

**AN ORDINANCE  
of the  
CITY OF  
MINNEAPOLIS**

**By Reich**

**Amending Title 17, Chapter 430 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Right of Way Permits.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 430.30 of the above-entitled ordinance be amended to read as follows:

**430.30. Permit requirement.** Except as otherwise provided in the Code, no person may obstruct or excavate any right-of-way without first having obtained the appropriate right-of-way permits from the city engineer to do so.

(1) *Excavation permit.* An excavation permit is required to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing equipment or facilities described therein, to the extent and for the duration specified therein.

(2) *Obstruction permit.* An obstruction permit is required to hinder free and open passage over the specified portion of right-of-way by placing equipment described therein on the right-of-way for the duration specified therein.

(3) *Street use permit.* A street use permit is a form of obstruction permit required for placing dumpsters, as defined herein, and storage containers, as defined herein, in the public right-of-way. A street use permit for a dumpster, or for a storage container, is subject to the following additional requirements for the owners and/ or operators of the dumpster or storage container as conditions of permitting the dumpster or storage container to be in the right-of-way:

a. The dumpster or storage container must be placed in front of or adjacent to the property where the street use permit is issued and the address of which is shown on the face of the permit, unless some other location is specifically designated in the permit.

b. The dumpster or storage container shall not be located (as the following terms are defined in Title 18 of this Code):

1. On a sidewalk or on a boulevard between a sidewalk and a roadway;

2. In front of a public or private driveway or alley or within five (5) feet of the end of radius or side slope of any public or private driveway or alley with any street or highway;

3. Within an intersection;

4. Within ten (10) feet of a fire hydrant;

5. On a crosswalk;
  6. Within twenty (20) feet of a crosswalk at an intersection;
  7. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone unless a different length is indicated by signs or markings;
  8. Within a designated or marked bus stop;
  9. Within fifty (50) feet of the nearest rail of a railroad crossing;
  10. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly signposted;
  11. Alongside or opposite any street excavation or obstruction when such placement would obstruct traffic;
  12. Along the curb adjacent to any school property unless the dumpster is placed for the benefit of the school and with the explicit written permission of the school;
  13. Upon or under any bridge or approach or other elevated structure upon a street or highway or within a street or highway tunnel unless specifically called out and allowed by the terms of the written permit in the specific place to be used by metes and bounds description;
  14. In a location that has the effect of blocking reasonable access to a fire escape or to the exit from any building;
  15. At any place on any pathway, sidewalk area for pedestrians or other portion of any public property which is not intended for the use of vehicles for a public roadway;
  16. At any place where marked and signed fire lanes have been established by authorization of the city council; and
  17. At any place where official signs prohibit the stopping, standing or parking of vehicles, unless specially called out and allowed by terms of the written permit in the specific place to be used by metes and bounds description.
- c. No person shall move a dumpster or storage container not owned by such person into any prohibited area or away from a curb to a distance that is unlawful.
  - d. Upon the declaration by the City of a snow emergency, the owner and/or operators of any dumpster or storage container located in a street or other right-of-way subject to the snow emergency shall remove the dumpster or storage container until the street is plowed curb to curb.
  - e. No person shall place or cause to be placed in the public street any dumpster or storage container, without first attaching on the front and rear of the dumpster or storage container, two (2) strips of reflective material of at least twenty-five (25) square inches each. Such reflective material shall be white in color and shall be mounted at a height of not less than

twelve (12) inches nor more than twenty-four (24) inches from the top of the dumpster or storage container and shall be so designed and maintained as to be visible at night from a distance of three hundred (300) feet from the dumpster or personal storage container.

- f. A “dumpster” for the purposes of this section is a container, that is not a vehicle as defined in Title 18 of this Code, that is intended to receive building debris, and other permissible solid waste and/or recyclable materials from nearby construction projects, building renovation projects, building service projects, or re-location projects as a part of the process of actively transferring waste or recyclable materials away from the site.
- g. A “storage container” for the purposes of this section is a storage container that is contracted to be delivered to a residence and used to store personal items and then picked up by a hauler and stored at a facility until it is requested to be delivered back to a residence so that the personal items may be retrieved or a storage container that is used for the purpose of moving personal items from or to a residence as part of a change of residence.
- h. The City Engineer or designee may grant an exception to these additional requirements for dumpster obstruction permits and storage container obstruction permits upon making findings that: (1) an exception is necessary to prevent substantial hardship to the applicant or a customer of the applicant, (2) an exception will not unreasonably subject the public to harm, (3) an exception is in the public interest, and (4) practical difficulties with complying with the additional requirements exist because of conditions or circumstances unique to the individual project.
- i. The City Engineer, the Director of Regulatory Services, the Planning Director, the Licensing Official and the Chief of Police and their designees may enforce these additional requirements for street use permits and may delegate enforcement authority therefor to any City employee.
- j. Permits pursuant to this section are subject to the requirements of Section 91.20 of this Code.
- k. Dumpsters must be covered during all non-work hours so as to prevent the escape of any particulates.

No person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless:

- (1) Such person makes a supplementary application for another right-of-way permit before the expiration of the initial permit.
- (2) A new permit or permit extension is granted.

Permits issued under this chapter shall be conspicuously displayed at all times at the indicated work site and shall be available for inspection by the city engineer or other city personnel acting in the line of duty. Street Use permits shall be attached to the exterior of the dumpster or storage container.