

ORDINANCE NO. 89-044

AN ORDINANCE AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, ENTITLED "BUILDINGS", BY SPECIFICALLY AMENDING ARTICLE I, "IN GENERAL", BY ADDING THERETO A NEW SECTION 9-5, ENTITLED "DUTY OF CONTRACTORS AND OTHER PERSONS PERFORMING CONSTRUCTION WORK WITHIN THE CITY", TO PROVIDE FOR CERTAIN VIOLATIONS OF THE CODE OF ORDINANCES FOR FAILING TO MAINTAIN CERTAIN MINIMUM HEALTH AND SAFETY CONSIDERATIONS DURING CONSTRUCTION WORK.

WHEREAS, there is a necessity of maintaining orderly construction sites to prevent the existence of hazardous and otherwise injurious conditions; and

WHEREAS, the maintenance of unsightly construction areas, as well as the discharge of trash or rubbish from construction areas upon public streets or public grounds is injurious to the health, safety and well-being of the residents, citizens and inhabitants of the City; and

WHEREAS, the City Council of the City of Bellaire finds that it is necessary that persons performing construction work within the City must take reasonable steps during construction to avoid hazardous conditions existing; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF BELLAIRE, TEXAS:

1. That Chapter 9 of the Code of Ordinances of the City of Bellaire, entitled "BUILDINGS", be amended by specifically amending Article I, "In General", by adding thereto a new Section 9-5, entitled "Duty of contractors and other persons performing construction work within the City", which provides:

Sec. 9-5. Duty of contractors and other persons performing construction work within the City.

Any person or corporation performing work in furtherance of any demolition, construction or reconstruction within the City of Bellaire either pursuant to a permit as required by this Code or otherwise performed without permit where none is required shall be governed and controlled by the provisions of this section.

(a) It shall be unlawful for any building materials of any type, trash, refuse or refuse containers to be stacked, stored or dumped on any public sidewalk or any part of a public street or upon public property.

(b) The job site or place where construction work is taking place shall have available on-site a trash container(s) of adequate size to hold all debris, refuse or other garbage from the job site and it shall be unlawful for any person to permit litter, debris or trash to be stored or kept where the same is not adequately contained and is subject to being carried by wind to any other location.

(c) It shall be a violation of this Code to injure, deface or destroy any public property or any improvements thereto.

(d) All streets, alleys and sidewalks and other public grounds shall be kept free of dirt, sand, mud and other forms and types of aggregates and soils during construction.

(e) No person shall stop, stand or park any vehicle upon a public street in such a way as to leave less than ten feet of width of the street or roadway open and available for other vehicular travel.

(f) Every lot or parcel of land which is currently being used for building, construction or reconstruction shall at all times be maintained in a safe and orderly manner. No hazards shall be permitted at any time, and it shall be the duty of any contractor or

person working upon the construction site to remove and repair hazardous conditions which may exist or be found to exist or otherwise remedy circumstances which could lead to injury.

(g) It shall be unlawful to place portable sanitary facilities on any public grounds, including public streets or sidewalks. All portable sanitary facilities must be kept on private property and maintained in a manner not to create hazardous or unsightly conditions.

(h) Every building site or lot where construction or reconstruction is in progress must have displayed thereon a sign of sufficient size to be plainly and legally visible from the nearest public street and have displayed thereon the name of the responsible person who may be contacted in the event of violation of the terms and provisions of this section

PASSED AND APPROVED this, the 7th day of August, 1989.

V. Carter
Mayor, City of Bellaire, Texas

ATTEST:

Roena Loftini
City Clerk