

**BOROUGH OF WESLEYVILLE  
WESLEYVILLE, PENNSYLVANIA  
ERIE COUNTY  
ORDINANCE NUMBER 2025 - 004**

AN ORDINANCE OF THE BOROUGH OF WESLEYVILLE, ERIE  
COUNTY, PENNSYLVANIA, AMENDING "CHAPTER 20 SOLID  
WASTE" TO CREATE A NEW PART 3 TO REGULATE THE STORAGE  
AND USE OF DUMPSTERS ON STREETS IN WESLEYVILLE BOROUGH

WHEREAS, Wesleyville Borough desires to enact an ordinance to regulate the storage and use of dumpsters on streets in the Borough of Wesleyville.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Wesleyville, that Chapter 20 Solid Waste is hereby amended to create Part 3 Storage and Use of Dumpsters on Public Streets:

§ 20-301. Definitions.

The following words, when used in this Part, shall have the meaning ascribed to them in this section as follows:

**DUMPSTER** - The type of container usually associated with a vehicle containing hydraulic or mechanical capabilities to lift a prefabricated container from the ground onto the truck for transport purposes or to lift and dump the material contained therein into the body of said truck, the contents of which container is solid waste consisting of refuse, rubbish and other debris. The term Dumpster shall include Roll-Off Containers.

**RESIDENTIAL USE** - General use of a Dumpster in the Borough. Everything other than new construction.

**NEW CONSTRUCTION** - The use of a Dumpster for the construction of a new structure. For construction to qualify as New Construction, a building permit must be required.

**USER/PERMIT HOLDER** - The person using the Dumpster either as an owner or lessee thereof.

§ 20-302 Permit required.

No person shall place or permit a Dumpster to be placed upon any street within the Borough without first obtaining a permit in accordance with the requirements of this Section.

§ 20-303. Application for permit; fee; refusal of permit.

- A. The Borough Manager shall issue a permit for the use of one Dumpster as a temporary street obstruction prior to the placement thereof, upon satisfactory written application by either the owner or the user/permit holder, as follows:

- (1) Each application shall be accompanied by a certificate of insurance, either from the owner or the user/permit holder, evidencing the following insurance coverage:

Type of Coverage	Minimum Amount
Liability	\$500,000/person \$1,000,000/occurrence
Property Damage	\$100,000/occurrence

All policies shall provide that the Borough shall be notified of cancellation or restrictive amendment at least 15 days prior to the effective date of such cancellation or amendment.

- (2) The Dumpster shall be located at least 25 feet from any intersection, and shall not constitute a traffic and/or safety hazard.
- (3) The Dumpster location shall comply with all parking regulations; and shall not block any fire hydrant, bus stop, or other restricted area.
- (4) The Dumpster shall be placed on plywood with a minimum thickness of  $\frac{3}{4}$ -inch and parallel to the curb with the street side of the container not more than eight feet six inches from the adjacent curb.
- (5) The Dumpster shall not obstruct any part of the sidewalk or the sidewalk areas adjacent to the street.
- B. The Borough Manager may refuse the issuance of a permit hereunder if the placement of a Dumpster at any street location shall constitute a public nuisance or hazard because of contour, narrow width, traffic or other conditions peculiar to the street at or near the proposed location.

§ 20-304. Duration and posting of permit.

- A. Each permit issued between April 16 and October 14 shall be of 30 days' duration. Each permit issued between October 15 and April 15 shall be of 7 days' duration. Permits shall require a written application to extend the duration of the permit.
- B. Dumpsters may be emptied and rotated as needed for the duration of the permit term.
- C. Permits may be extended upon approval and payment as follows:

PERMIT EXTENSION DATE	PERMIT TYPE	EXTENSION - TIME PERIOD	PERMIT FEE
April 16 - October 14	Residential	Initial Permit – 30 Days	\$0
		1 <sup>st</sup> Extension - 30 days	\$30
		2 <sup>nd</sup> Extension - 30 days	\$60
		3 <sup>rd</sup> Extension - 30 days	\$90
		4 <sup>th</sup> Extension - 30 days	\$120
		5 <sup>th</sup> Extension - 30 days	\$150
		6 <sup>th</sup> Extension - 30 days	\$180
	New Construction	Initial Permit – 90 days	\$0
		1 <sup>st</sup> Extension - 90 days	\$30
		2 <sup>nd</sup> Extension - 90 days	\$60
October 15 - April 15	Residential and New Construction	Initial Permit – 7 days	\$0
		1 <sup>st</sup> Extension - 7 days	\$30
		2 <sup>nd</sup> Extension - 7 days	\$60

If a Dumpster permit or its extensions include any dates within the Winter Parking Period (October 15 - April 15), winter permit rules will govern issuance the permit/extension.

- D. Permits issued within 90 days of the conclusion of an expired permit shall be deemed to be an extension of the previous permit.
- E. The permit shall be conspicuously posted on the job site.

§ 20-305. Miscellaneous provisions.

- A. Dumpsters may not exceed 20 yards in capacity.
- B. During all times when the Dumpster is in use, a tarpaulin or other suitable tight cover shall be placed over the Dumpster in order to protect the contents from being displaced and/or causing litter on public or private property or creating dust, offensive odors or health hazards.
- C. The contents of the Dumpster shall be emptied and disposed of within 48 hours of disposed material reaching the waterline of the Dumpster.
- D. The user/permit holder shall be responsible for the repair of any street, sidewalk and curb damage caused by the placement, movement or removal of the Dumpster.

- E. Safety cones must be placed around the outside corners of the Dumpster.
- F. Dumpsters may only contain construction waste. Food waste is prohibited.
- G. The insurance required in § 20-303 hereof shall continue in full force and effect during the term of the permit.

§ 20-306. Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction by a court of competent jurisdiction, be punished by a fine of not more than \$1,000 and, in default of payment, by imprisonment for not more than 30 days. Each day that the violation continues shall be a separate offense, and penalties shall be cumulative.

THIS ORDINANCE # 2025 - \_\_\_\_ is duly enacted and ordained the \_\_\_\_ day of May, 2025, and shall become effective as provided by the laws of the Commonwealth of Pennsylvania and remains in force until modified, amended or rescinded by the Borough of Wesleyville, Erie County, Pennsylvania.

WESLEYVILLE BOROUGH COUNCIL

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Regina Julius, President

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E. Paul Johnson II, Mayor

I hereby certify that the above Ordinance No. 2025 - 004 was duly enacted at a meeting of the Council of Wesleyville Borough on \_\_\_\_\_, 2025.

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Marcus Jacobs, Borough Manager