

Chapter 28

SOLID WASTE*

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***Cross references**—Administration, ch. 2; buildings and building regulations, ch. 6; Fire-Rescue-EMS Services, fire prevention, ch. 14; licenses and business regulations, ch. 16; abandoned, nuisance and junked motor vehicles, § 18-242 et seq.; parks and recreation, ch. 22; streets and sidewalks, ch. 32; throwing or burning trash on street, trucks, wagons, etc., carrying trash, § 32-5; water and wastewater, ch. 38.

State law references—Littering, G.S. 14-399; North Carolina Radiation Protection Act, G.S. 104E-1 et seq.; solid waste management, G.S. 130A-290 et seq.; location of garbage collection containers by counties and municipalities, G.S. 136-18.3; placing glass, injurious obstructions, etc., in road, G.S. 136-91; abatement of public health nuisances, G.S. 160A-193; regulation of the placing of trash, refuse and garbage within municipal limits, G.S. 160A-303.1; public enterprises, G.S. 160A-311 et seq.; municipal power to require use of solid waste services and to regulate accordingly, G.S. 160A-317(b); requirements for municipal solid waste landfill facilities, 15A NC Admin. Code. 13B.1601 et seq.



Sec. 28-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bulk container means a steel container (dumpster) of four-cubic-yard or eight-cubic-yard capacity, and compatible with the city's solid waste equipment system.

Bulk residential container means a container (roll-out cart) of eighty- or ninety-gallon capacity, with lid, handle, and wheels, approved by the Director of Public Works and compatible with the city's solid waste equipment system.

Bulky trash means items too large to put in your bulk residential container; but does not include tires, hazardous materials, construction debris, or appliances that contain or did contain Freon.

Business means an establishment selling a product, manufacturing a product or providing a service or multifamily housing units.

Garbage means discarded animal or vegetable matter, food scraps, household trash, paper products, or other materials which may be attractive to and consumed by rodents, dogs, and birds.

Multifamily housing units means condominiums, townhouses, apartment complexes or other dwellings used as living quarters with shared common areas.

Residential means houses, apartments or other dwellings used as living quarters.

Residential recycling bin means an eighteen (18) to twenty (20) gallon bin, and compatible with the city's solid waste equipment system.

Solid waste means any discarded or used waste materials from residential households or commercial sources; such as, garbage, trash, construction material, yard waste, and tree trimmings.

Yard waste means leaves, grass, and shrubbery clippings, and other similar vegetation items.

(Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-2. Residential collection.

(a) Property owners shall be responsible for keeping their property clean by not permitting garbage or bulky trash to accumulate. Garbage and bulky trash shall be placed in proper containers, as described in this section.

(b) All garbage shall be placed in bulk residential containers as required in this chapter. Such containers shall be placed on the nearest grassed area behind the curb.

(c) All bulk residential containers shall be kept on the private premises of the owner, lessee, tenant or occupant, and shall be kept at some place behind the front line of the residence, except when the same is placed on the grassed area for collection. Containers may be placed at the curb the night before, but no later than 7:00 a.m., for collection on the scheduled collection days. Containers shall be retrieved from the curb on the day of pick up.

(d) All bulk residential containers required by this chapter shall be the property of the city, however, residents or tenants shall maintain all containers in as sanitary a condition as possible in view of the use. Containers shall be thoroughly cleaned as needed by washing or sterilizing. Residents or tenants shall be responsible for damage incurred by improper maintenance or misuse of containers. The cost of such damage shall be included in the user's utility bill entitled "replacement fee."

(e) In the event, a resident desires to have the city pick up the bulk residential container and/or the bulk recycling container from the backyard, a monthly fee as established from time to time shall be included in the user's utility bill. Any resident who furnishes proof that they are physically disabled and such resident has no one living in the residence to place the container at the curb will be exempt from the monthly fee for backyard collection.

(f) Any resident which requires services for more than one bulk residential container shall be charged an additional fee, as established from time to time, per additional city-issued or city-approved bulk residential container on the user's utility bill.

(g) Yard waste consisting of leaves, grass, shrubbery clippings, and other similar items shall be placed in strong plastic bags, or containers, provided by the resident weighing not more than seventy-five (75) pounds that can easily be handled by one (1) person. Such containers shall be placed beside the street.

(h) Bulky trash items are picked up four (4) times per year. The weeks of collection are the second full weeks of February, May, August, and November on the scheduled collection day. (Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-3. Business collections.

(a) Solid waste collection service for businesses and all properties other than residential is provided through the use of bulk containers (dumpsters) in sizes of four-cubic yards or eight-cubic yards, which are approved by the Director of Public Works and are compatible with equipment used by the city. Each business desiring our services shall rent a bulk container or the city may service compatible bulk containers owned by the business. Only material placed in a bulk container shall be collected from a business; except in the commercial areas where residents may be residing. More than one (1) business may share the use of a container. Single businesses in residential sections may rent bulk residential containers; but not to exceed more than three (3) ninety-gallon containers serviced once each week on the residential scheduled

collection days. A business requiring more than three (3) ninety-gallon containers shall be required to provide and use a bulk container. The city shall empty bulk containers when the following specifications are met:

- (1) The users of containers shall be responsible for keeping the container and surrounding areas clean and sanitary. Users shall keep container doors closed, except when depositing solid waste.
- (2) The location of the container and amount of garbage and refuse generated will determine the size of the container. The Director of Public Works shall determine the size of container needed and the pickup schedule, to provide adequate service.
- (3) Each user providing a container they own shall keep it in good repair. If rust or deterioration causes holes in a container, doors are bent, or other repairs are needed, they shall be made when directed by the Director of Public Works or service may be discontinued.
- (4) No element, compound or any material which is toxic, flammable, explosive, hazardous or injurious to public health, or yard waste or any item which will not be accepted at the county landfill, may be placed in any container serviced by the city.
- (5) All users of containers shall flatten or compact boxes or bulky material.

(b) Only those businesses providing or renting a container may place solid waste in a container. All other persons placing material in bulk containers shall be in violation of this chapter.

(Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-4. Bulk containers for businesses.

(a) Each business shall provide a bulk container for commercial services to be rendered by the city. For this section, residential developments/communities that desire to have bulk container collection, with the exception of individually owned and occupied residences, shall be considered as a business. The city shall empty containers according to the needs of the business. The city has containers available and a business may rent a container from the city. Rental and tipping fees are as established from time to time by ordinance.

(b) Each business which does not provide its own bulk container, and shares rental costs with another business, shall pay a monthly rental rate based on the volume of space used. The Director of Public Works shall determine the volume needed by any business. Businesses sharing containers shall pay the rates as established from time to time by ordinance.

(Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-5. Collection of tree branches and stumps.

The city desires to assist citizens in disposing of debris derived from their normal landscape maintenance. The city will remove not more than one (1) standard dumptruck load per week when placed according to the following specifications:

- (a) The pruning or trimming has been performed by the property owner or occupant (not a contractor) and placed beside the street.

- (b) Tree trunks and branches shall not exceed six (6) inches in diameter, three (3) feet in length, or eighty (80) pounds in weight.
 - (c) Tree stumps shall not exceed one hundred and fifty (150) pounds, and picked up only on a call-per-need basis.
 - (d) Large volumes of tree branches, that exceed the criteria in subsections (1)—(3) of this section, can be picked up on a call-per-need basis for a fee, in an amount as established from time to time by ordinance per trip.
- (Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-6. Leaf collection.

Leaves shall be considered as yard waste and shall be placed in strong plastic bags, or containers, and placed beside the street by the property owner or tenant; except during the period November 1 through February 15, leaves may be raked and left in piles beside the street in residential areas only. Leaves shall not be placed in the curb and gutter section of any residential street. Where sidewalks exist, leaves shall be placed on the nearest grassed area behind the curb. Loose leaves shall have no tree branches or any other material mixed with them.

(Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-7. Recycling.

(a) All residents are encouraged to recycle. Recycling not only conserves valuable natural resources, it reduces solid waste volumes and extends the life of our regional landfill. The following materials may be recycled:

- (1) Paper items: newspaper, inserts, magazines and catalogs.
- (2) Aluminum and metal cans: food and beverage containers only; no scrap metal, paint cans, aerosol cans, motor oil or antifreeze cans, aluminum foil, plates or pie tins.
- (3) Plastic containers: PETE #1 and HDPE #2; items such as soft drink bottles, milk jugs, detergent, bleach and fabric softener bottles, and cooking oil bottles.
- (4) Glass: brown, clear and green. Bottles and jars only permitted. No light bulbs, plate glass or mirrors.

(b) All recyclables shall be placed in recycling bins as required in this chapter. Such containers shall be placed on the nearest grassed area behind the curb.

(c) All recycling bins shall be kept on the private premises of the owner, lessee, tenant or occupant, and shall be kept at some place behind the front line of the residence; except, when the same is placed on the grassed area for collection. Bins may be placed at the curb the night before, but no later than 7:00 a.m., on the day of collection on the scheduled collection days. Bins shall be retrieved from the curb on the day of collection.

(d) All recycling bins required by this chapter shall be the property of the city; however, residents or tenants shall maintain all containers in as sanitary a condition as possible in view of the use.

(e) In the event, a resident desires to have the city pick up the recycling bin and/or residential bulk container from the backyard, a monthly fee as established from time to time shall be included in the user's utility bill. Any resident who furnishes proof that they are physically disabled and such resident has no one living in the residence to place the container at the curb will be exempt from the monthly fee for backyard collection.

(Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-8. Construction waste, appliances, and furniture.

All materials, containers, lumber, construction waste, and debris resulting from new construction, repair or renovation of any structure shall be disposed of by the property owner or his authorized contractor. No new, old, or waste material may be placed on the street right-of-way at any time. Any appliance, furniture or construction waste shall be disposed of by the property or business owner or authorized contractor. Any residential customer may contract with the city to dispose of their solid waste. A per-trip fee shall be charged to collect these items. As defined in section 28-1, the city will collect this material at no charge, once per quarter each year for residential customers. This collection will be scheduled the second work week in the months of February, May, August, and November on the regular solid waste collection day. No solid waste items shall be placed at the curb for pick up prior to the scheduled pickup week.

(Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-9. Depositing solid waste in streets unlawful.

It shall be unlawful to place any garbage, tree limbs, furniture, appliances, building material waste or debris of any type in any portion of a paved street or upon any paved sidewalk or right-of-way area used as a sidewalk, or within a dirt street so as to cause an unsafe condition. The occupant, owner, or tenant shall be considered as the party who places items listed in this section when those items are found violating this section and are adjacent to the occupant's property.

(Ord. No. 06-11, § 1, 6-12-2006)

Sec. 28-10. Collection fee.

All residents of the city shall be charged a collection fee for the collection of solid waste. The collection fee and frequency shall be as established from time to time by ordinance. This fee will appear on the user's utility bill.

(Ord. No. 06-11, § 1, 6-12-2006; Ord. No. 07-05, § 1, 6-25-2007)



Chapter 29

RESERVED

