



**ORDINANCE NO. 2-2023**  
**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE**  
**CITY OF LOWELL, NORTH CAROLINA, TO PROVIDE**  
**MODIFICATION TITLE V, CHAPTER 50: GARBAGE AND REFUSE**  
**COLLECTION AND DISPOSAL**

**WHEREAS**, the City of Lowell Code of Ordinances has enacted regulations for the removal of garbage and refuse collection, and

**WHEREAS**, the City Council finds there is a need for specific language to address the timeliness for the removal of bulk items left at the curb outside of the regularly scheduled free bulk collection times established by the city.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Lowell, North Carolina that:

City of Lowell Code of Ordinances is hereby amended to add the text below as follows:

**§ 50.03 THROWING OR DEPOSITING MATTER ON PUBLIC OR PRIVATE PROPERTY.**

No person shall cause or permit to be deposited garbage, rubbish, mixed refuse, bulk refuse (i.e. approved materials not fitting in city provided garbage container), dead animals, hazardous refuse, industrial waste, leaves, grass clippings or any other similar matter in or upon any street or alley or sidewalk, storm drain, manhole, gutter, ditch, culvert or upon any premises within the city, unless express permission therefor is first obtained from the City Manager, or other city employee or official designated by the City Manager.

(1995 Code, § 4-23) (Ord. passed 4-25-1966; Ord. passed 11-12-1984; Ord. passed 11-13-2012) Penalty, see § 50.99 (C)

**§ 50.99 PENALTY.**

(A) The City Manager, or a city employee or official designated by the City Manager, shall notify in writing the owner or occupant of any premises in violation of this chapter of such violation, and failure to remove any unlawful accumulation of such matter as hereinbefore specified within 24 hours after such notification shall constitute a separate offense for each 24 hours that the violation continues to exist.

(B) Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in the amount not

exceeding \$50 or be imprisoned in the county jail for a period not exceeding 30 days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(C) In order to promote an aesthetically pleasing image and to mitigate pollution in the City of Lowell, Lowell Sanitation Department, or their contractor, will rectify the violation by disposing of bulk refuse (or other materials listed in 50.03) and charge the sanitation account holder for the removal of materials, in accordance with the established sanitation fee schedule.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

\_\_\_\_\_  
Cheryl Ramsey, City Clerk

[SEAL]

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Sandy Railey, Mayor