

Town of Chincoteague, Inc.



Dear Business Owner,

At its June 15 meeting, the Chincoteague Town Council modified Section 46-69 of the Town Code concerning solid waste collection. This additions to this ordinance regulate commercial dumpsters. In addition to requirements that dumpsters remain closed at all times, the ordinance requires that all commercial dumpsters be placed on a “cleanable” pad and that those visible from a public right-of-way or adjacent property, be screened from view. The ordinance will go into effect on July 1, 2023 and requires all businesses to be in complete compliance by July 1, 2024. A copy of this ordinance is printed on the reverse side of this letter. Sections in “red” were added on June 15th.

If you have questions, please contact the Town office at (757) 336-6519.

Town of Chincoteague, Inc.

Sec. 46-69. Commercial solid waste collection.

- (a) As used in this section, the term "commercial businesses" shall mean all businesses licensed by the town. Garbage to be removed from commercial businesses will be picked up by the town only when all trash has been placed in proper containers, as described in [section 46-62](#)
- (b) All commercial businesses that use commercial dumpsters for garbage storage and disposal are required to maintain each dumpster and its surrounding area in a clean and safe condition. All dumpsters and other solid waste containers must be equipped with properly functioning covers and doors and be maintained so that no solid waste material can escape the dumpster or container. Business owners that contract with a private disposal company to provide and service a dumpster located on their property are responsible for maintaining the dumpster and its assigned location in a clean and safe condition in compliance with all Virginia Health Department regulations.
- (c) *Dumpster standards.*
 - (1) Dumpsters shall be placed in a location that is clearly accessible to the servicing vehicle.
 - (2) No dumpster shall be placed directly on the ground. Dumpsters shall be placed only on a base of concrete, asphalt or other cleanable material per 12VAC5-421-2600.
 - (3) Dumpster Lids and doors must be operational and remain closed at all times per 12VAC5-421-2640.
 - (4) No dumpster, regardless of the contained material, may be located closer than 5' from any property line or right of way.
 - (5) Within one year of the enactment of this ordinance, all dumpsters shall be screened if and to the extent that, in the absence of screening, they would be clearly visible to:
 - a. Persons located within any dwelling unit or space on residential or commercial property; or,
 - b. Occupants, customers, or others located within any building or property other than where the dumpster is located; or,
 - c. Persons traveling on any public street, sidewalk or other public way.
 - (6) When dumpster screening is required under this section, screening shall be on three sides with a six-foot high opaque screen of masonry, brick, stone, block, wood, vinyl or chain link fencing, or other opaque materials approved by the zoning administrator. Screening may be less than 6' high if it exceeds the height of the enclosed dumpster. The fourth side shall be equipped with an opaque gate capable of being latched and locked, of not less than the height of the other 3 sides.
 - (7) Dumpster enclosures shall not be located in front of the main building unless approved by the zoning administrator. A no cost zoning permit shall be obtained prior to locating and constructing a dumpster enclosure and must contain a site plan of the proposed location.
 - (8) Dumpster enclosures shall be maintained in a structurally sound and attractive manner.
 - (9) Within the downtown business district, reasonable exceptions to the enclosure requirements may be granted if at the zoning administrator's discretion, circumstances require such an exemption.
 - (10) Any enclosure that is in existence at the time of the adoption of this ordinance may remain unless:
 - i. It is determined by the zoning administrator that the enclosure is in such disrepair that it must be replaced; or,
 - ii. The owner chooses to replace the enclosure; or,
 - iii. The enclosure is damaged by any causality to an extent exceeding 50 percent of the structure.

In any such case, the enclosure must be replaced to meet the guidelines of this section.
 - (11) Non Profit Organizations as recognized by the IRS shall be exempt from dumpster enclosures if their dumpsters are locked at all times.