

## CHAPTER 50: GARBAGE AND REFUSE

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### **COLLECTION AND DISPOSAL**

#### **§50.01 DEFINITIONS**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BULK CONTAINER:** A metal receptacle of not less than one-half cubic yard nor more than eight cubic yards in size. The receptacle shall be constructed according to City specifications in order that it might be serviced by City vehicles.

**BULK REFUSE:** All leaves, grass, trees, shrubbery and garden trimmings, discarded household furniture and appliances, beddings, mattresses and non-putrescible waste.

**CONSTRUCTION WASTE:** Refuse or residue resulting directly from the building, construction, repair, demolition or alteration from grading, stumping or other incidental

work in connection with the clearing of any premises or from the replacement of building equipment or appliances.

**GARBAGE:** All putrescible animal or vegetable waste resulting from the preparation, cooking and consumption of food in any private dwellings, hotels, buildings, public or private establishments, restaurants, other institutions and all residences.

**HAZARDOUS REFUSE:** All cleaning fluids, crankcase oils, cutting oils, paints, drugs, plastics, explosives, acids, caustics, poisons, infected materials, radioactive materials or any materials of similar nature.

**INDUSTRIAL WASTE:** Residue resulting from industrial or manufacturing operations.

**LITTER:** All rags, cardboard, plastic, waste paper, rubber, metal or glass containers, small pieces of wood, sweepings, excelsior, leather or similar wasted materials that ordinarily accumulate around the home, business, industry or vehicle.

**ROLL-OUT REFUSE CONTAINER:** A receptacle of plastic construction having water tight and rodent proof lids, handles sufficient for safe and convenient use and a capacity of approximately 96 gallons with wheels.

**RESIDENTIAL UNIT, MULTIPLE:** An apartment or group of apartments under a single roof and used for dwelling places for more than one family.

**RESIDENTIAL UNIT, SINGLE:** A dwelling which is occupied by only one family.

**RUBBISH:** Cardboard, plastic, metal or glass food containers, waste paper, rags, sweepings, small pieces of wood, excelsior, rubber, leather and similar waste materials that ordinarily accumulate around a home, business or industry. It shall not include garbage, bulk refuse, dead animals, hazardous refuse, industrial waste or construction waste material resulting from the buildings, addition to, or alteration of any building.  
(Ord. 95-14, passed 8-7-95)

## **§50.02                      COLLECTION PRACTICES**

- (A) Except as otherwise provided in this chapter and except in the case of emergency arising from an Act of God or under circumstances over which the Public Works Department has no control, the Public Works Department or City Contractor shall collect, remove and dispose of certain refuse in residential sections of the City once per week.
- (B) Industrial waste shall be collected, remove, and disposed of by the operator of the factory, plant or enterprise creating or causing the same in accordance with applicable provisions of this Code.
- (C) Building rubbish, including items from large scale inside work, (carpet, padding, etc.) shall be Collected, removed, and disposed of by the contractor or person constructing, repairing or demolishing any building, or in their failure to do so, by the owner of the property.

- (D) No refuse shall be collected where refuse receptacles cannot be serviced by sanitation personnel without unlocking, opening or reaching over a door, gate, or similar obstacle, encountering a porch, carport or garbage, encountering a dog, or otherwise being denied reasonable access by parked vehicles, yard tools, equipment or similar objects.
- (E) Once an established collection route is established, any changes shall be advertised in the local newspaper once at least 15 days before such changes become effective, provided that such notice may be given by other means and with a lesser period of time in case of emergency.

**§50.03**

**REGULATIONS RELATING TO CONTAINERS**

- (A) Every person owning or occupying a single and/or multi-family residential unit shall store all garbage and refuse in containers, as specified herein, so as to eliminate wind driven debris and unsightly litter in and about their premises.
- (B) Each residential unit, not using dumpster service, shall use at least one 96 gallon roll-out container so long as said containers are provided by the City. Each container will be assigned to the City and will remain the property of the City. Container shall not be moved from the residence where assigned.
- (C) All persons doing business within the City limits of Belmont shall provide containers as outlined in this section if dumpster service is not utilized. A 96 gallon City owned container may be provided when feasible; in accordance with City policy. The Public Works Director shall make final decisions as to need for dumpster service for businesses. The maximum number of containers allowed per business shall be three.
- (D) Containers shall be used for the purpose of holding regular household refuse. No items such as sticks, yard clippings, leaves, etc., may be placed in roll-out containers.
- (E) Stones, bricks, iron items, etc., shall not be placed in the containers.
- (F) The City or contractor will be responsible for repairing or replacing containers only for normal wear and tear. All other damage to the containers shall be assessed against the property owner and/or tenant of the property. This policy shall also apply to missing containers. If container is stolen, it must be reported to the Police Department immediately. Residents should call the City or contractor when roll-out cans need repairs.
- (G) Residents are required to clean roll-out containers when needed to keep down odor and insects.
- (H) The City may refuse to collect the following types of solid wastes and it shall be unlawful to any person to place any of the following in any container or receptacle for collection by the City:

- (1) Hazardous refuse and industrial waste. All such refuse shall be stored in suitable leak-proof containers that will ensure that no such refuse or waste leaks or spills onto any public or private property. It shall be the responsibility of the person in possession of the premises to see that it is disposed of properly.
  - (2) Oils/lubricants or any other type matter that may damage the container, cause it to leak, or erode wheel parts.
  - (3) Contagious disease refuse. The removal of clothing, bedding or other refuse from homes or the places where highly infectious diseases have occurred shall be performed under the supervision and direction of the County Health Department.
  - (4) Human tissues or wastes resulting from operation, autopsy or obstetrical procedures or any other material of similar nature.
  - (5) Materials of any kind or nature, including ashes,,that contain any hot or live coals or fire.
  - (6) Raw or uncooked seafood waste (fish heads, etc.).
  - (7) Dead animals of any sort.
  - (8) Hypodermic needles and/or any other sharp object.
  - (9) Any other items that are prohibited from disposal in the Gaston County Landfill.
- (I) Violations of this chapter shall be punished as spelled out in G.S. 14-4.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.04 STORAGE OF REFUSE**

- (A) Each owner and every occupant or other person in control of any building or land in the City, 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 chapter and the regulation of the Director of Public Works. Combustible and noncombustible refuse shall be stored in containers complying with this chapter.
- (B) Persons occupying business buildings shall store cardboard boxes inside the building unless stored in automatic containers.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.05 PRE-COLLECTION PRACTICES**

- (A) The occupant, whether owner or tenants, of single and multi-family residential units requiring a roll-container in which to store their refuse shall adhere to the following pre-collection practices:

- (1) Garbage, general rubbish shall be stored only in receptacles approved by this chapter and such receptacles shall be covered at all times.
- (2) All dangerous trash items such as broken glass, light bulbs, T.V. tubes, etc., shall be securely wrapped to prevent injury to collection crews.
- (3) All garbage and refuse shall have liquid drained from them before it is placed in the container for collection
- (4) Materials to be placed in containers. Garbage, litter and other similar acceptable waste materials, except those items described in §50.08, must be placed in a container. Those items of a size and quantity too large to be placed in containers may be placed in the front of the premises in the grass strip between the street and the sidewalk where said strips are available; otherwise, such refuse shall be placed off that portion of the street right-of-way normally used by vehicles, pedestrians or for surface drainage.
- (5) Other Limitations. No person shall throw, dispose of, or sweep from any household, yard, sidewalk or otherwise place or have placed any garbage, litter, dirt, refuse or similar matter into a storm drain, manhole, gutter, center strip or onto a sidewalk or street, but shall deposit the same as herein specified.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.06                      POINT OF COLLECTION; SETTING OUT AND REMOVAL OF CONTAINERS;  
   SPECIAL COLLECTIONS.**

- (A) Refuse containers shall be placed for collection at curbside on the regularly scheduled day for collection by 7:00 am.
- (B) Refuse containers placed at curbside for collection by the City shall be removed from the curbside by midnight on the same day as serviced by the City or contractor.
- (C) *Handicapped Provisions.* In the event a resident is physically unable to place the cart at the curbside and there is no one living in the household that will place it at curbside for them, the resident may request special pickup consideration. All requests are to be made in writing to the City of Belmont and will require doctor's certification prior to approval. The Public Works Director will make the determination as to whether back door pickup is warranted. Handicapped residents must comply with all other provisions of this chapter.
- (D) Receptacles or containers other than those allowed in this chapter may be considered solid waste and may be collected by the City.
- (E) Business building collection areas shall be from the rear, side, or in certain cases, front. Where front collection points are used, empty containers shall not be left on the street after sundown of collection day. The best collection location for businesses shall be determined by the Public Works Director or contractor.

- (F) Businesses shall not use street litter containers for the disposal of business generated trash.
- (G) Upon request the Contractor will collect normal household discarded furniture, including sofas, chairs, bedding, etc. Request shall be made to the service contractor of the City. Items for collection shall be placed at curbside. This service shall be available to residential premises only.
- (H) Appliances will be picked up on an "as needed" schedule." All motors, compressors, should be removed before item is placed at curb for pickup. A fee of \$5 will be charged for the pickup. If motors/compressors are not removed, the fee shall be \$15. Fee is payable at City Hall before item is picked up. Appliances that are left at curbside and fee not paid shall be picked up by the City after a period of 10 days and the owner/tenant shall be fined for littering.
- (I) Yard clippings, leaves, etc., shall be placed in plastic bags at curbside for pick up. These shall not be placed in roll-out containers.
- (J) All roll-out containers must be placed within two feet of the curb or roadway with handle facing away from the curb. The roll-out container should be placed three feet away from trees, mailboxes, parked cars, utility lines or anything else that could get in the way of collection  
(Ord. 95-14, passed, see §50.99)

**§50.07                      COLLECTION FROM VACANT LOTS; LARGE ROCKS, TREE STUMPS,  
   HEDGE CUTTINGS, ETC.**

Tree, hedge and shrubbery trimmings shall be placed at the curb for collection in accordance with the following guidelines:

- (A) No tree trunks, branches, limbs, etc., larger than eight inches in diameter, longer than four feet in length shall be collected by the City or contractor.
- (B) Tree and shrubbery limbs shall have protruding branches or limbs of a size not be blown about and scattered by the elements; they shall be effectively tied so as to avoid wind driven debris and unsightly litter conditions. Thorny vegetation shall be placed near the curb in small, neat piles.
- (C) Collection of tree and shrubbery trimmings shall be limited to one truck load per week per residence; but additional service may be approved by the Public Works Director upon request.
- (D) Tree limbs shall be separated from smaller shrubbery trimmings to allow for chipping; all brush shall be put in separate piles from other general debris.
- (E) Limbs and cuttings must be placed with butt or cut end toward the street or public alley and must be of the size that can be handled by one man.

- (F) The City shall not collect tree and shrubbery trimmings resulting from contracted work, nor shall the City collect, remove or assist in the removal of tree stumps, small rocks, tree trunks, heavy grass or dirt resulting from the clearing of any property of any kind. It shall be unlawful for any person to place or deposit any such item at curbside at any time.

(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

#### **§50.08 SOLID AND LIQUID WASTE THE CITY WILL NOT COLLECT**

The City will not collect the following types of solid and/or liquid waste and it shall be illegal for any person to place any of the following in any container or receptacle or along the City right-of-way or curbside for collection:

- (A) Hazardous refuse and industrial waste
- (B) Contagious disease refuse
- (C) Building materials (small amounts not associated with repairs, alterations, construction or demolition may be picked up)
- (D) Any materials, including ashes, containing hot or live coals
- (E) Large dead animals
- (F) Barrels and/or drums with any liquid substance in same
- (G) Motor oils, lubricants, antifreeze, etc.
- (H) All large and bulky materials such as auto car bodies that may require special preparation and processing for disposal
- (I) Garbage, litter and refuse not stored or placed in a container as required by the provisions of this chapter  
(Ord. 95-14, passed 8-7-95) Penalty, §50.99

#### **§50.09 HAZARDOUS MATERIALS**

- (A) It shall be unlawful to place any hazardous refuse, as defined in this chapter, in any receptacle used for collection by the City.
- (B) It shall be unlawful to place in any container, at curbside, or in any catch basin, manhole or drainage ditch or structure any materials considered to be hazardous refuse by the U.S.E.P.A. or any other responsible agency.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.10 INDUSTRIAL WASTE**

The City shall not collect any type industrial waste, solid, liquid, hazardous or highly combustible. It shall be unlawful to place industrial waste in any container or receptacle for collection by the City. Industrial waste shall be collected, removed and disposed of by the operator of the factory or industry creating the same.  
(Ord.95-14, passed 8-7-95) Penalty, se §50.99

**§50.11 PRIVATE WASTE COLLECTORS**

No person other than employees of the Sanitation Department shall, for hire, collect, remove, haul or convey any type of garbage, waste, refuse or similar matter through or upon the streets or alleys of the City or dispose of the same in any sanitary landfill without first obtaining a permit from the governmental official operating said landfill.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.12 SALVAGE**

All materials delivered and deposited for collection by the City in a refuse container, litter basket, refuse collection truck or in a sanitary landfill shall be the property of the City. No person shall separate, collect, carry off, or dispose of such materials unless a permit is first obtained from the City Manager or his authorized agent.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.13 DUMPING PROHIBITED**

To dispose of or cause to be disposed any trash, debris, household garbage, refuse, litter, leaves, grass, tree trimmings, building materials or waste, industrial waste, or materials of similar nature on public or private property of others without written permission from both the owners of such property and the City by any such person, firm organization, corporation, agent or employees thereof is prohibited.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.14 LITTER DISPOSAL**

It shall be unlawful for any person, organization, firm, corporation, agents or employees thereof to place or cause to be placed any litter, as defined herein, on any public streets, roads, highways, parks, public grounds, sidewalks, or right-of-ways of the City. It shall also be unlawful to dispose of litter on private grounds, parking lots, residences or other such property, except as may be otherwise permitted by the provisions of this chapter which deal with the storage and collection of such litter for pickup and removal.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99



**§50.15 DUTY TO KEEP PREMISES CLEAN**

All owners or occupants of any premises within the City shall keep the same free and clear from any garbage, refuse, litter or items specified in §50.06 and similar matter, except:

- (A) Stored, placed or as permitted in this chapter;
- (B) Stored or placed in an enclosed building; and
- (C) Stored, placed or as permitted in connection with the operation of any businesses authorized in this Code.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.20 ADMINISTRATION AND ENFORCEMENT**

- (A) The administration and enforcement of the provisions of this chapter shall be the duty of the Codes Enforcement Officer or other such persons as authorized by the City Manager.
- (B) The Codes Enforcement Officer shall have the authority to summarily remove, abate or remedy any situation or use within the City limits considered by this Code or any other ordinance to be either dangerous or prejudicial to the public health or welfare or which has been declared to be a public nuisance.  
(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.21 NOTIFICATION**

It shall be required of the Codes Enforcement Officer or any other person so authorized by the City Manager to give notice in writing to the specified person, firm, organization, corporation, agents or employees thereof any violation of the provisions of this chapter directing that within a time specified the use or conditions which are in violation shall be abated.

(Ord. 95-14, passed 8-7-95) Penalty, see §50.99

**§50.22 ABATEMENT PROCEDURES**

- (A) Should the specified firm, person, organization, corporation, agents or employees thereof found in violation of the provisions of this chapter refuse or fail to abate the condition or use, the City, acting through the Codes Enforcement Office, shall proceed to remove, abate or remedy the situation and the cost shall be paid by the firm, person, organization or corporation in default.

(B) Should the person, firm, organization or corporation fail or refuse to pay the costs for abatement it shall be charged as a lien against the premises or property where such violation originated and shall be collected as unpaid taxes. The notice shall be mailed by certified mail with a return receipt to the firm, organization, person or corporation responsible for the violation.