

CITY OF WILSON
PART III CODE OF ORDINANCES
Chapter 33 SOLID WASTE

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*Charter reference(s)--Refuse, weeds and trash, Art. XIII.

Cross reference(s)--Administration, Ch. 2; scattering handbills, § 3-39; commercial operations at airport, § 8-28; fire prevention and protection, Ch. 14; "utility" defined, § 16-1; health and sanitation, Ch. 17; disposal of trash in lake areas, § 19-8; marine waste disposal systems, § 19-81; water and sewers, Ch. 38; enforcement of standards as to abandoned structures, § 39-5; minimum housing standards for control of insects, rodents and infestations, § 43-9; responsibilities of owners and occupants of dwellings, § 43-11; group housing development standards, App. A, § 3.18; planned residential development, App. A, § 3.21; abandoned, nuisance and junked motor vehicles, App. A, § 3.27; automobile salvage yards, automobile holding yards and scrap yards, App. A, § 8.23.

Related law reference--Solid waste, Art. IX.

State law reference(s)--Littering, G.S. 14-399; radioactive waste, G.S. 104E-1 et seq.; solid waste management, G.S. 130A-290 et seq.; garbage containers on highway rights-of-way, G.S. 136-18.3; placing glass, injurious obstructions, etc., in road, G.S. 136-91; municipal regulation of trash and garbage, G.S. 160A-192; abatement of health and safety 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.

ARTICLE I. IN GENERAL

Sec. 33-1. Definitions.

- (a) For the purpose of this chapter, the words and phrases set forth in this section shall have the meanings respectively ascribed to them:
- (b) Commercial receptacles means a painted heavy gauge steel receptacle with a capacity of not more than eight (8) cubic yards, nor less than four (4) cubic yards and approved by the department of public works.
- (c) Garbage means all putrescible vegetable and animal waste matter, including offal and carcasses generated from houses, kitchens, eating establishments, hotels/motels, medical facilities, businesses, etc., industrial by-products, but excluding sewage, human waste and moisture that may be drained in the sewer.
- (d) Garbage bags means bags of two-ply wet-strength paper or extra strength plastic not to exceed thirty-gallon capacity. Larger bags may be used inside garbage containers or for leaves and pine straw.
- (e) Garbage container means eighty- to ninety-gallon capacity container of plastic or like material on wheels and approved by the department of public works.
- (f) Household hazardous waste includes, but is not limited to, materials which would fail one (1) of the following hazard tests: toxicity, ignitability, reactivity or corrosivity. Products likely to fall within one (1) or more of these categories include, but here again is not limited to: drain openers; oven cleaners; wood and metal cleaners; gasoline and rust solvents; carburetor cleaners; air conditioners and refrigerants; automobile starter fluids; paint thinners, strippers and removers; adhesives and glues; herbicides, pesticides and fungicides, including wood preservatives.
- (g) Medical waste includes the following: cultures and stocks; pathological wastes; blood and blood products; sharps, such as needles and scalpels; contaminated animal waste; infectious waste; laboratory waste; dialysis waste; medical equipment; biological waste and discarded materials; and other wastes that threaten human health or the environment.
- (h) Refuse means trash, such as useless, unused, unwanted or discarded materials resulting from natural home or community activities (including but not limited to leaves, yard sweepings and limbs) as well as tin cans, dirty rags, house sweepings, papers, paper boxes and other rubbish.

(Code 1969, § 12-1)

Sec. 33-2. Littering prohibited--Generally.

It shall be unlawful for any person including but not limited to any firm, organization, private corporation or governing body or employee of same to intentionally or recklessly throw, scatter, spill or place or intentionally or recklessly cause to be blown, scattered, spilled, thrown or placed or

otherwise dispose of any litter upon any public property or private property not owned by him within this city or in waters of this city including, but not limited to, any public park, lake, stream, campground, forest land, recreational area, trailer parks, highway, road, street or alley. When litter is blown, scattered, spilled, thrown or placed from a vehicle or watercraft, the operator thereof shall be presumed to have committed such offense.

(Code 1969, § 12-2)

Cross reference(s)--Offenses and miscellaneous provisions, Ch. 25.

Sec. 33-3. Same--Duty of business owners, occupants.

- (a) Generally. The owner or occupant of any store or other place of business situated within the city shall exercise reasonable diligence at all times to keep his premises clean of wastepaper, wrapping paper, paper napkins, cartons, package containers and other used or waste materials thrown or left on such premises by its customers, and to take reasonable measures to prevent same from drifting or blowing to adjoining premises.
- (b) Receptacles. Receptacles of sufficient size and number shall be placed on the premises accessible to the customers of such business where the above articles of waste referred to in subsection (a) of this section may be disposed of.
- (c) Signs. Each business establishment shall place upon its premises in a conspicuous place in close proximity to the receptacles a sign which shall, in essence, convey to its customers a request that they use such receptacles for the disposal of waste materials.

(Code 1969, § 12-3)

Sec. 33-4. Same--Duty of customer.

It shall be unlawful for any customer going upon the premises of another to in any manner dispose of wastepaper, wrapping paper, paper napkins, cartons, package containers and other used or waste materials except in receptacles provided for such purposes.

(Code 1969, § 12-4)

Cross reference(s)--Administration, Ch. 2; scattering handbills, § 3-39; commercial operations at airport, § 8-28; fire prevention and protection, Ch. 14; "utility" defined, § 16-1; health and sanitation, Ch. 17; disposal of trash in lake areas, § 19-8; marine waste disposal systems, § 19-81; water and sewers, Ch. 38; enforcement of standards as to abandoned structures, § 39-5; minimum housing standards for control of insects, rodents and infestations, § 43-9; responsibilities of owners and occupants of dwellings, § 43-11; group housing development standards, App. A, § 3.18; planned residential development, App. A, § 3.21; abandoned, nuisance and junked motor vehicles, App. A, § 3.27; automobile salvage yards, automobile holding yards and scrap yards, App. A, § 8.23.

Related law reference--Solid waste, Art. IX.

State law reference(s)--Littering, G.S. 14-399; radioactive waste, G.S. 104E-1 et seq.; solid waste management, G.S. 130A-290 et seq.; garbage containers on highway rights-of-way, G.S. 136-18.3; placing glass, injurious obstructions, etc., in road, G.S. 136-91; municipal regulation of trash and garbage, G.S. 160A-192; abatement of health and safety 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.

Sec. 33-5. Disposition of certain wastes.

Manure from cow lots, horse stables, dog or other animal pens, poultry yards, pigeon lofts, tires and waste oils generated from any entity to include but not be limited to individuals, garages, filling stations, and automotive repair facilities shall be disposed of by the person or entity responsible for same, according to applicable regulations. Due to the density of animals, holding tanks may be required as specified by the health officer.

(Code 1969, § 12-5)

Cross reference(s)--Animals, Ch. 6; motor vehicles and traffic, Ch. 22.

Sec. 33-6. Placement in gutter prohibited.

It shall be unlawful for any person to place any kind of garbage or refuse in the gutter on any street.

(Code 1969, § 12-6)

Sec. 33-7. Garbage and refuse not to be used to fill lots.

No garbage or refuse or any offensive or disease-producing materials shall be dumped on any lot or space within the city for the purpose of filling or for any other purpose.

(Code 1969, § 12-7)

Sec. 33-8. Certain accumulations to be screened, fenced.

It shall be unlawful for any person to place, dump, leave or cause to be placed, dumped or left temporarily or permanently any refuse, garbage, scrapped automobiles, trucks or parts thereof, of any nature whatsoever, except domestic garbage or refuse placed temporarily for further and permanent removal, within fifty (50) yards of any street within the city unless such are concealed by an adequate fence or other screen from the view of persons traveling such street or from the view of occupants of adjacent property.

(Code 1969, § 12-8)

Cross reference(s)—Motor vehicles and traffic, Ch. 22; automobile salvage yards, automobile holding yards and scrap yards, App. A, § 8.23.

Sec. 33-9. Sweeping refuse, litter, etc., from storerooms or other buildings.

It shall be unlawful for any person to sweep or cause to be swept any litter, refuse, paper or any other sweepings from any storeroom or other building out of any entrance, exit or other opening of such building. Such refuse, litter, paper or other sweepings shall be swept, collected and deposited in the receptacles required by this chapter.

(Code 1969, § 12-9)

Cross reference(s)—Buildings and structures generally, Ch. 40.

Sec. 33-10. Sanitary landfill.

The sanitary landfill, operated by the county, shall be utilized for the disposal of garbage and refuse generated within the city. No person shall violate the rules and regulations adopted for operation of the county sanitary landfill.

(Code 1969, § 12-10)

Sec. 33-11. Compliance with federal and state regulations.

All household hazardous waste and medical waste shall be disposed of according to applicable federal and state regulations and requirements. The city will not pick up any household hazardous waste or medical waste, with the exception that residential users of sharps may dispose of same by depositing them in garbage/refuse containers. Needles shall be broken or removed from syringes and then wrapped or containerized so as to prevent puncture by the handler prior to disposal.

Secs. 33-12--33-35. Reserved.

ARTICLE II. COLLECTION REGULATIONS

Sec. 33-36. Collection by city.

- (a) Garbage shall be collected two (2) times per week and refuse shall be collected one (1) time per week from single-family and duplex residences. Routes and schedules will be designated by the director of public works. Garbage and refuse shall be collected two (2) times per week from multifamily housing developments and other residential-type units which are required to use commercial-type receptacles.
- (b) Garbage and refuse will not be collected from businesses, industries, schools, hospitals and institutions or other tax-exempt persons, corporations, institutions and other entities except from those small business or commercial locations which have small volumes of garbage and refuse so that no more than two (2) garbage containers emptied twice a week should be required. These locations using garbage containers shall be picked up on regular residential routes at a charge per container per month. Charges for such service shall be set forth in the city schedule of rates and

fees, a copy of which is located in the office of the city clerk and is incorporated by reference herein. The collection charges set forth therein shall be reviewed annually during regular budget sessions and charges adopted based on actual operational costs including, but not limited to, labor, equipment, landfill charges and other relevant factors.

- (c) Dead animals such as cats and dogs, except those from animal clinics, will be collected on a call basis during regular working hours. Subject animal shall be placed on the grassed area behind the curb for pickup. Dead animals from animal clinics will be disposed of by and at the expense of the owner or person controlling same according to applicable regulations.
- (d) In residential areas, furniture, appliances and other large items will be collected on a call basis. Subject items shall be placed on the grassed area behind the curb. In all other areas, such items shall be disposed of by the owner.
- (e) Garbage and refuse allowed to accumulate beyond such time of pickup, or any garbage or refuse ordered removed by the county health department, shall be the responsibility of the resident, establishment, or industry to haul and dispose of same as directed by the health department or director of public works.

(Code 1969, § 12-21)

Cross reference(s)--Animals, Ch. 6.

Sec. 33-37. Containers--Required; specifications.

Multiple housing units, mobile home parks, and other residential-type units with five (5) units or more shall be required to use commercial receptacles. In the event the director of public works determines that it is physically impractical to locate a commercial receptacle on the premises of units, constructed prior to July 1981, he may permit the use of garbage containers.

(Code 1969, § 12-22)

Sec. 33-38. Same--Location.

- (a) All garbage and refuse 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 8:00 a.m. October through March; 7:00 a.m. April through September for collection on scheduled pickup days. Containers shall be retrieved from the curb on the day of pickup.
- (b) In instances where commercial receptacles are used, the owner or user thereof shall place such commercial receptacle in a suitable location, readily accessible to the collection vehicle.

(Code 1969, § 12-23)

Sec. 33-39. Same--Maintenance.

Every garbage or refuse container required by this chapter shall be maintained in as sanitary condition as possible in view of the use to which it is put; and shall be thoroughly cleansed as needed by washing, sterilizing or otherwise by the owner thereof.

(Code 1969, § 12-24)

Sec. 33-40. Same--Replacement upon notice.

It shall be the duty of every person owning, controlling, managing, operating, policing, renting or occupying any premises where garbage and/or refuse accumulates to replace, within ten (10) days after receipt of condemnation notice issued by the city, acting through its duly designated officials, any containers that have deteriorated or that have jagged edges capable of causing injuries to those whose duty it is to handle the containers or that have been damaged to such an extent.

(Code 1969, § 12-25)

Sec. 33-41. Fireproof containers for business houses.

Business houses having paper boxes, sweepings, and other combustible garbage or refuse shall be required to place the same in covered fireproof containers as specified by the department of public works.

(Code 1969, § 12-26)

Cross reference(s)--Fire prevention and protection, Ch. 14.

Sec. 33-42. Disposition of material unsuitable for containers.

Refuse which cannot be put in the garbage containers required by this chapter, such as metal, wood, old furniture, limbs and other debris, shall be placed, ready for disposal, near the front property line, and shall be securely tied and not exceed four (4) feet in length or one hundred (100) pounds.

(Code 1969, § 12-27)

Sec. 33-43. Liquid in garbage, refuse to be drained.

Garbage and refuse should be drained of liquid substances and sacked or wrapped in paper before the parcel is placed in a container.

(Code 1969, § 12-28)

Sec. 33-44. Disposition of heavy accumulations.

Building materials such as brick, broken concrete, lumber, plaster, etc.; ashes, dirt, rocks, sand or gravel; automobile frames and parts; dead trees and other bulky, heavy material, shall be disposed of by the owner or person controlling same, according to applicable regulations.

(Code 1969, § 12-29)

Sec. 33-45. Disposition of material generated by contract.

Limbs, trimmings and other refuse or debris generated by hired labor or contract shall be disposed of by and at the expense of the owner or contractor.

Sec. 33-46. Emergency collection.

During emergencies, residents or businesses may dispose of their own refuse at the county landfill.

Sec. 33-47. Disposition of garbage and refuse by owner.

At any time this chapter imposes a duty on the owner to dispose of garbage and/or refuse, he shall dispose of the same only in a place that is approved as a sanitary landfill by the health department and director of public works.

*Charter reference(s)--Street and sidewalk improvements, Art. XII; special assessments and charges, Art. XV; eminent domain, Art. XVII; establishment of proposed street lines, Art. XVIII.

Cross reference(s)--Administration, Ch. 2; advertising by marking or painting on street or sidewalks, § 3-4; appearance commission, Ch. 7; community antenna television services, Ch. 11; conditions to use of streets by community antenna television services, § 11-7; gas and electricity, Ch. 16; motor vehicles and traffic, Ch. 22; driving vehicles on sidewalks, § 22-66; parades and processions, Ch. 26; peddlers, Ch. 29; railroads, Ch. 32; taxicabs and limousines, Ch. 36; trees, Ch. 37; removal and replacement of trees, § 37-9; water and sewers, Ch. 38; buildings and structures generally, Ch. 40; street access under zoning ordinance, App. A, § 3.7; group housing development standards, App. A, § 3.18; planned residential development, App. A, § 3.21; private drives in mobile home district, App. A, § 8.8; highway development district, App. A, § 8.38; highway zoning districts, App. A, § 8.38 et seq.; powers and duties of board of adjustment, App. A, § 20.11; subdivision design standards, App. C, § 9; required improvements in subdivisions, App. C, § 10; final subdivision plat, App. C, § 12.

State law reference(s)--Public works, G.S. Ch. 133; roads and highways, G.S. Ch. 136; special assessments, G.S. 160A-216 et seq.; municipal streets, G.S. 160A-296 et seq.