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**Sec. 98-144. Removal of building debris, tree limbs and metal materials.**

(a) Building debris such as scrap lumber, plaster, roofing material, concrete, bricks and sanding dust resulting from the construction, repair or remodeling of any building or appurtenances on private property, or any dirt, stumps, tree trunks, limbs and branches four inches or larger in diameter, or metal materials, will not be removed by the sanitary district.

(b) However, upon the request of the legal owner and in such cases that are deemed necessary, due to reasons of health and safety as determined by the superintendent of the refuse department of the sanitary district, the refuse department is authorized to assist the owner in the removal of such debris as follows:

(1) Provided that the legal owner (referred to in this section as the owner-occupant) has executed an affidavit to affirm that he currently resides upon the real estate, and intends to continue to reside upon such real estate, and that the owner-occupant applicant has not made a similar request within the previous 365-day period at a different location;

(2) Provided that the owner-occupant of the real estate has executed a consent to enter the real estate along with a complete general release of liability in favor of the city; and

(3) Provided that the planning department has issued any and all building permits required and all inspection reports are in compliance with this Code; or

(4) Upon the application of a nonresident owner, only if the nonresident owner deposits with the refuse department sufficient funds to provide for the reimbursement to the refuse department of all direct costs associated with the collection and disposition of such building debris or appurtenances, including but not limited to its direct labor cost and direct landfill cost. The superintendent is authorized to waive the deposit in cases of financial hardship without waiving the ability of the sanitary district to collect such costs by lien or otherwise as determined by the board of commissioners of the sanitary district.

(c) The sanitary district shall cause to be prepared any and all forms deemed necessary to effectuate the intent of this section and to provide for the proper accounting of all funds received by the sanitary district in connection with this section.

(d) Nothing in this section shall be construed to limit the authority of the refuse department of the sanitary district to enforce this Code in such cases where enforcement is deemed necessary and proper under the circumstances.

(Ord. No. 2261, 9-7-1976; Code 1980, § 93.07; Ord. No. 3611, §§ 1--3, 4-16-1996)