

AN ORDINANCE TO AMEND TITLE V, CHAPTER 50: GARBAGE AND REFUSE
OF THE TOWN OF BISCOE CODE OF ORDINANCES

WHEREAS, pursuant to NC GS §160A-311 a town may operate Solid waste collection and disposal systems and facilities

WHEREAS, pursuant to NC GS §160A-174 a town may by ordinance define, prohibit, regulate or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the town; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Biscoe as follows:

§50.01 DEFINITIONS

REPLACE:

TREE TRIMMINGS with *DEBRIS*

ADD:

RUBBISH. Floor sweepings, old boots and shoes, discarded clothing, and all such waste materials that ordinarily collect from a home or a business. Rubbish must be placed in a trash can for pickup.

WHITE GOODS. Refrigerators, ranges, water heaters, freezers, unit air conditioners, washing machines, clothes dryers, and other similar domestic and commercial large appliances.

ELECTRONICS. Televisions, computers, monitors, printers, scanners, and computer peripherals such as keyboards and mice; all of which are banned from disposal in landfills.

SPECIAL WASTE. Construction materials, demolition materials, recyclable materials, or other waste banned from disposal in landfills.

§50.04 ACCUMULATION OF GARBAGE AND REFUSE PROHIBITED.

ADD:

It shall be unlawful for any person to throw, deposit in, sweep on, or rake into any street, sidewalk or gutter any leaves, trash, filth, rubbish, broken glass, tin cans, fruit peelings, refuse, ashes, wasted or loose paper. Such materials shall be accumulated as specified in this ordinance and placed in their respective places or proper receptacles as provided in this ordinance.

§50.05 CONTAINERS REQUIRED; SPECIFICATIONS.

MODIFY TO READ:

← Covers shall be kept on the receptacles at all times, except when being filled or emptied. All receptacles at all times must be so constructed and maintained, and so covered as to prevent the

entrance of flies. Owners are responsible for cleanup in case of ruptured bags. Residential receptacles shall be provided by the town. It is the responsibility of the homeowner or renter to replace any lost or stolen receptacle by contacting the town. The Town of Biscoe will provide one receptacle per household. Owners are required to ensure a sufficient number of such receptacles to hold the quantity of garbage or rubbish accumulated. Additional receptacles may be provided upon request in accordance with the fee schedule in the Clerk's office.

(modified 2013) Penalty, see §10.99

§50.06 PRE-COLLECTION PRACTICES; REQUIREMENTS.

MODIFY TO READ:

It shall be unlawful for any person to burn any matter in garbage or rubbish receptacles or bulk containers. No liquid or semi-liquid matter will be collected by the town, nor should such matter be put in containers for removal by the garbage collector.

(modified 2013) Penalty, see §10.99

§50.07 COLLECTION SCHEDULES

MODIFY TO READ:

A) Garbage and rubbish will be collected by the town according to a collection schedule maintained in the Clerk's office. The schedule may be periodically revised and amended by action of the Board.
(79 Code, §4-2-7)

B) It is the duty of owners or occupants to set containers at curb side on designated pick up days. Receptacles are to be returned from the curb within 1 day of pickup. Failure to do so may result in penalty in accordance to a fee schedule maintained in the Clerk's office. Penalty, see §10.99

C) Debris collection will be on a once-a-week schedule provided however that on weeks with certain holidays, or any town emergency that may occur no pickup may be provided.

§50.09 SPECIAL OR BULK COLLECTIONS REGULATED.

SECTION B

REPLACE: Board with Public Works Director

ADD: Any special or bulk collection must be approved by the Public Works director prior to accumulation. The town reserves the right to refuse any waste.

§50.10 REMOVAL OF DEAD ANIMALS.

REPLACE: Clerk with Police Department

ADD NEW THE FOLLOW TWO SECTIONS:

§50.12 DEBRIS; SPECIFICATIONS.

All tree limbs, trunks, etc, shall be cut in lengths no greater than 6 ft. and placed neatly in a stack facing in the same direction as the road and free of all other debris and rubbish. No one piece to weigh over fifty (50) pounds.

§50.13 DEBRIS; LOT CLEARINGS AND TREE REMOVAL.

All large accumulations from lot clearings, tree removal or large quantities of tree and limb trimmings, building or home construction or repair shall be removed by contractor, home-owner, paid individual or as directed in §50.09 Section B.

CHAPTER 50: GARBAGE AND REFUSE

Section

- 50.01 Definitions
- 50.02 Refuse required to be deposited in approved containers
- 50.03 Burning or burying garbage and refuse; permit required
- 50.04 Accumulation of garbage and refuse prohibited
- 50.05 Containers required; specifications
- 50.06 Pre-collection practices; requirements
- 50.07 Collection schedule
- 50.08 Interference with containers prohibited
- 50.09 Special or bulk collections regulated
- 50.10 Removal of dead animals
- 50.11 Collection fees

§ 50.01 DEFINITIONS.

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

BUILDING MATERIAL SCRAPS. Scrap building material from the construction, reconstruction, remodeling or repair of a building, walkway, driveway, sign and other structure, including but not limited to, excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber or any other similar material used in construction or the containers or wrappings therefor.

GARBAGE. All putrescible wastes, including animal and vegetable matter, animal offal and carcasses, and recognizable industrial by-products but excluding sewage and human wastes.

REFUSE. All non-putrescible wastes.

SOLID WASTE. Garbage, refuse, rubbish, trash, and other discarded solid materials, including **SOLID WASTE** materials resulting from homes, businesses, industrial, commercial and agricultural operations, and from community activities, but does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

TREE TRIMMINGS. Tree limbs, leaves, shrubbery, weeds, plants or grass.
(79 Code, § 4-2-1)

§ 50.02 REFUSE REQUIRED TO BE DEPOSITED IN APPROVED CONTAINERS.

It shall be unlawful for any person to throw, place or deposit any garbage or refuse of any kind on any public or private property except in approved containers or as otherwise provided in this chapter.

('79 Code, § 4-2-2) Penalty, see § 10.99

§ 50.03 BURNING OR BURYING GARBAGE AND REFUSE; PERMIT REQUIRED.

It shall be unlawful to burn or set fire to or bury any garbage for the purpose of disposal. In addition, it shall be unlawful to bury any refuse for the purpose of disposal unless a permit therefor has been granted by the Fire Chief.

('79 Code, § 4-2-3) Penalty, see § 10.99

§ 50.04 ACCUMULATION OF GARBAGE AND REFUSE PROHIBITED.

All garbage and refuse shall be collected and placed in containers as required by this chapter, and it shall be unlawful for any person to permit garbage or refuse to accumulate or remain on any premises longer than is reasonably necessary to remove and deposit same in approved containers as required herein.

('79 Code, § 4-2-4) Penalty, see § 10.99

§ 50.05 CONTAINERS REQUIRED; SPECIFICATIONS.

The occupant of every building or premises where garbage and refuse does or may exist shall provide containers made of substantial galvanized, iron, plastic, rubber or other non-rusting material in which shall be deposited all garbage and refuse existing at such building or premises. Each container shall be provided with handles or bails and with a tight fitting cover made of the same material as the container. All containers shall be watertight and they shall be of a size that can be conveniently handled by the collectors, and no container shall be more than 30 gallons in capacity and measure not over 22 inches in diameter nor 30 inches in height. All containers shall be kept in a reasonably clean condition.

('79 Code, § 4-2-5) Penalty, see § 10.99

§ 50.06 PRE-COLLECTION PRACTICES; REQUIREMENTS.

All garbage and refuse shall have the liquid drained therefrom and shall be wrapped in paper or other like material before it is placed in the container for collection. Ashes and cinders shall be placed in a separate container provided for that purpose and no ashes shall be deposited in any container until they are cold. Containers which fail to have a cover as required in § 50.05 or which become rusted or broken and therefore are unable to contain garbage and refuse in a satisfactory manner shall not be used. ('79 Code, § 4-2-6) Penalty, see § 10.99

§ 50.07 COLLECTION SCHEDULE.

Garbage and refuse will be collected by the town according to a collection schedule maintained in the Clerk's office. The schedule may be periodically revised and amended by action of the Board. ('79 Code, § 4-2-7)

§ 50.08 INTERFERENCE WITH CONTAINERS PROHIBITED.

It shall be unlawful for any person to damage, displace, or to otherwise interfere with garbage containers or their contents except the owner or upon permission or at the request of the owner. ('79 Code, § 4-2-8) Penalty, see § 10.99

§ 50.09 SPECIAL OR BULK COLLECTIONS REGULATED.

(A) No bulk trash, tree limbs, shrubbery cuttings, leaves and other refuse will be collected without special charge unless the refuse can be placed in regulation type garbage cans.

(B) Any property owner desiring special bulk collections of loose matter, not in closed containers or tied in bundles, may request a special collection for which a special charge will be made. If sufficient manpower and equipment are available, town personnel are authorized to make the special collections; provided the person making the request agrees to pay for the labor and equipment used at the rate specified by the Board.

(C) No collection shall be made from vacant lots nor shall any large rocks, tree trunks, tree stumps, tree limbs of more than six feet in length or other heavy objects be collected by the city. No waste building materials or lot clearings shall be collected from houses or other structures under construction or recently completed.

(D) Material to be collected by special collections shall be placed in neat piles and so located that the refuse can be easily loaded on trucks for disposal. ('79 Code, § 4-2-9)

§ 50.10 REMOVAL OF DEAD ANIMALS.

Dead animals will be removed from any premises upon notice to the Clerk of the existence of such dead animals. ('79 Code, § 4-2-10)

§ 50.11 COLLECTION FEES.

(A) Monthly garbage and refuse collection fees are hereby established in amounts set forth on the most current fee schedule located in the office of the Town Clerk:

(B) For premises having town water service, the charges shall be billed along with the charges for water service to each separate metered premises. For premises not having town water service, the charges shall be billed separately to each residence, and to each business firm, under a separate roof. ('79 Code, § 4-2-11)

ARTICLE II

Section 1: Garbage. Garbage taken to mean the organic waste matter, both animal and vegetable from houses comprising chiefly of waste food and not including liquid that may be drained into the sewer. Garbage also includes tin cans, glass containers, bottles, paper and boxes. Recyclables should be placed in proper receptacles as provided.

Section 2: Rubbish. Rubbish shall be taken to include floor sweepings, old boots and shoes, discarded clothing, cardboard boxes and all such waste materials that ordinarily collect from a home or business. Rubbish must be placed in trash can for Monday's pick-up.

Section 3: Debris. Debris shall be taken to mean tree limbs, brush, leaves, etc.

Section 3-A: Electronics, White Goods, and Special Waste. The town will collect appliances and household furnishings. With the exception of any electronics. Example: TV's, computers, DVD players, microwaves, etc. The town will also not collect any construction or demolition material or remodeling material of any kind. Including: carpet, linoleum, sinks and toilets, cabinets, boards, plywood, wire, landscaping timbers, cardboard or cardboard boxes, tires, and batteries. Information about the disposal of Special Waste (Motor Oil, etc.) will be available from the Deputy Clerk at Town Hall.

Section 4: It shall be the duty of every person owning, managing, operating, renting, occupying any dwelling, building or other place where garbage or rubbish accumulates or is produced to provide receptacles for such garbage or rubbish placed for collection by the garbage service. The following rules and regulations shall be observed.

Section 5: Residential receptacles shall be provided by the Town. Covers shall be kept on

the receptacles at all times, except when being filled or emptied. Owners shall supply a sufficient number of such receptacles to hold the quantity of garbage or rubbish accumulated. All receptacles at all times must be so constructed and maintained, and so covered as to prevent the entrance of flies. Owners are responsible for cleanup in case of ruptured bags. The Town of Biscoe will provide one receptacle per household. If an extra receptacle is needed, citizens may contact Town Hall at 428-4112 to request and extra receptacle. The monthly cost will be added to each month's utility bill.

Section 6: It is the duty of owners or occupants to set containers at curb side on designated pick up days. It is the responsibility of the homeowner or renter to replace any lost or stolen receptacle. Receptacles are to be returned from the curb within 1 day of pickup.

Section 7: It shall be unlawful for any person to burn any matter in garbage or rubbish receptacles or bulk containers. No liquid or semi-liquid matter will be collected by the town, nor should such matter be put in containers for removal by the garbage collector.

Section 8: It shall be the intention of the Town of Biscoe to provide collection service for garbage and rubbish to every residence in the Town; however, weeks in which holidays are observed by collectors, collection service schedule might be altered.

Section 9: Debris collection will be on a once-a-week schedule provided however that on weeks with certain holidays, or any town emergency that may occur no pickup may be provided.

Section 10: All tree limbs, trunks, etc. shall be cut in lengths no greater than 6 ft. and placed neatly in a stack facing in the same direction as the road and free of all other debris and rubbish. No one piece to weigh over fifty (50) pounds.

Pine straw and leaves will be collected when placed in neat rows next to the curbside away from obstacles such as trees, mailboxes, signs, and fire hydrants. Each pile should be free of limbs, rubbish and all other debris. If leaf rows do not meet all requirements they will not be collected.

Section 11: All large accumulations from lot clearings, tree removal or large quantities of tree and limb trimmings, building or home construction or repair shall be removed by contractor, home-owner or paid individual.

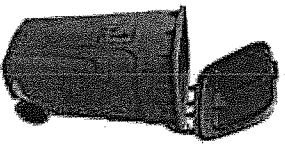
Section 12: It shall be unlawful for any person to throw, deposit in, sweep on, or rake into any street, sidewalk or gutter any leaves, trash, filth, rubbish, broken glass, tin cans, fruit peelings, refuse, ashes, wasted or loose paper. Such materials shall be accumulated as specified in this ordinance and placed in their respective places or proper receptacles as provided in this ordinance.

Section 13: Property owners may request bulk (nonconforming waste) collections by the Town at the owner's expense. The arrangement for special collections must be negotiated prior to the placement of any bulk items for collection and will be scheduled according to the availability of manpower and equipment. The Town reserves the right to refuse any nonconforming waste.

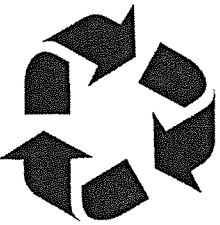
Section 15: Any person violating the provisions of this ordinance shall be guilty of this misdemeanor and shall be punished by a fine not to exceed one hundred fifty dollars (\$150.00) or by imprisonment for a term not exceeding thirty (30) days.

If you have any questions concerning this ordinance or its enforcement, please contact Town Hall.

Monday is the designated day for pickup of garbage



Recycling is available in Biscoe at the Recycling Bin located on Brooks Street



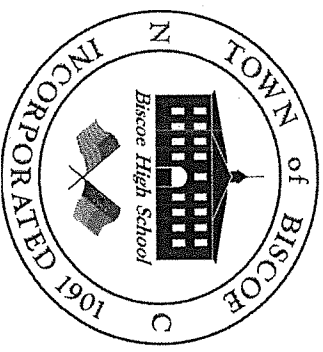
Town of Biscoe
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www.townofbiscoe.com

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TOWN OF BISCOE

Solid Waste Ordinance



The following sanitation ordinance was enacted by the Board of Commissioners on May 9, 1983, and Amended on February 11, 2013.