

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)
)
CITY OF CHESNEE)

ORDINANCE

AN ORDINANCE OF THE CITY OF CHESNEE, SOUTH CAROLINA: TO DELETE SECTION 8-5 OF THE CITY'S CODE OF ORDINANCES COVERING THE GARBAGE COLLECTION FEES; TO SUBSTITUTE AND REPLACE SUCH DELETED SECTION WITH PROVISIONS RELATING TO RESIDENTIAL GARBAGE COLLECTION; AND OTHER MATTERS RELATED THERETO.

WHEREAS, the City of Chesnee, South Carolina was created as a municipal corporation under the laws of the State of South Carolina; and

WHEREAS, the City of Chesnee did previously authorize the use of a roll cart for collection of residential waste and the imposition of garbage collection fees for such services; and

WHEREAS, the City of Chesnee has found the need to clarify and revise the process for the collection of residential garbage, the use of a roll cart for such purpose, and the collection of the requisite fee for such service.

NOW, THEREFORE, BEING DULY ASSEMBLED, BE IT ORDAINED by the Mayor and the City Council of the City of Chesnee, that:

Section 1. Section 8-5 (a) through (i) of the City of Chesnee Code of Ordinances shall be deleted in its entirety and the provisions thereof shall be replaced by the provisions as follows:

Section 8-5. Residential Solid Waste Service

(a) Residential solid waste service shall be provided by the City to each residential user once per week, on a schedule to be determined by the City. All solid waste must be placed in a solid waste roll cart and placed at the curb by 6:00 a.m. on the scheduled day of service.

(b) Each residential user in the City shall be charged a monthly fee for residential solid waste service based upon the number of solid waste roll carts that have been provided to each residential user. Fees for residential solid waste service shall be billed every other month along with billing for utility service, and which shall be due and payable, and subject to penalties for non-payment, in the same manner as fees for utility service. Fees for residential solid waste service shall be established by the Council and may be amended from time to time. The City may use any legal or equitable remedy to collect unpaid fees for residential solid waste service.

(c) Each household in the City limits is required to place solid waste in the solid waste roll carts as referenced herein.

(d) Any household not on sewer in the City will be billed for garbage fee only, and will be billed every other month, just as utility customers are.

(e) The garbage fees and the sewer fees may be paid to the Clerk's office at City Hall between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Customers may pay by mail, or use the night depository at City Hall which is available anytime.

(f) No partial payment can be made; the entire bill must be paid at the same time. The City cannot accept a sewer payment unless the garbage fee is paid at the same time.

(g) Failure to pay the garbage fee by the designated date will result in the roll cart being removed. If removal of the roll cart becomes necessary, the monthly garbage fee will still be charged to the person who is the head of the household. Any garbage placed on the sidewalk will be cause for a charge of littering against the person in charge of the household. For sanitary reasons, the roll cart is the only type of container which can be used.

(h) All garbage collection fees will be placed in the general fund; and will be kept separate from sewer funds.

(i) In the event a garbage bill remains unpaid at the end of four (4) months, or two (2) billings, the indebtedness constitutes a lien on any property on the head of household, and may be enforced in accordance with the laws of South Carolina. Garbage charges shall continue to accrue.

(j) It shall be unlawful for any household occupied for residential purposes to dispose of solid residential waste in any manner other than using the roll cart as required herein.

(k) The head of household is responsible for insuring that the household has the roll cart required to receive household garbage and that the requirements set forth herein are followed.

(l) Penalty for violation of this Ordinance:

- (i) Any head of household violating the provisions of this Article shall be guilty of an infraction and subject to a civil fine of not less than one hundred (\$100.00) dollars and not more than five hundred (\$500.00) dollars for each month a roll cart is not used for residential garbage disposal.
- (ii) The City municipal court shall collect the penalties due hereunder for any infraction(s) of the provisions of this Article.
- (iii) The City police department as well as code enforcement personnel of the City shall have the power to enforce the provisions of this Article by issuing a uniform ordinance summons.

Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict or inconsistency. This ordinance shall take effect immediately upon its adoption by the Mayor and Council of the City of Chesnee.

ENACTED THIS 16 DAY OF August 2019 BY THE CITY COUNCIL.

CITY OF CHESNEE, SOUTH CAROLINA

(SEAL)

Max Cash
Max Cash, Mayor

ATTEST:

Becki Hood
Becki Hood, Clerk to City Council

First Reading: 08-12-2019
Second Reading: 08-26-2019

COUNCIL:

[Signature]
[Signature]
Robert Johnson
Bruce Mahaffey