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**Sec. 26-447. Dumpsters to be properly screened from public view.**

- (a) Except as otherwise provided in this section, any dumpster with a gross volume of one cubic yard or more which is visible from the public right-of-way or parking area shall be properly screened from public view with a suitable and substantial opaque fence constructed of wood, metal, synthetic, plastic, vinyl or masonry material, in sound condition, substantially free from deterioration, not less than six feet high or otherwise provided by the City Code, building code or zoning ordinances with gates, and kept in a constant state of good repair with no sign or other advertising matter placed upon such fence. Dumpster fencing plans shall be submitted to the appropriate local historic commission for approval for any dumpster located in a historic district.
- (b) The provisions of this section shall not apply to dumpsters on public property on a temporary basis which are lawfully permitted by the department of public works nor to dumpsters on private property on a temporary basis and used in connection with construction or demolition activities permitted by the department of safety and permits.
- (c) The director of safety and permits may waive the requirement for screening of dumpsters to accommodate cases where the requirement would impose an unreasonable hardship or where approval of the enclosure has not been granted by a historic district commission with jurisdiction over the location. An appeal may be filed with the director on forms provided by the director. Safety and permits shall conduct a hearing on the appeal and issue a written order granting or denying the appeal.
- (d) The access opening to the dumpster corral shall be, if possible, a minimum of 18 to 24 inches wider than the dumpster.

(M.C.S, Ord. No. 21859, § 1, 3-3-05)