

CHAPTER XV - SOLID WASTE

Article 1. - General

Sec. 15-1. Payment for refuse collection at residential condominiums.

(a) Subject to annual appropriation by the Town Council through the annual budgetary process and upon application made to the Town Manager by any association of unit owners of residential condominiums located within the town's territorial limits, the town, on September 1 of each year, may pay to each association, which is paying a private contractor for solid waste and recycling collection and disposal, an amount up to, but not to exceed, the town's per unit cost for providing solid waste and recycling collection and disposal to existing residential units as determined by the department of public works at the end of the prior fiscal year. The amount of reimbursement to each eligible association shall be determined by multiplying the per unit appropriation authorized in the annual town budget each year by the number of condominium units which, on October 1 of the prior fiscal year, had been conveyed by the declarant of such condominium pursuant to G.S. §§ 47-72, 47-220 or 47-223. The amount of reimbursement per unit authorized by the Town Council through the budgetary process may increase or decrease annually and shall not exceed the town's per unit cost for existing residential units regardless of the actual cost to the condominium association for private collection and disposal.

(Ord. No. 1-98, 1-6-1998; Ord. No. 06-08, 2-26-2008; Ord. No. 01-14, 2-25-2014)

Sec. 15-2. Penalties for violation of chapter.

Any person, business, firm, group or organization that fails within seven (7) days to comply with a written citation of violation of any provision of this chapter, issued by the town manager or his designee, shall, upon conviction, be subject to a fine as provided in the town fee schedule.

(Ord. No. 5-99, § 8, 3-30-1999)

Sec. 15-3. Appeals procedure.

Any person, business, firm, group or organization fined pursuant to this chapter may appeal such fine to the town manager within thirty (30) days of the issuance of such citation, and then, if necessary, to the superior court.

(Ord. No. 5-99, § 9, 3-30-1999)

Secs. 15-4—15-10. Reserved.

Article 2. - Collection

Sec. 15-11. Rubbish and garbage.

All residents and owners of property within the town shall maintain at all times safe and sanitary conditions associated with all rubbish, garbage, refuse and other wastes while stored or kept on or within their respective properties until properly removed or disposed of. It shall be the responsibility of each resident or owner to place rubbish, garbage, refuse and other wastes in proper containers and to ensure that such material remains within such containers. All containers for the storage and disposal of rubbish, garbage, refuse and other wastes shall:

- (1) Be waterproof containers and made of metal, plastic or other similar type of durable, sanitary material, or shall be heavy duty waterproof trash or rubbish bags;
 - (2) Be of such size and weight as can be handled by one (1) individual;
 - (3) Except for trash or rubbish bags, have covers and two (2) handles, provided that the bolts or rivets securing such handles, if any, do not protrude more than one quarter (¼) of an inch from either the inside or outside surface of the container; and
 - (4) Not be filled to cause excessive weight or spillage for proper disposal.
- (Ord. No. 5-99, § 1, 3-30-1999)

Sec. 15-12. By town.

Residents and owners eligible for weekly town collection of such rubbish, garbage, refuse and other wastes shall put all such waste in proper containers as specified in §15-11 and place such containers near the street or curb locations of their respective streets. In addition, residents and owners shall:

- (1) Put out all containers and waste in as neat and orderly a manner as possible;
 - (2) Put out no more than a reasonable number of containers and amount of waste per week;
 - (3) Not place such containers and waste more than three (3) feet from the street or curb, terrain permitting;
 - (4) Put out all such containers and waste no earlier than the day before their regular collection day; and
 - (5) Remove such empty containers from the street or curb before the end of their regular collection day.
- (Ord. No. 5-99, § 2, 3-30-1999)

Sec. 15-13. Cleanup.

Should any such rubbish, garbage, refuse or other wastes or materials be dislodged from their containers by animals or by other means, the owner or resident shall within a reasonable period of time clean up and remove such materials from the area so as to avoid them being strewn on or about the property or another's property, or the streets and sidewalks of the town. Failure to clean up and remove strewn materials shall constitute a violation of this chapter.

(Ord. No. 5-99, § 3, 3-30-1999)

Sec. 15-14. Permitted garbage and household refuse.

The following are permitted items of garbage and household refuse that will be collected weekly by the town on regular collection days, subject to the town's contract with its refuse collector:

- (1) Putrescible animal and vegetable waste resulting from the handling, preparation or cooking of foods;
- (2) Electric light bulbs, dust, sweepings, garden cleanings and similar waste materials ordinarily accumulated in and around a home or business;
- (3) Tree and shrub clippings, weeds and brush when compacted to reduce bulk and tied in bundles no longer than four (4) feet and not exceeding sixty (60) pounds in weight;
- (4) Small dead animals, not exceeding seventy-five (75) pounds each in weight, which die in the normal course of community activity, excluding condemned animals or animals from slaughterhouses or animals normally considered industrial refuse; and

- (5) Leaves, during the leaf season, provided that they are in paper bags, refuse containers or cardboard boxes.

(Ord. No. 5-99, § 4, 3-30-1999)

Sec. 15-15. Permitted bulk refuse.

The following are permitted items of bulk refuse that will be collected weekly by the town on regular collection days, subject to the town's contract with its refuse collector:

- (1) All combustible household refuse, upholstered and unupholstered furniture, mattresses and similar items, provided that sleeper couches must have all metal parts removed;
- (2) Cans and bottles (other than those that are to be recycled in accordance with this chapter), cold ashes, wire, glass, small metal items, kitchenware and similar items, provided that none of such items shall be heavier than that which two (2) workers could reasonably lift;
- (3) Trees and branches no larger than six (6) inches in diameter and no longer than four (4) feet in length;
- (4) Brush tied in bundles no longer than four (4) feet in length; and
- (5) Bulk waste resulting from repair or remodeling done personally by the respective property owner, except for sheet rock and roofing shingles, so long as there are no items longer than four (4) feet in length. Reasonable amounts of bulk waste may be placed in receptacles no heavier than that which two (2) workers could reasonably lift.

(Ord. No. 5-99, § 5, 3-30-1999)

Sec. 15-16. Nonpermitted refuse.

The following are nonpermitted items that will not be collected by the town:

- (1) Materials which have not been prepared for collection in accordance with this chapter;
- (2) Materials from the repair, excavation or construction of buildings or structures by contractors or others, other than the respective property owner, and materials from new building construction and major repairs, whether or not performed by the respective property owner;
- (3) Tree limbs larger than six (6) inches in diameter or longer than four (4) feet in length;
- (4) Automobile parts;
- (5) Dangerous materials or substances, such as cleaning fluids, crankcase oil, paints, explosives, acids, caustics, poisons, drugs, radioactive materials and refuse of similar nature;
- (6) Animals weighing more than seventy-five (75) pounds, condemned animals, diseased animals, and slaughterhouse or commercial food processing waste;
- (7) Hot ashes, sheet rock, roofing shingles, and porcelain items, including porcelain sinks, tubs, and toilets;
- (8) Refrigerators or freezers with doors on; and
- (9) Items mandated for recycling by this chapter.

(Ord. No. 5-99, § 6, 3-30-1999)

Sec. 15-17. Type of collection.

It shall be the public policy of the town that residents and owners of property within the town shall, on regular collection days, be allowed to place rubbish, garbage, refuse and other wastes in containers and trash bags for weekly town collection as currently permitted by this ordinance and

shall further be allowed to place items of bulk refuse at the street or curb as currently permitted by this ordinance, subject to all the conditions and requirements set forth in this ordinance.

The town council shall enter into no contract with any refuse collector for "automated" refuse collection requiring all rubbish, garbage, refuse and other wastes to be placed in a standardized container or containers, or otherwise requiring any special arrangement or action for the disposal of rubbish, garbage, refuse and other wastes not fitting within such standardized container or containers, or otherwise running counter to the public policy as stated above or the current terms of this ordinance. Any contract so entered shall be null and void unless such "automated" refuse collection is the only type of collection offered by all refuse collectors within a reasonable distance from the town or is the only reasonably priced refuse collection available after diligent search by the town council.

(Ord. adopted by referendum on June 23, 2009 by a vote of 1,964 to 1,716)

Secs. 15-18—15-20. Reserved.

Article 3. - Recycling

Sec. 15-21. Mandatory items.

- a) *Curbside pickup.* The following items must be recycled and will be collected biweekly by the town at the street or curb on the regular collection day, subject to the town's contract with its recycling collector:
 - 1) Clear or colored glass food or beverage containers with or without covers and labels, provided that they are emptied, rinsed, and placed in a pail or similar container;
 - 2) Metal food or beverage containers with or without labels, provided that they are emptied, rinsed, and placed in a pail or similar container;
 - 3) Newspapers, including inserts and supplements, provided that they are put in paper bags or boxes and not tied; and
 - 4) Corrugated cardboard, provided that it is put in paper bags or boxes.
- b) *Other.* The following items must be recycled and shall be disposed of in accordance with the town public works department policy:
 - 1) All heavy metal items, including metal appliances, provided that all appliances shall have their doors removed prior to being put out at the street or curb;
 - 2) Light metals, including, bicycles, pipes, small machinery, small appliances and similar items, provided that all fuel and oil has been removed from such items;
 - 3) Lead or acid batteries, including automobile and marine batteries, and excluding dry cell batteries;
 - 4) Used engine oil, not mixed with any other oil or fluid; and
 - 5) Leaves without any other yard waste included.

(Ord. No. 5-99, § 7(a), (b), 3-30-1999)

Sec. 15-22. Nonmandatory items.

The following items may be recycled and shall be disposed of in accordance with the town public works department policy:

(1) No. 1 and no. 2 plastics; and

(2) Magazines.

(Ord. No. 5-99, § 7(c), 3-30-1999)

Sec. 15-23. Miscellaneous items.

Any miscellaneous item not specifically mentioned in this article shall be disposed of in accordance with the town public works department policy, as amended from time to time.

(Ord. No. 5-99, § 7(d), 3-30-1999)