be subject to the fines set out in subsection (i) of this section.

(c) Establishments using city collection service. If the commercial operation is not using a private garbage collector and is relying on the city for garbage collection, such pad and fenced area shall be located as above set out in subsection (b)(1) and shall provide easy access for removal of the receptacles to the curbside for municipal pickup. No receptacles shall be allowed at the curbside before 6:00 a.m. on the day of pickup or later than 8:00 p.m. on the day of pickup. It shall be an offense for any owner or operator of a commercial operation or the owner of any property on which a commercial operation is located to place or allow to be placed garbage, trash or any garbage or trash receptacle at the curb for pickup on any day except on regularly scheduled or specially scheduled pickup days within the hours specified herein.

(1999 Code, sec. 11.408; Ordinance adopting Code)

(d) Food service establishments. No portion of this section shall relieve the owner or operator of a restaurant or other food service business of the requirement found elsewhere in the city code that all garbage, trash and refuse shall be collected by a private garbage collector.

(e) Compliance. The owner of a commercial operation and/or the owner of the property on which a commercial operation is located at the time of the passage of this section shall bring such property in total compliance with this screening requirement within four (4) months of the effective date of this section. For purposes of this section, the effective date of this section shall be July 5, 1999. All new commercial construction shall be required to include drawings showing screening compliance prior to the issuance of a building permit. Fees for permits for new construction will be charged in accordance with the city permit fee schedule. No fee shall be charged for permits issued to owners and/or operators of a commercial operation in existence on the effective date of this section provided application for the permit is made within the time allotted for compliance.

(f) Variances. Any owner of a commercial operation and/or the owner of the property on which a commercial operation is located whose property, because of unusual conditions on the property which prevent strict compliance with this section, may seek a variance from this section by presenting to the building and standards commission an alternate plan which accomplishes the purpose of this section, mainly the maintenance of a clean and sanitary storage area, screening from public view and proper access and setback from public roads and rights-of-way.

(g) Applicability. The term "commercial operation" shall mean a building or use of property which is not a single-

family residence or a multiple-family dwelling containing no more than two dwelling units. Commercial operation includes but is not limited to all governmental buildings and property, private businesses, apartment buildings, condominiums, motels and hotels, shopping centers, townhouse developments, private and public schools, and mobile home parks on a tract of land divided into rental spaces under common ownership or management for the purpose of locating two or more HUD-code manufactured homes. Recycling bins for collection of waste paper, owned or operated by a public school district or other governmental entity shall not be included in the definition of "commercial operation"; however, such recycling bins shall be maintained on a concrete pad as described in subsection (b) hereof.

(h) Receptacles stored inside closed building. The screening requirements and requirements for construction of a concrete pad shall not apply to those commercial operations storing all trash receptacles inside a closed building except when placed curbside on collection day. In such cases, no receptacle shall be placed curbside before 6:00 a.m. on the day of collection and must be removed by 8:00 p.m. on the day of collection. No receptacles shall be placed or allowed to remain at curbside except on the collection day or days between the hours herein specified.

(i) Penalty. The city council has adopted this section requiring screening of garbage receptacles and related matters in order to protect health, life, and property and to preserve the good government, order and security of the city and its residents. Any owner in violation of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with the general penalty provision found in [section 1.01.009](#) of this code. The establishment of a fine for the enforcement of this section is provided in the Local Government Code section 54.001.

(1999 Code, sec. 11.408)

Sec. 13.02.008 Screening, pad, access and sanitation requirements for commercial operations

(a) Supervision of receptacles and surrounding area. The owner of a commercial operation and/or the owner of the property on which a commercial operation is located shall maintain constant supervision and surveillance over the garbage, trash and refuse receptacles servicing the commercial operation and the area surrounding the receptacles and shall sanitize the receptacles at least weekly and not allow any garbage, trash or refuse to collect outside the receptacles. (1999 Code, sec.11.408)

(b) Pad; screening and gates; setback; access.

(1) The owner of a commercial operation and/or the owner of the property on which a commercial operation is already located on the effective date of this section shall provide a level all-weather surface or pad on which all garbage, trash and refuse receptacles servicing the commercial operation shall be placed. A level pad and screening from public view shall always be required. The term "pad" as used herein shall mean an all-weather surface designed to withstand ten thousand (10,000) pound single wheel loads. The pad and access shall be of sufficient size to allow placement of a receptacle or receptacles, construction of screening, and allow access from the owner's or operator's driveway or parking lot to a private hauler. A fence no less than 6 feet tall but at least 12 inches taller than the tallest dumpster inside, through which no light may pass, shall surround such area. Such fence shall be sight-obscuring with a gate with a latch, to secure the doors when closed, and to allow the placement of garbage, trash and refuse in said receptacles as well as access for a private hauler. Such gates shall be closed and latched at all times except when opened to provide access to the receptacles. Gates may be left opened during regular business hours on each regularly scheduled collection day.

(2) If the location is such that access must be directly from a public right-of-way or roadway, the receptacle must be placed in a location no closer than fifteen feet (15') to the curb of a paved curb and gutter street. The owner and operator must provide a curb cut with lay-down driveway access to the pad. If the location is such that access must be directly from a public right-of-way or roadway, the receptacle must be placed in a location no closer than twenty feet (20') to the edge of the paved traveled portion of a street which is not a curb and gutter street. It shall be unlawful for any truck or other vehicle to cross over a curb for purposes of picking up garbage, trash or refuse. The driver or operator of any vehicle found guilty of violating this provision shall be subject to the fines set out in subsection (i) of this section.

(c) Establishments using city collection service. If the commercial operation is not using a private garbage collector and is relying on the city for garbage collection, such pad and fenced area shall be located as above set out in subsection (b)(1) and shall provide easy access for removal of the receptacles to the curbside for municipal pickup. No receptacles shall be allowed at the curbside before 6:00 a.m. on the day of pickup or later than 8:00 p.m. on the day of pickup. It shall be an offense for any owner or operator of a commercial operation or the owner of any property on which a commercial operation is located to place or allow to be placed garbage, trash or any garbage or trash receptacle at the curb for pickup on any day except on regularly scheduled or specially scheduled pickup days within the hours specified herein.

(1999 Code, sec. 11.408; Ordinance adopting Code)

(d) Food service establishments. No portion of this section shall relieve the owner or operator of a restaurant or other food service business of the requirement found elsewhere in the city code that all garbage, trash and refuse shall be collected by a private garbage collector.

(e) Compliance. The owner of a commercial operation and/or the owner of the property on which a commercial operation is located at the time of the passage of this section shall bring such property in total compliance with this screening requirement within four (4) months of the effective date of this section. For purposes of this section, the effective date of this section shall be July 5, 1999. All new commercial construction shall be required to include drawings showing screening compliance prior to the issuance of a building permit. Fees for permits for new construction will be charged in accordance with the city permit fee schedule. No fee shall be charged for permits issued to owners and/or operators of a commercial operation in existence on the effective date of this section provided application for the permit is made within the time allotted for compliance.

(f) Variances. Any owner of a commercial operation and/or the owner of the property on which a commercial operation is located whose property, because of unusual conditions on the property which prevent strict

compliance with this section, may seek a variance from this section by presenting to the building and standards commission an alternate plan which accomplishes the purpose of this section, mainly the maintenance of a clean and sanitary storage area, screening from public view and proper access and setback from public roads and rights-of-way.

(g) Applicability. The term "commercial operation" shall mean a building or use of property which is not a single-family residence or a multiple-family dwelling containing no more than two dwelling units. Commercial operation includes but is not limited to all governmental buildings and property, private businesses, apartment buildings, condominiums, motels and hotels, shopping centers, townhouse developments, private and public schools, and mobile home parks on a tract of land divided into rental spaces under common ownership or management for the purpose of locating two or more HUD-code manufactured homes. Recycling bins for collection of waste paper, owned or operated by a public school district or other governmental entity shall not be included in the definition of "commercial operation"; however, such recycling bins shall be maintained on a concrete pad as described in subsection (b) hereof.

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(1999 Code, sec. 11.408)

Sec. 1.01.009 General penalty for violations of code; continuing violations

(a) Whenever in this code or in any ordinance of the city, an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such code or ordinance the doing of an act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by a fine not exceeding five hundred dollars (\$500.00), except for:

(1) Violations of municipal ordinances that govern fire, safety, zoning, public health and sanitation, including the dumping of refuse, vegetation and litter violations, save and except the matters set out in subsection (2) of this section, shall be punishable by a fine not to exceed two thousand dollars (\$2,000.00).

(2) Violations of municipal ordinances and codes that control the construction, modification, repair and replacement of residential and commercial buildings, in particular the codes and appendixes and local amendments identified in [article 3.02](#) and [article 5.04](#) of the City of Katy Code of Ordinances, are punishable by a fine not less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000.00).

(3) Violations of traffic laws and ordinances which are punishable as a Class C misdemeanor shall be punished by a fine not to exceed two hundred dollars (\$200.00).

However, no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the state.

(b) Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense. Any violation of any provisions of this Code of Ordinances which constitutes an immediate danger to the health, safety, and welfare of the public may be enjoined in a suit brought by the city for such purposes.

(Ordinance 2634 adopted 4/28/14)

State law references—Penalties for violations, V.T.C.A., Local Government Code, sec. 54.001; penalty for class C misdemeanor, V.T.C.A., Penal Code, sec. 12.23; requirement of culpability, V.T.C.A., Penal Code, sec. 6.02