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1-3-95

ORDINANCE NO. 95-1-2

**ORDINANCE REGULATING FEES TO BE CHARGED FOR THE DISPOSAL OF SOLID WASTE AT THE BUNCOMBE COUNTY TRANSFER STATION AND/OR COUNTY LANDFILL AND REGULATING FEES TO BE CHARGED BY FRANCHISED HAULERS FOR THE COLLECTION OF HOUSEHOLD OR RESIDENTIAL SOLID WASTE**

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WHEREAS, this Board has heretofore adopted ordinances regulating the collection and disposal of household solid waste, and regulating the amounts that franchised haulers may charge their residential customers for the collection of said waste; and

WHEREAS, this Board has heretofore established certain user fees for those persons not subscribing to residential pick-up service as well as user or tipping fees to be charged to commercial haulers utilizing the services of the Buncombe County Landfill; and

WHEREAS, this Board has previously approved and implemented a recycling program for all residential customers of franchised haulers within the unincorporated areas of Buncombe County; and

WHEREAS, this Board now desires to adjust certain rates and fees to encourage citizens and businesses to recycle certain wastes.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

**SECTION I. FRANCHISED RESIDENTIAL COLLECTORS' FEES**

1. The maximum monthly rate or fee for curbside pickup of single family residential or household solid waste shall be as follows:
  - (a) Four 33-gallon bags per week or eight 33-gallon bags in any consecutive two weeks from which all recyclables as designated by the Solid Waste Department have been removed and placed in a separate blue bag or bundled as outlined by Solid Waste Department policies - \$11.50 per month. (Clear bags may be substituted for the blue bags if approved by

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the contract hauler and no bag or bundle shall exceed 35 pounds in total weight).

- (b) If recyclables have not been separated and segregated in accordance with Buncombe County Solid Waste Department policies, the rate shall be \$13.50 per month.
  - (c) For each additional bag above the eight bags limit allowed in two consecutive weeks the franchised collector may charge an additional \$.75 per bag excluding the recyclable or blue bag.
2. The maximum monthly rate or fee to be charged for mobile home parks and/or apartment complexes where the owner/operator pay so for all units within the park or complex:
- (a) Shall not exceed \$10.00 per month per dwelling unit for up to four 33-gallon bags per week or eight 33-gallon bags for any consecutive two weeks from which all recyclables have been removed as specified in 1.(a) above.
  - (b) If the designated recyclables have not been removed and segregated by the customer then the rate shall not exceed \$12.00 per month.
  - (c) For each additional bag above the eight bags limit allowed in two consecutive weeks the franchised collector may charge an additional \$.75 per bag excluding the recyclable or blue bag.

## SECTION II. LANDFILL RATES FOR PRIVATE CITIZENS

1. 33-gallon bags of household solid waste with recyclables removed - \$.75 per bag.
2. Pick-up trucks, vans or small trailers - \$28.00 per ton or \$6.00 minimum.
3. Recyclables in blue bags or clear plastic bags - no charge.
4. Newspapers, cardboard, or magazines prepared for disposal in accordance with the Solid Waste Department policies - no charge.
5. Household hazardous waste prepared for disposal in accordance with Solid Waste Department polices - no charge.

6. Tires (maximum of 4) - no charge.
7. Untreated wood, limbs, yard wastes, etc. suitable for mulching - \$15.00 per ton.

### SECTION III. LANDFILL RATES FOR COMMERCIAL AND FRANCHISED HAULERS

1. All trucks, roll-offs, or flat beds, (compacted or otherwise) of solid wastes which contains less than 5% by weight or volume, any of the following wastes: corrugated cardboard, untreated wood products suitable for mulching, concrete, cinder blocks, brick, concrete with steel or any type metals - \$28.00 per ton.
2. All trucks, roll-offs, or flat beds, (compacted or otherwise) of solid wastes which contains more than 5% by weight or volume, of any of the following wastes: corrugated cardboard, untreated wood products suitable for mulching, concrete, cinder blocks, brick, concrete with steel or any type of metal shall be charged the following:
  - (a) First violation above the 5% limit - \$56.00 per ton and a civil penalty of \$50.00.
  - (b) Second violation or any subsequent violation occurring within 6 months of the first violation - \$78.00 per ton and a civil penalty of \$100.00.
3. Untreated wood, limbs, yard wastes or other materials suitable for mulching - \$15.00 per ton.
4. Semi-liquid non-hazardous food waste - \$15.00 per ton.
5. Friable asbestos - \$100.00 per ton, \$100.00 minimum.
6. Tires accepted with original scrap tire certification form only - no charge. Tires without form - \$2.00 per tire.

### SECTION IV. VIOLATIONS

No yard waste, white goods, used oils, lead acid batteries, antifreeze or aluminum cans shall be disposed of at the County Landfill. Any person, firm or business entity, including the hauler, who violates this section of the Ordinance by disposing of or attempting to dispose of any item of solid waste that is not acceptable for

disposal at the Buncombe County Landfill shall be subject to a civil penalty in the amount of \$50.00 for the first violation, and a civil penalty of \$100.00 for a second or subsequent violation.

SECTION V. EFFECTIVE DATE

This Ordinance supersedes Ordinance #19835 and #19836 and shall be effective March 6, 1995.

Read and approved on first reading by a vote of 5 for and 0 against, this the 3rd day of January, 1995.

Read and approved on second reading by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against, this the \_\_\_\_\_ day of \_\_\_\_\_, 1995.

ADOPTED this the 3rd day of January, 1995.

ATTEST:

Kathy Hughes  
Kathy Hughes, Clerk to the Board

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE  
BY: Steve Baum  
Chairman

APPROVED AS TO FORM:

Joe A. Connolly  
Joe A. Connolly, County Attorney

ORDINANCE # 95-7-2

ORDINANCE AMENDING ORDINANCE #95-1-2

WHEREAS, this Board adopted Ordinance #95-1-2, Ordinance Regulating Fees to be Charged for the Disposal of Solid Waste at the Buncombe County Transfer Station and/or County Landfill and Regulating Fees to be Charged by Franchised Haulers for the Collection of Household or Residential Solid Waste, on January 3, 1995, effective March 6, 1995; and

WHEREAS, this board has been advised by the General Services staff and the County Attorney that they recommend Ordinance #95-1-2 be amended to revise Section III. LANDFILL RATES FOR COMMERCIAL AND FRANCHISED HAULERS as shown on Exhibit "A" attached herewith.

WHEREAS, this board has reviewed the proposed changes, and that it would be in the best interest of the citizens and residents of Buncombe County that Section III. of Ordinance #95-1-2 be amended as recommend.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That Section III. LANDFILL RATES FOR COMMERCIAL AND FRANCHISED HAULERS, be amended as shown on Exhibit "A" attached herewith.
2. That this Ordinance shall become effective August 1, 1995.

Read and approved on first reading by a vote of 5 for and 0 against, this the 11th day of July, 1995.

Read and approved on second reading by a vote of      for and      against, this the      day of     , 1995.

ADOPTED this the 11th day of July, 1995.

ATTEST:

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

Kathy Hughes  
Kathy Hughes, Clerk to the Board

BY: Gene Rainey  
Gene Rainey, Chairman

APPROVED AS TO FORM:  
Joe A. Connolly  
Joe A. Connolly, County Attorney

## SECTION III. LANDFILL RATES FOR COMMERCIAL AND FRANCHISED HAULERS

1. All franchised haulers of residential or household solid wastes shall be charged the following rates:
  - (a) All loads of residential or household solid wastes which contains less than 5% by weight or volume of any of the following wastes: aluminum or steel cans, plastic jugs or bottles, newspaper, cardboard, and clear, brown or green glass bottles - \$26.00 per ton.
  - (b) All loads of residential or household solid wastes which contain more than 5% by weight or volume of any of the following wastes: aluminum or steel cans, plastic jugs or bottles, newspaper, cardboard, and clear, brown or green glass bottles - \$28.00 per ton.
2. All trucks, roll-offs, or flat beds, (compacted or otherwise) of solid wastes which contains less than 5% by weight or volume, any of the following wastes: corrugated cardboard, untreated wood products suitable for mulching, concrete, cinder blocks, brick, concrete with steel or any type metals - \$28.00 per ton.
3. All trucks, roll-offs, or flat beds, (compacted or otherwise) of solid wastes which contains more than 5% by weight or volume, of any of the following wastes: corrugated cardboard, untreated wood products suitable for mulching, concrete, cinder blocks, brick, concrete with steel or any type of metal shall be charged the following:
  - (a) First violation above the 5% limit - \$56.00 per ton and a civil penalty of \$50.00.
  - (b) Second violation or any subsequent violation occurring within 6 months of the first violation - \$78.00 per ton and a civil penalty of \$100.00.
4. Untreated wood, limbs, yard wastes or other materials suitable for mulching - \$15.00 per ton.
5. Semi-liquid non-hazardous food waste - \$15.00 per ton.
6. Friable asbestos - \$100.00 per ton, \$100.00 minimum.
7. Tires accepted with *original scrap tire certification form* only - no charge. Tires without form - \$2.00 per tire.