Honorable Mayor and Commissioners

I would like to bring your attention to a section of the code that is being abused and is completely irrational. This section is used in a way that actually borders on harassment by overly zealous code officials.

Section 90-277 states : No Roll off container, dumpster or portable container shall be placed or located within the city without a permit from the city.

The section has no exceptions or inclusions or statements where it would be allowed without a permit etc.

What is the issue at hand?

I am building a new home ▮. I have spent a fortune alone on the permit for the site. This morning I received a violation for the Trailered dumpster that they bring in and out to remove garbage on an enclosed gated construction site. What is irritating is the vagueness of Sec 90-277. A construction site is normally expected to include a dumpster (trailered or permanent) amongst all equipment that would normally be on site like a portable bathroom, excavators, lifts, backhoes and jackhammers or even a construction trailer.

Mind you I did receive a violation for an enclosed trailer prior to the start of construction. The code officer said it was a trailer on wheels therefore it was not a construction trailer. I asked "if i were to remove the wheels then it would not be a mobile unit would you then decide its acceptable? to which he said no! So again, too much power is given to certain individuals who ultimately make up rules. I went to the administrative judge and even she thought that it was absurd. A trailer is a trailer whether it has wheels or not it would be a construction trailer and allowed especially since I had a construction permit. His reply was that I wasn't doing construction at the time. To which I replied the code does not stipulate that. A permit is a permit and it's expected and allowed.

I appeal to you to look up this section of the code and amend it to state the obvious "unless on a permitted construction site" This way there would be no ambiguity whatsoever.

Sincerely