

## Chapter 1345 - SOLID WASTE MANAGEMENT

### Sec. 4513-1. - Definitions.

For the purpose of this chapter, certain terms and words are defined as follows:

Ashes means waste materials resulting from the burning of wood, coal, ~~coke~~, and other combustible material.

~~Building rubbish/construction~~ Construction and demolition debris means rubbish from construction, remodeling, and repair operations on houses, commercial buildings, and other structures, including, but not limited to, excavated earth stones, brick, plaster, lumber, concrete, and waste parts resulting from ~~occasioned by~~ installations and replacements.

~~Bulk container-Dumpster~~ means a metal container of not less than eight (8) cubic yards of sound construction;intended for the bulk containment and disposal of solid waste. equipped with drains to keep the container free of accumulated liquids, equipped with a suitable lid.

Business location means any structure ~~that is adapted for transaction of business, for rendering of professional services, for amusement, for the display or sale or storage of goods, wares, merchandise, articles or equipment, including hotels, rooming houses, mobile home parks, campgrounds, office buildings, public buildings, stores, theatres, markets, restaurants, warehouses, sheds, barns, and other structures or premises~~ used for or adapted to business, ~~rental~~, commercial, or income-producing purposes.

Garbage means all rubbish, food materials, and other dry and wet waste of little or no value and intended to be discarded, animal and vegetable waste materials resulting from the handling, preparation, cooking, and consumption of food, including a minimum amount of liquid necessarily incident thereto.

Hazardous wasterefuse means materials such as poisons, acids, caustics, chemicals, infected materials, ~~offal~~, explosives, radioactive materials, and other volatile or potentially dangerous substances.

~~Industrial waste means sawdust, shavings, feathers, excelsior, cartons, boxes, metal, glass, paper, wood, textiles, chemicals, plastic, or other waste materials from processing plants, factories, or manufacturing operations.~~

Recyclables means aluminum, tin, glass ~~(green, clear and brown)~~, plastics ~~number 1 and number 2~~, newsprint and accompanying inserts, office paper, ~~corrugated~~ cardboard, and/or any other items deemed recyclable by the town.

Rubbish means dry waste materials, including but not limited to paper, rags, cartons, boxes, wood, rubber, leather, tin cans, metals, small mineral matter, glass, crockery, dirt, earth, and dust.

~~Solid waste Refuse-includes~~ means all solid waste, all types of material regulated by this chapter, including, but not limited to, garbage, rubbish, recyclables, yard debris, white goods, construction and demolition debris, hazardous waste, and ashes.

~~Rubbish means dry waste materials, including but not limited to paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tin cans, metals, small mineral matter, glass, crockery, dirt, earth, and dust.~~

Waste means useless, unused, unwanted, or discarded materials resulting from natural community activities, including solids, liquids, and gases.

White goods means old and/or discarded refrigerators, washers, dryers, water heaters, stoves, and other appliances taken from or removed from a residence ~~or business location~~.

Yard debris means tree, bush, and hedge branches, cuttings and trimmings, yard trimmings, grass, leaves, and other natural organic matter removed from a developed residential ~~the~~ property.

**Sec. 15-2. - Refuse-Solid waste collection practices.**

- (a) The town will provide for the curbside collection, removal, and disposal of certain garbage, refuse-recyclables, yard debris, and white goods from residential properties in the town, with the collection times, routes, and schedules established by the town ~~depending upon the season of the year~~ and publicized accordingly.
- ~~(b) The town will provide for the collection, removal, and disposal of garbage and recyclables from designated containers on the public trust beach areas, with the collection times, routes, and schedules established by the town to maintain clean public trust beach areas.~~
- ~~(c) Business locations shall be required to arrange for the collection, removal, and disposal of garbage, refuse-recyclables, yard debris, white goods, and all other waste, individually. The town does not provide these services for business locations.~~
- ~~(e) Industrial waste shall be collected, removed, and disposed of by the operator of the factory, plant, or enterprise creating or causing the same in accordance with the applicable provisions of this Code.~~
- ~~(d) Building rubbish/construction-Construction and demolition debris shall be collected, removed, and disposed of by the contractor or builder, or in their failure, by the owner of the property. The town does not collect construction and demolition debris.~~
- ~~(e) No white goods item shall be collected, removed, and disposed of by the town except in accordance with section 15-11.~~
- ~~(ef) No industrial waste, hazardous waste, or liquid waste shall be collected by the town, and disposal of such waste shall be the responsibility of the individual or business generating such waste.~~
- ~~(f) Special collections of solid waste may be arranged by the town in response to hurricanes or other natural or manmade disasters.~~

**Sec. 15-3. - Collection and disposal practices for business locations.**

- ~~(a) Every business location shall separately provide for and/or contract for the collection and disposal of all refuse regulated hereunder. Every such business location, upon written request from the town, shall notify the town in writing as to the method of refuse collection and disposal for that business location, the name of the contractor providing service, the frequency of collection, and the type and location of the container(s) to be used. Such business location shall provide such information in writing to the town in response to the town's request within fifteen (15) business days following notification.~~
- ~~(b) Any business or commercial location which shall fail to provide for or contract for refuse collection services required hereunder, or shall discontinue refuse collection services, so that refuse shall accumulate or be placed upon the property or business location to such an extent that the town should thereafter determine that the conditions created by the accumulation of the refuse is dangerous or prejudicial to the public health or public safety, then the town shall have the authority to summarily remove, abate, or remedy said condition pursuant to G.S. 160A-193.~~

~~The town shall first notify the business or commercial location in writing that said condition is dangerous or prejudicial to the public health or safety and that said condition must be removed or abated, and upon failure of the business or~~

~~commercial location thereafter to remove said public health nuisance, then the town pursuant to G.S. 160A-193, may summarily remove or abate said dangerous condition and may thereafter charge all costs of clean up and summarily abate said conditions to the business or commercial location, which shall be a lien upon the land or premises of the business or commercial location where the condition arose, and said fees or charges shall be collected as unpaid taxes.~~

**Sec. 13-345-4. — Garbage Refuse containers.**

(a) ~~Each Every~~ residential unit ~~where refuse exists~~ shall provide a sufficient number of containers ~~for each residential unit to adequately contain all in which shall be deposited all garbage refuse~~ existing or generated at such premises. ~~Furthermore:~~

- (1) Each residential unit must have a minimum of one (1) 60/65-gallon roll-out container or 90/95-gallon roll-out garbage container. Residential units occupied by individuals who are physically unable to roll-out a 60/65-gallon or 90/95-gallon roll-out container may utilize a 35/40-gallon roll-out container if authorized by the town.
- (2) Each residential vacation rental unit must have a minimum of one (1) 90/95-gallon roll-out container for each three (3) bedrooms in the residential vacation rental unit. For purposes of this chapter, the required number of 90/95-gallon containers shall be based on the next interval of three (3) bedrooms (i.e., a residential vacation rental unit with four (4) bedrooms would require two (2) 90/95-gallon containers; a residential vacation rental unit with eight (8) bedrooms would require three (3) 90/95-gallon containers).
- (3) For purposes of this section, a bedroom is any room which provides a facility for sleeping, including, but not limited to, day beds (or other convertibles), sleeper sofas or couches, hide-a-beds, cots, roll-away beds or cribs.

~~(b) All containers shall be kept in good condition. A container in good condition will maintain the originally intended functionality of the container and prevent the intrusion of wind and precipitation.~~

~~(be) Each Every~~ condominium complex, townhouse complex, and multi-family location ~~within the town that is~~ required to use a ~~dumpster bulk container~~ shall ~~provide be responsible for either purchasing or renting~~ one (1) or more ~~bulk containers dumpsters~~ at the separate cost of the condominium complex, townhouse complex, and/or multi-family location. Each condominium complex, townhouse complex, or multi-family location ~~that~~ ~~which~~ is required to use ~~dumpsters bulk containers~~ shall provide one (1) or more cement pads of sufficient size to accommodate ~~all dumpsters not less than an eight (8) cubic yard dumpster, and when and if required, drainage shall be approved by the Carteret County Health Department. If the condominium complex, townhouse complex, or multi family location should fail to provide one (1) or more bulk containers needed by said location following notification by the town, then the town shall cease to provide refuse collection services for the condominium complex, townhouse complex, or multi family location.~~

~~(cd) All business locations where refuse exists shall provide a sufficient number of containers and/or dumpsters to adequately contain all garbage in which shall be deposited all refuse existing or generated at such premises. All business locations shall provide containers consistent with the requirements of this section for residential units, or if directed by the town, must use bulk containers.~~

~~(d) All containers shall be maintained in good condition. A container in good condition will maintain the originally intended functionality of the container and prevent the intrusion of wind and precipitation.~~

~~(e) Violations of this section shall subject the offender to a civil penalty in the amount of one hundred dollars (\$100.00), and may result in the temporary suspension of garbage collection services. The town manager shall~~

Formatted: Indent: Left: 0", Hanging: 0.25",  
Tab stops: 0.25", Left

have the authority to dismiss said civil penalty upon proof that the violator has placed in service a sufficient number and type of garbage containers consistent with this section.

**Sec. 15-5. - Recycling.**

- ~~(a) The town provides curbside recycling for residential units. All residential units are required to participate in the program.~~
- ~~(b) The town will announce in advance the items collected, collection times, routes, and schedules for pick up of residential curbside recyclables.~~
- ~~(c) The owner, tenant, or occupant of each residential unit shall place the recyclables in the recycling container for curbside collection.~~
- ~~(d) Recyclables banned by law from disposal in landfills that are not included in the town's residential curbside collection programs shall be disposed of at an approved recycling center, and should not be disposed of in refuse containers for collection by the town.~~

**Sec. 13-415-6. - Recycling containers.**

- ~~(a) Each Every residential unit shall provide a sufficient number of containers for each residential unit to adequately contain in which shall be deposited all recyclables existing or generated at such premises. Furthermore:~~
  - (1) ~~Each All residential units, except condominiums, townhouses, and multi-family locations, shall utilize must have~~ a minimum of one (1) 35/40-gallon roll-out ~~recycling~~ container, identified and marked for recyclables, per residential unit.
  - (2) Each residential vacation rental unit ~~shall utilize~~must have a minimum of one (1) 90/95-gallon roll-out container, identified and marked for recyclables, for each three (3) bedrooms in the residential vacation rental unit. For purposes of this chapter, the required number of 90/95-gallon containers shall be based on the next interval of three (3) bedrooms (i.e., a residential vacation rental unit with four (4) bedrooms would require two (2) 90/95-gallon containers; a residential vacation rental unit with eight (8) bedrooms would require three (3) 90/95-gallon containers.
  - (3) For purposes of this section, a bedroom is any room which provides a facility for sleeping, including, but not limited to, day beds (or other convertibles), sleeper sofas or couches, hide-a-beds, cots, roll-away beds or cribs.
  - ~~(4) —~~
- ~~(b) Each Each condominium complex, townhouse complex, and multi-family location that is required to use a may utilize central recycling collection stations shall provide one or more stations at the separate cost of the condominium complex, townhouse complex, and/or multi-family location. for use by the residents of the condominium, townhouse, or multi-family complex. It shall be the responsibility of each owner, tenant or occupant of a condominium, townhouse, or multi-family location complex to separate recyclables from the garbage refuse and cause the same to be placed in the central recycling collection station.~~
- ~~(c) All business locations shall provide a sufficient number of containers and/or dumpsters to adequately contain all recyclables existing or generated at such premises.~~
- ~~(d) All containers shall be maintained in good condition. A container in good condition will maintain the originally intended functionality of the container and prevent the intrusion of wind and precipitation.~~

**Formatted:** Indent: Left: 0", Hanging: 0.31", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

**Formatted:** Indent: Left: 0", Hanging: 0.31"

~~(e) Violations of this section shall subject the offender to a civil penalty in the amount of one hundred dollars (\$100.00), and may result in the temporary suspension of recyclable collection services. The town manager shall have the authority to dismiss said civil penalty upon proof that the violator has placed in service a sufficient number and type of recyclable containers consistent with this section.~~

**Sec. 13-545-7. -- Placement of containers,oints of collection.**

(a) At all times other than scheduled collection times, ~~garbage refuse~~ and/or recyclable containers must be stored on the premises at a location at least thirty (30) feet from the public right-of-way or behind the front or side wall of the structure. ~~Refuse and recyclable container racks are permitted, provided such racks are located thirty (30) feet from the public right of way or behind the front or side wall of the structure.~~

(b) ~~Refuse-Garbage~~ and/or recyclable containers may must be placed adjacent to the street no earlier than 12:00 p.m. the day before collection is scheduled and must be returned to an acceptable location ~~the residence~~ by 9:00 a.m. on the day after collection.

(c) ~~Refuse-Garbage~~ and/or recyclables shall be collected from a point directly adjacent to the street. No garbage refuse and/or recyclables shall be placed in the street or gutter.

~~(d) Violations of this section shall subject the offender to a civil penalty in the amount of fifty dollars (\$50.00).~~

~~(d) No refuse and/or recyclables shall be collected unless prepared as provided in this chapter.~~

**Sec. 13-645-8. - Storing of solid wasterefuse; accumulation prohibited.**

(a) Every owner and every occupant or other person in control of any building or land in the town, including vacant property, shall keep the same in a clean and orderly condition and shall deposit solid wasterefuse for collection in accordance with the provisions of this chapter ~~and the regulations of the town.~~

~~(b) No person shall throw, drop, or deposit, or cause to be thrown, dropped, or deposited, on any land in the town (vacant or occupied, including specifically streets, alleys, sidewalks and other public and other semi public areas or in all waters under jurisdiction of the town) any refuse including, but not limited to, garbage, ashes, rubbish, dead animals or fish, paper, drinking cups, broken glass, tacks, brush, grass, weeds, and/or anything injurious to health. If any person, while transporting or hauling or causing to be transported or hauled, said refuse shall throw, drop or deposit or cause to be thrown, dropped, or deposited said refuse from the body of the vehicle, in violation of the provisions of this subsection, such person must clean up and remove such refuse in a manner satisfactory to the town, and if the person fails to clean up and remove such refuse, then the town may collect the cost of such cleaning up and removal from such person.~~

~~(eb) All solid wasterefuse shall be collected and placed in containers as required by this chapter, and it shall be unlawful for any person to permit waste refuse to accumulate or remain on any premises longer than is reasonably necessary to remove and/or deposit same in approved containers as required herein. Failure to place refuse in an approved container may result in a citation for littering, in accordance with Chapter 12 of the Code of Ordinances.~~

~~(d) All containers shall be inspected from time to time by the town for conformance with this chapter. If any container required by this chapter is found to be deficient at the site, then the town shall notify the owner and/or occupant of the deficiencies. Failure to correct the deficiencies within a period of fourteen (14) days thereafter may result in the town suspending refuse collection services at the site until the deficiencies are corrected.~~

Formatted: Indent: Left: 0", Hanging: 0.3"

~~(c) Violations of this section shall constitute littering, shall require the immediate removal of said solid waste, and may also subject the offender to a civil penalty in the amount of two hundred fifty dollars (\$250.00).~~

**Formatted:** Indent: Left: 0", Hanging: 0.31", Tab stops: 0.31", Left

**Sec. 13-7. - Unlawful to displace containers.**

~~(a) It shall be unlawful for any person except the owner, or upon permission or at the request of the owner, to damage, displace, or otherwise interfere with garbage and/or recycling containers or their contents.~~

~~(b) Violations of this section shall subject the offender to civil penalty in the amount of fifty dollars (\$50.00).~~

**Sec. 13-815-9. - Yard debris requirements.**

~~(a) Yard debris shall be collected and disposed of by the town with the collection times, routes and schedules established by the town depending upon the season of the year.~~

~~(a) Yard debris shall be placed at the curbside in a manner so as not to prevent the safe and orderly flow of vehicular, bicycle, or pedestrian traffic. Care should be taken to avoid placement directly underneath of electrical power lines.~~

**Formatted:** Indent: Left: 0", Hanging: 0.31", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

~~(b) Tree and shrub trimmings shall not exceed eight (8) feet in length. Trees and shrub trimmings shall be assembled in piles to provide for easier, more efficient collection. Loose leaves and grasses should not be bagged-~~

~~(c) No person shall burn leaves, shrubs, tree limbs, and other yard debris in the town.~~

~~(cd) No person shall throw, drop or deposit any leaves, shrubs or other yard debris on any curb, or into any catch basin or manhole in the town.~~

~~(d) Violations of this section may result in the temporary suspension of yard debris collection services until such time the violation is corrected.~~

**Sec. 13-9. - Burning of yard debris prohibited.**

~~(a) It shall be unlawful for any person to burn leaves, shrubs, tree limbs, or other yard debris in the town.~~

~~(b) Violations of this section shall subject the offender to a civil penalty in the amount of one hundred dollars (\$100.00)~~

**Sec. 15-10. - White goods.**

~~The town will announce in advance the items collected, collection times, routes, schedules, and/or procedures for pick up of white goods.~~

**Sec. 13-1015-44. - Removal of dead animals.**

~~Dead animals will be removed from public streets, bicycle paths, sidewalks, the public trust beach areas, and other public areas ~~the premises~~ by the town upon notice of the existence of such dead animal.~~

**Sec. 15-12. - Unlawful to displace containers.**

~~It shall be unlawful for any person except the owner, or upon permission or at the request of the owner, to damage, displace, or otherwise interfere with refuse and/or recycling containers or their contents.~~

**Formatted:** Indent: Left: 0", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

**Sec. 13-1115-43. - Solid waste disposal facilities availability fee.**

~~Pursuant to N.C.G.S. 160A-314.1, the Town hereby imposes an annual fee on all improved/developed residential property for the purpose of funding solid waste collection, removal, and disposal services provided for developed residential property owners and on the public trust beach areas. availability of a disposal facility provided by the town through membership in the solid waste disposal authority formed by the counties of Carteret, Craven and Pamlico, and the municipalities therein. Said fees are imposed on all improved property in the town as hereinafter set forth. Improved property shall be defined as all real property on which any buildings, structures, vehicles, campers, utilities, paving, or other improvements have been carried out thereon, but shall exclude vacant property with only vegetation thereon. For purposes of this section, if any portion of a lot or tract of land is improved, then the entire parcel or lot shall be deemed improved.~~

~~The fees imposed herein shall be established and amended from time to time by the board of commissioners, or as part of the annual budget adopted by the board of commissioners. The fees imposed herein shall be billed with property taxes and are payable in the same manner as property taxes. Upon non-payment of said fees, the fees imposed herein may be collected in the same manner by which delinquent personal or real property taxes are collected, and the fees herein shall be a lien on the real property described on each tax bill that includes the fee.~~

**~~Sec. 15-14. - Penalty for violation.~~**

~~Any person violating any provision of this chapter shall be subject to a civil fine as outlined below:~~

~~(1) - Insufficient containment capacity - Refuse .....\$100.00~~

~~The town manager shall have the authority to dismiss said citation upon proof that the violator has purchased and placed in service a sufficient number of additional 90/95-gallon roll-out containers consistent with the town's specifications.~~

~~(2) - Insufficient containment capacity - Recycling .....100.00~~

~~The town manager shall have the authority to dismiss said citation upon proof that the violator has purchased and placed in service a sufficient number of additional 35/40-gallon roll-out containers consistent with the town's specifications.~~

~~(3) - Containers not meeting town specifications - Refuse .....100.00~~

~~The town manager shall have the authority to dismiss said citation upon proof that the violator has purchased and placed in service a sufficient number of additional 90/95-gallon roll-out containers consistent with the town's specifications.~~

~~(4) - Containers not meeting town specifications - Recycling .....100.00~~

~~The town manager shall have the authority to dismiss said citation upon proof that the violator has purchased and placed in service a sufficient number of additional 35/40-gallon roll-out containers consistent with the town's specifications.~~

~~(5) - Placement of container at street earlier than 12:00 p.m. on the day prior to collection .....25.00~~

~~(6) - Failure to remove container from street before 9:00 a.m. on the day after collection .....25.00~~

~~(7) - All other violations of Chapter 15 - Solid Waste Management .....50.00~~

**~~Secs. 13-12 - 13-99. - Reserved~~**

Formatted: list1

Formatted: Indent: Left: 0", Hanging: 0.31"

Formatted: Font: Bold