

ROSEBORO, NORTH CAROLINA, CODE OF ORDINANCES

AMENDMENT TO PART II – TOWN CODE

Chapter 28 – SOLID WASTE

ARTICLE II. COLLECTION AND DISPOSAL

Chapter 28 of the Code of the Town of Roseboro, N.C. of 2013 is hereby amended as follows:

ARTICLE II. COLLECTION AND DISPOSAL ^[2]

[Sec. 28-19. Definitions.](#)

[Sec. 28-20. Collection practices.](#)

[Sec. 28-21. Containers required.](#)

[Sec. 28-22. Pre-collection practices.](#)

[Sec. 28-23. Storing of refuse.](#)

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Sec. 28-19. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ashes means refuse resulting from the burning of wood, coal, coke, and other combustible material.

Building rubbish means rubbish from construction, remodeling and repair operations on houses, commercial buildings, and other structures, including, but not limited to, excavated earth, stones, brick, plaster, lumber, concrete, and waste parts occasioned by installations and replacements.

Business building means any structure, whether public or private, that is adapted for transaction of business, for rendering of professional services, for amusement, for the display or sale or storage of goods, ware, merchandise, articles or equipment, including hotels, apartment houses, roominghouses, office buildings, public buildings, stores, theaters, markets, restaurants, abattoirs, warehouses, sheds, barns, and other structures on premises used for or adapted to business purposes.

Director of sanitation means the director of sanitation of the Town or his agent.

Garbage means animal and vegetable refuse resulting from the handling, preparation, cooking and consumption of food, including a minimum amount of liquid necessary incident thereto.

Industrial waste means sawdust, shavings, feathers, excelsior, cartons, boxes, metal, glass, paper, wood, textiles, chemicals, plastic, or other waste materials from processing plants, factories, or manufacturing operations.

Recyclables means any items designated on a list and distributed to businesses and citizens for separate pickup.

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Refuse means solid waste, including, but not limited to, garbage, rubbish and ashes.

Rubbish means refuse (exclusive of garbage and ashes) including, but not limited to, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree, bush and hedge branches, cuttings and trimmings, yard trimmings, grass, leaves, tin cans, metals, small mineral matter, glass, crockery, dirt, earth and dust.

Waste means useless, unused, unwanted, discarded materials resulting from natural community activities, including solids, liquids, and gases.

Sec. 28-20. Collection practices.

- (a) Except as otherwise provided in this article and except in the case of emergency arising from an act of God or under circumstances over which the sanitation department or their authorized agent have no control, the department shall collect, remove and dispose of certain refuse and recyclables in residential sections of the Town as set out in a schedule provided by the Town or their authorized agent.
- (b) Removal and disposal of refuse from businesses is the responsibility of the business owner or operator. Containers listing acceptable recyclable items is located behind the Town Hall.
- (c) Building rubbish shall be collected, removed, and disposed of by the contractor or builder, or, in their failure, by the owner of the property.
- (d) No person shall engage in the business of collecting, hauling or transporting in the Town any waste without first obtaining a permit from the board of commissioners.

Sec. 28-21. Containers required.

- (a) Every person occupying a house or residence in the residential area where garbage or refuse exists shall be provided containers from the Town or their authorized agent in which shall be deposited all garbage or refuse existing at such building or premises. Each home and business building shall have a sufficient number of containers to hold the refuse until collected.
- (b) No wooden boxes, pails, or other wooden or cardboard containers shall be used for garbage and refuse and if used, shall be confiscated by the Town.
- (c) Any person may have leaves or grass removed by the Town if such leaves or grass are placed at the curblin between the curb and sidewalk, so that they may be easily handled by collectors and are in an area that is accessible with the needed equipment. No tree limbs, shrubs, or other materials shall be mixed with leaves. The leaves shall be collected as scheduled by the director of sanitation.
- (d) No swill, slops, garbage, bones, offal, kitchen waste or refuse shall be carried through the streets of the Town except in a watertight metal container with a tight-fitting cover.

Sec. 28-22. Pre-collection practices.

- (a) All garbage and refuse shall have the liquid drained there from before it is placed in the container for collection.
- (b) Any person desiring to place tree trimmings, hedge cuttings, grass, leaves or similar materials for free collection shall cause the material to be placed on the curb line at the street on the area between the sidewalk and the curb. Free collections of tree

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trimmings shall be limited to not more than seven inches in diameter nor more than 48 inches in length. Leaves must be placed in a pile free of all other items. All excess dirt must be removed from stumps and roots. These items are collected as scheduled by the director of sanitation. Rubbish resulting from the removal of trees for commercial purposes shall be removed by the property owner or contractor. Building rubbish shall be removed by the property owner or contractor.

- (c) All cardboard boxes shall be placed in the container provided by the Town or its authorized agent. In the event that it cannot be placed in said container due to size or volume, all cardboard boxes shall be crushed flat and placed beside the container on the morning of regular collection.
- (d) No person shall burn leaves, shrubs, trees, limbs and the like within the Town limits.
- (e) The Town or its authorized agent shall provide information to all businesses and residents that sets out the schedule for collection of garbage and certain refuse. A list of all items included for the recycling program collection will also be distributed by the Town or its authorized agent. Additional notices shall be distributed each time there is a change in the schedule.

Sec. 28-23. Storing of refuse.

- (a) Every owner and every occupant or other person in control of any building or land in the Town, including vacant property, shall keep the same in a clean and orderly condition and shall deposit refuse for collection in accordance with the provisions of this Code and the regulation of the director of sanitation. Combustible and non-combustible refuse shall be stored in containers complying with this Code.
- (b) No refuse or obstructions may be made on the right-of-way between the curb and sidewalk 50 feet from the corner of intersections, more than 30 inches high.

Sec. 28-24. Point of collection.

- (a) Containers in residential areas shall be placed between the sidewalk and curb before designated day and time of scheduled collection.
- (b) No garbage shall be collected unless it is in containers approved in this Code.
- (c) Business building collection areas shall be from the rear, side or, in certain cases, the front. The best location in this instance shall be determined by the director of sanitation.
- (d) No collection shall be made from vacant lots nor shall any large rocks, tree trunks, tree stumps, tree limbs of more than four feet in length or seven inches in diameter or other heavy objects be removed by the Town. However, in certain special clean-up periods designated by the Town Council, this subsection may be waived by the director of sanitation.
- (e) Tree trunks, tree stumps, tree trimmings, or hedge cuttings, heavy grass, hay or other similar materials more than four feet in length or seven inches in diameter will be removed at the request of the property owner used for residential purposes at a cost payable in advance in the amount established by from time to time by the Town Council.

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- (f) Materials to be collected by special collection shall be placed on the curblin at the street on the area between the sidewalk and curb in neat, compact piles.

Sec. 28-25. Fees.

Any business, residence, or other entity which utilizes the refuse collection procedures of the Town shall pay an amount as may be determined from time to time by the Town Council. Such fees are to be commensurate with the number of collections and containers required by said business, residence or other entity.

Sec. 28-26. Violations/Penalties/Remedies.

The penalties for violation of this Ordinance shall be those as set forth in Chapter 1, Sec. 1-8, of this Ordinance.

Sec. 28-27. Conflict of Laws.

If any portion of this Ordinance or the enforcement thereof is found to be preempted by State or Federal law, such preemption shall not operate to invalidate the rest of the Ordinance and the same shall remain in full force and effect. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Sec. 28-28. Effective Date.

This Ordinance shall be effective upon adoption.

ENACTED AND ORDAINED by the Board of Commissioners of the Town of Roseboro, North Carolina, on the 14th day of January, 2014.

David L. Alexander, Mayor

ATTEST:

Nancy Lindsay, Town Clerk