

## MEMORANDUM

TO: Mayor Charlie Sellers and the Blowing Rock Town Council

FROM: Kevin Rothrock, Planning Director

SUBJECT: Amendments to Solid Waste Ordinance

DATE: March 6, 2018

At the Town Council Retreat, staff was asked to review and consider some amendments to the solid waste regulations in the Town Code. The suggested amendments include specific times for residents to have solid waste/recycling containers available for pick up and removal of containers, and guidelines for container enclosures.

A draft ordinance was presented to Planning Board for their February meeting. The Planning Board made a few modifications and recommendations to the draft ordinance which is included for Council review and consideration. A recommendation was to delay the effective date of the ordinance to July 1, 2018 so residents would have time to be made aware of the changes by the Town website and newsletter. Attached to the draft ordinance are examples of solid waste ordinances from other communities.

In the attached ordinance, the suggested changes are **highlighted** and underlined or ~~struck through~~.

I can provide further clarification on the ordinance amendment during the meeting, or questions can be directed to me at 295-5240 or [kevin@townofblowingrocknc.gov](mailto:kevin@townofblowingrocknc.gov).

***Section 11-14 Storage and Collection Practices: Premises Not Served by Dumpsters.***

(A) With respect to premises not served by dumpsters:

(1) No person shall store solid waste outside of their premises except in those containers specifically authorized by the Town in Section 11-12(D) above.

(2) Containers other than those described in Section 11-12(D) will be treated as solid waste and collected by the Town.

(3) The solid waste/recycling containers shall be placed within ten (10) feet of the paved portion of the street or road serving the property not prior to 6:00 p.m. the night prior to the days of collection and no later than by 7:00 a.m. on the days of collection. The solid waste/recycling container must be removed from the curb by 9:00 p.m. on the day of collection. Town employees will not retrieve or empty any solid waste container that is not street-side with the exception of any customer, specifically approved by the Public Works Director, who cannot take the container to the street because of age, illness, or physical impairment. Any person requesting to be exempt from the requirement of taking the solid waste/recycling container to the street shall make application to the Public Works Director, who shall rule on the requested exemption. Town employees will retrieve solid waste/recycling containers that are enclosed in a bin. Enclosure bins shall not be located closer than 6 feet from the edge of street pavement, not farther than 12 feet from the street, and shall not impede sight distances of neighboring driveways. Acceptable enclosure bins, constructed after July 1, 2018, must be opaque on four sides, at least 4 feet high, approved by the Public Works Director, and maintained in good condition.

(4) Town employees will not pick-up, empty, or collect solid waste from any container that is located in the ground (in-ground container).

(5) Solid waste, which will not fit into a container, may be placed at curbside and adjacent to the solid waste container. However, the excess solid waste must be securely bagged, boxed, or bundled to prevent spillage and to aid in collection; provided, however, that such bags, boxes, or bundles shall not be heavier than fifty (50) pounds. Bundles shall not be more than four (4) feet in length and eighteen (18) inches in diameter.

(6) Any solid waste that is dangerous to handle by the solid waste collectors, such as glass, fluorescent tubes, vacuum tubes, light bulbs, sharp pieces of metal, knives, or needles, shall be securely wrapped and marked with a visible warning.

## Other city ordinances

### Charlotte:

- Place the cart at the curb no sooner than the day before collection. The cart must be removed from the curb by midnight on the day of collection. A minimum \$50 citation may be issued if you place the cart at the curb sooner than the day before collection or leave it at the curb past midnight on your collection day.

### Boone:

- Place garbage containers and recycling bins at curbside the evening prior to scheduled pick up day and remove containers from curbside once collection has been picked up.

### Statesville:

- Garbage is to be placed on the curb the day before the pick-up and removed by 8 a.m. on the day after it is picked up. Failure to do so may result in a fine.

### Concord:

- You must place all garbage, recycling and special waste items at the curb by 6am on your collection day. You may place items by the curb no earlier than 5pm the day before your collection day.

### Hickory:

- For those residences serviced from the street and receiving curbside service, refuse containers are to be placed at the curb not prior to 8:00 p.m. the night prior to the day of the collection and no later than 7:00 a.m. on the day of collection.
- Rollout containers must be removed from the collection point not later than 9:00 p.m. the day of collection.

### Lenoir

- The refuse containers shall not be permanently placed on the street right-of-way.
- Any person violating, failing, refusing, or neglecting to comply with any provisions of this article shall be assessed a penalty of \$10.00 and each and every day during which such violation continues, shall be a separate and distinct offense.

**ORDINANCE NO. 2018-04****AN ORDINANCE TO MODIFY STANDARDS FOR RESIDENTIAL GARBAGE AND RECYCLING CONTAINERS**

WHEREAS, Chapter 11 of the Town Code provides standards for storage and collection of residential solid waste; and

WHEREAS, keeping solid waste/recycling containers at curbside or street side for extended periods of time can be unsightly and result in garbage being dispersed by wind or animals; and

WHEREAS, the Planning Board and Town Council find that establishing time limits on locating solid waste or recycling containers for collection should be regulated, with the option for residents to provide container bins near the street.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Blowing Rock, North Carolina, that:

Section 1. Section 11-14 of the Town Code is hereby amended and will read as follows:

***“Section 11-14 Storage and Collection Practices: Premises Not Served by Dumpsters.***

(A) With respect to premises not served by dumpsters:

(1) No person shall store solid waste outside of their premises except in those containers specifically authorized by the Town in Section 11-12(D) above.

(2) Containers other than those described in Section 11-12(D) will be treated as solid waste and collected by the Town.

(3) The solid waste/recycling containers shall be placed within ten (10) feet of the paved portion of the street or road serving the property not prior to 6:00 p.m. the night prior to the days of collection and no later than ~~by~~ 7:00 a.m. on the days of collection. The solid waste/recycling container must be removed from the curb by 9:00 p.m. on the day of collection. Town employees will not retrieve or empty any solid waste container that is not street-side with the exception of any customer, specifically approved by the Public Works Director, who cannot take the container to the street because of age, illness, or physical impairment. Any person requesting to be exempt from the requirement of taking the solid waste/recycling container to the street shall make application to the Public Works Director, who shall rule on the

requested exemption. Town employees will retrieve solid waste/recycling containers that are enclosed in a bin. Enclosure bins shall not be located closer than 6 feet from the edge of street pavement, not farther than 12 feet from the street, and shall not impede sight distances of neighboring driveways. Acceptable enclosure bins, constructed after July 1, 2018, must be opaque on four sides, at least 4 feet high, approved by the Public Works Director, and maintained in good condition.

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(6) Any solid waste that is dangerous to handle by the solid waste collectors, such as glass, fluorescent tubes, vacuum tubes, light bulbs, sharp pieces of metal, knives, or needles, shall be securely wrapped and marked with a visible warning.”

Section 2. Severability; Conflict of Laws. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end, the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall be effective on July 1, 2018.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2018

TOWN OF BLOWING ROCK

\_\_\_\_\_  
Charlie Sellers, Mayor

ATTEST: \_\_\_\_\_  
Hilari H. Hubner, Town Clerk



POSSIBLE CONTAINER BIN SOLUTIONS