

CHAPTER 50: GARBAGE, REFUSE AND RECYCLABLES COLLECTION AND DISPOSAL

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GENERAL PROVISIONS

§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE or **REFUSE**. Offal, refuse or cast-off animal or vegetable matter as is normally associated with a home, store, or commercial establishment.

TRASH. Worn-out, broken or discarded or worthless things, rubbish, or paper.

COMMINGLED RECYCLABLES, consisting of recyclable glass, aluminum, cans, plastics and papers, generally collected from residential recycling.

(1978 Code, § 4-2001)

Statutory reference:

Municipal authority to regulate trash and garbage, see G.S. § 160A-303.1

§ 50.02 GARBAGE AND REFUSE.

(A) All homes, business houses, industries and public buildings shall provide metal or plastic containers or bulk containers as hereinafter provided.

(B) Where garbage cans, either metal or plastic, are provided for, they shall have tight-fitting covers and be of a capacity of not more than 96-gallon capacity.

(1978 Code, § 4-2002)

§ 50.03 RECYCLING.

(A) The Town shall provide for curbside collection of certain recyclable materials at regular intervals.

(B) The Town shall provide one 65 gallon roll-out cart to each residence for use in the Town's commingled recycling program.

(C) All recycling carts remain the property of the Town and shall be left at the residence in the event that the property owner and/or resident changes from time to time.

(D) Residents are responsible for maintaining the roll-out cart at his/her residence. Damaged or missing roll-out carts will be replaced by the Town with the resident paying the actual cost of such cart.

COLLECTION

§ 50.20 RESIDENTIAL COLLECTION.

All garbage for residences shall be picked up at all said residences. Garbage, trash, and other refuse for business houses or industries shall be picked up by the town garbage collecting system at locations designated by the town.

(1978 Code, § 4-2003)

§ 50.21 BUSINESS AND INDUSTRY COLLECTION.

All businesses, shopping centers, and industries whose garbage, trash or refuse accumulates in quantities of more than 3 32-gallon cans per pickup shall be required to use a bulk container of the Dempster-Dumpster make or some other make or model approved by the Town Manager.

(1978 Code, § 4-2004)

§ 50.22 APARTMENT COLLECTION.

Owners of residential apartment buildings or a group of residence apartment buildings in the same complex, wherein there are more than 7 living units either in a single building or in a complex treated as a unit, shall be required to use a bulk container according to the required specifications in size when notified in writing to do so by the Town Manager.

(1978 Code, § 4-2005)

§ 50.23 MOBILE HOME PARK COLLECTION.

For every 7 mobile homes in an approved mobile home park, the owner shall be required to use a bulk container according to the required specifications in size when notified in writing to do so by the Town Manager.

(1978 Code, § 4-2006)

§ 50.24 POLITICAL SUBDIVISION, CHURCH, AND THE LIKE COLLECTION.

Any political subdivision or facility, church, charitable institution, or other institutions may request the town in writing for the use of the bulk container system and upon approval by the Town Manager, the institution shall be notified in writing to use a bulk container of the Dempster-Dumpster type or some other type container in accordance with the required specifications in size.

(1978 Code, § 4-2007)

§ 50.25 COLLECTION FREQUENCY.

The Town Sanitation Department or franchise contractor shall pick up garbage, trash, and other refuse from residences 1 day per week and twice weekly from businesses and so far as is practicable the pick-up shall be on the same day or days for both residences and businesses each week.
(1978 Code, § 4-2011)

REGULATIONS

§ 50.40 RESPONSIBILITY OF BULK CONTAINERS.

When any business, industry, apartment building, apartment building complex, mobile home park, or institution shall be required to use a bulk container by this chapter, it shall be the sole responsibility of the owner, lessor, lessee or other responsible persons or corporations to obtain and maintain the required bulk container of the Dempster-Dumpster type or some other container meeting the approval of Town Manager.
(1978 Code, § 4-2008)

§ 50.41 LOCATION OF BULK CONTAINERS.

All bulk containers shall at all times be kept in a place easily accessible to be picked up by the town, and no service shall be given those establishments permitting objects, obstructions, or vehicles to hinder in any way whatsoever the servicing of the bulk containers.
(1978 Code, § 4-2009)

§ 50.42 MULTIPLE BULK CONTAINERS.

Any business, apartment complex, or institution hereinbefore required to have bulk containers shall be required to obtain and maintain more than 1 such container in the event that 1 container is not sufficient to handle all garbage, trash, or other refuse between pick-ups by the Town Sanitation Department or franchise contractor.
(1978 Code, § 4-2010)

§ 50.43 BUILDING MATERIALS.

No building materials or refuse from building, remodeling and repair operations or landscape work will be handled by the town garbage services. All waste materials of this nature shall be removed by the contractor, or, in the event of his failure, by the owner of the property.
(1978 Code, § 4-2012)

§ 50.44 COLLECTION OF LIMBS, BRUSH AND RELATED MATERIAL.

Limbs, brush, logs, stumps, tree trimmings and related materials shall be removed only by agreement between the person wanting the aforesaid to be removed and the town.
(1978 Code, § 4-2013)

§ 50.45 DUMPING OF TRASH BY PRIVATE PARTIES.

It shall be unlawful for any person, firm, or corporation to dump any trash, rubbish, garbage, or other waste materials within the corporate limits of the town without first obtaining the permission of the Board of Commissioners of the town.
(1978 Code, § 4-2014) Penalty, see § 50.99

§ 50.46 INDUSTRIAL WASTE.

Industrial waste from factories, processing plants and manufacturing operations shall be collected and removed by the Town Sanitation Department or franchise contractor only by agreement with the town and the factories, processing plants and other manufacturing operations.
(1978 Code, § 4-2015)

§ 50.99 PENALTY.

(A) The violation of this chapter shall be a misdemeanor and the maximum for the violation of this chapter shall be \$50 or imprisonment for 30 days or both.
(1978 Code, § 4-2016)

(B) Notwithstanding any other provisions contained in this chapter, the town shall have the right to prosecute appropriate, civil remedies in the district and superior court in the form of restraining orders, mandatory and prohibitory injunctions and any other civil remedy or procedure as may be deemed to be pertinent or applicable under the facts and circumstances of any given case.
(1978 Code, § 4-2017)