



# LITTER ORDINANCE

## **Frequently Asked Questions**

### **1) When will the City assess fines for violations of the amended litter ordinance?**

The City will begin assessing fines and court costs for violations of all provisions of the amended litter ordinance (except for enclosing dumpsters) for violations occurring on or after October 1, 2014. The dumpster enclosure requirement will be enforced beginning March 1, 2015.

### **2) Are cigarette and litter receptacles required on every commercial premise?**

Litter receptacles, including cigarette receptacles, will be required to adequately contain litter generated at the premises, with one exception. If the premises are smoke free, no cigarette receptacle will be required.

Litter and cigarette receptacles are generally located at entrances, employee smoking areas and common pedestrian transition points.

### **3) What makes a vehicle a “junk vehicle”?**

The vehicle is inoperable, wrecked, abandoned, has flat tires or is missing parts: such as a motor, door(s), window(s) or other body parts.

### **4) Does the City prohibit keeping junk vehicles on private property?**

Yes, the City’s prohibition against junk vehicles continues under the amended ordinance.

### **5) Can an occupant of a commercial, industrial, multi-family property or place of assembly be ticketed if there is litter in their parking lot?**

Yes, commercial and industrial properties, multi-family residential premises, and places of assembly must be free of litter including the grounds, parking lots, right-of-ways, driveways and loading areas.

**6) I plan on having a Yard Sale in a week; can I place a sign on the utility pole on the busy street corner near my house?**

No, all signs in the City's right-of-ways, on utility poles and on trees are prohibited.

**7) How much is the fine for littering?**

The fine for littering is \$250. In addition, court costs and fees are \$191.00. Every day a violation exists can result in a separate fine and court costs/fees.

**8) Who do I call if I want to report litter or see someone littering?**

311 or (251) 208-5311 or Keep Mobile Beautiful: (251) 208-6025

**9) There is an overgrown, vacant lot in my neighborhood. Is there anything in the City's litter ordinance that addresses this?**

Yes, the litter ordinance prohibits high weeds and grass (10" and over).

**10) Who is responsible for litter on private property?**

Both owners and occupants are responsible for litter on a property and both may be ticketed.

**11) Can I blow my leaves and grass clippings into the storm drain when I am cleaning and mowing my yard or property?**

No. Only rain should drain into our storm water system.

**12) If I own an undeveloped and vacant property, do I need clean the grounds and parking lot? Can I get fined for litter on a vacant property as well as a developed property?**

Yes, all developed, undeveloped and vacant properties must be free of litter. All premises, including: parking lots, right-of-ways, driveways and loading areas must be clean.

**13) I am running for office and plan to advertise my candidacy and supporters with political signs, are there rules against this?**

Yes, political campaign signs are not allowed in the right-of-way, on utility poles, or on trees. They are allowed on private property.

**Dumpsters:**

**14) When the provision covering dumpsters is enforced, how tall must a dumpster enclosure be?**

It must be at least the height of the dumpster and a maximum of 8ft tall.

**15) How many sides must the dumpster enclosure have?**

The enclosure must have 3 sides – constructed of either wood or brick. The enclosure may have a 4th side as a door or gate made of wood or opaque material such as metal or chain link with mesh or slats that you cannot see through.

**16) Does my dumpster need to sit on a foundation or pad if I don't serve food?**

Not at this time. At some point in the future, environmental regulations may mandate that the City update its ordinances to require that all dumpsters be on a pad and be connected to the sanitary sewer system.

**17) Do I need a building permit for my dumpster enclosure?**

No.

**18) Are recycling containers exempt?**

No.

**19) If my dumpster is enclosed by a large fenced-in parking lot that screens the dumpster, is that permissible? Do I need a separate fence around my dumpster?**

If the fence around the property or parking lot is sufficient to contain spill out debris, a separate fence around the dumpster may not be required.