

**CITY OF RINGGOLD
STATE OF GEORGIA**

ORDINANCE NO.: 2019-0311-01

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF RINGGOLD BY AMENDING CHAPTER 18 CAPTIONED “BUILDINGS AND BUILDING CONSTRUCTION” BY THE ADDITION OF A NEW ARTICLE VI CAPTIONED: “CONSTRUCTION WASTE”; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR ADOPTION AND EFFECTIVE DATE, AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the duly elected governing authority of the City of Ringgold, Georgia is authorized under Article IX, Section II, Paragraph III of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, welfare, and aesthetics of the citizens of the City of Ringgold, Georgia; and

WHEREAS, the duly elected governing authority of the City of Ringgold, Georgia is the Mayor and Council thereof.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF RINGGOLD, GEORGIA AS FOLLOWS:

Section 1.

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 18 captioned “Buildings and Building Construction” by the addition of a new Article VI captioned: “Construction Waste” which shall read as follows

ARTICLE VI. - CONSTRUCTION WASTE

Sec. 18-150. Construction Sites

(a) Litter prohibited. It shall be unlawful for any owner or agent of a construction site, or any contractor on a construction site, to cause, permit, or allow the presence of litter on such site outside of a proper receptacle or to cause, permit, or allow litter or waste to be spilled, discharged, or blown by wind or water. It shall be the responsibility of the owner or agent of the property and each contractor performing work on the site to keep the property free of litter.

(b) Receptacles required. The owner, agent, or contractor in charge of a construction site shall furnish on such site receptacles sufficient to contain worker's litter and receptacles sufficient to

contain all construction waste. All receptacles shall be conveniently available and maintained and secured or covered so as to prevent litter and waste from being spilled, discharged, or blown by wind or water. The primary contractor should determine the number and capacity of receptacles, but no less than one (1) receptacle for worker's litter and no less than one (1) receptacle for construction waste shall be placed at each construction site. Receptacles required under this subsection shall be not less than ten (10) gallons capacity. All receptacles shall be emptied as necessary, but not less frequently than weekly, except that receptacles used exclusively to contain construction waste shall be serviced with sufficient frequency to prevent spillage from overflow and to prevent offensive odors. All receptacles required under this subsection shall remain conveniently available on the site from the time construction activity commences until the construction activity ceases.

(c) Exclusion. The requirement for receptacles in this section shall not apply to any construction site on which only repair or renovation of a building is taking place, provided that no litter or construction waste is placed, stored, or otherwise accumulated on the exterior of the property outside of a proper receptacle and any such receptacle is maintained in accordance with this chapter.

(d) Portable toilets required. The owner, agent or contractor in charge of a construction site shall furnish no less than one portable toilet facility on such site but in any event such number sufficient to service the sanitary waste needs for the site. It shall be unlawful for the owner, agent or contractor in charge of a construction site to cause, permit or allow such facility to spill or discharge on the site or into waters located on the site. It shall be the responsibility of the owner, agent or contractor in charge of a construction site to have such facility emptied, serviced and maintained on an "as needed" basis.

(e) Concrete truck washout. It shall be unlawful for the owner, agent or contractor in charge of a construction site to permit and unlawful for the driver operator or other employee on a concrete truck to wash or discharge excess concrete from the chute, pump, drum or barrel of a concrete truck onto a construction site, upon the city right-of-way or city streets.

(f) Chemical storage. Any chemicals stored on a construction site shall be stored in approved containers, properly secured, and it shall be unlawful for the owner, agent or contractor in charge of a construction site to permit the improper storage of chemicals on a construction site.

(g) Enforcement; penalties. Citations for violations of this article may be issued by the code enforcement officer, the chief of police or their respective authorized representatives. Any person or entity violating this article may be tried before the municipal court of the city. Upon conviction, such person found guilty of a violation of this article shall be punished as provided in section 1-11.

Section 2.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

Section 3.

It is hereby declared to be the intention of the Mayor and Council of the City of Ringgold that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

Section 4.

The adoption date of this Ordinance shall be March 11, 2019. The effective date of this Ordinance shall be its adoption date

SO ORDAINED, this 11th day of March, 2019.

CITY OF RINGGOLD, GEORGIA

NICK MILLWOOD, MAYOR

ATTEST:

CITY CLERK