

CHAPTER 41. SOLID WASTE MANAGEMENT*

***Editor's note:** Ord. No. 07-08-06-002, adopted Aug. 6, 2007, amended Ch. 41 in its entirety to read as herein set out. Former Ch. 41 consisted of §§ 41.01--40.09, pertained to garbage and refuse collection and disposal, and derived from the original Code and an ordinance adopted Jan. 19, 1994.

State law references: Regulation of trash and garbage, see G.S. 160A-192.

- Sec. 41.001. Purpose and intent.
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- Sec. 41.09. Special or bulk collections regulated.
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Sec. 41.001. Purpose and intent.

The purpose of this ordinance is to regulate the storage and collection of solid waste within the Town of Knightdale and to dispose of solid waste in accordance with the Inter-local Solid Waste Management Agreement adopted September 5, 2006.

The intent of these requirements are to incorporate as much of the total residential solid waste into the solid waste system as possible and to provide a competitive price of collection and disposal for those generating nonresidential solid waste.

(Ord. No. 07-08-06-002, 8-6-07)

Sec. 41.01. Definitions.

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

Building material scraps. Scrap building material from the construction, reconstruction, remodeling, or repair of a building, walkway, driveway, sign, and other structure, including but not limited to, excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber, or any other similar material used in construction or the containers or wrappings thereof.

Garbage. All putrescible wastes, including animal and vegetable matter, animal offal and carcasses, and recognizable industrial byproducts but excluding sewage and human wastes.

Nonresidential solid waste. Solid waste generated from commercial, industrial, and temporary sources.

Refuse. All nonputrescible wastes.

Residential solid waste. All solid waste generated from single-family homes, attached homes, townhomes, cottages, condominiums, apartments and any other dwelling unit.

Solid waste. Garbage, refuse, rubbish, trash, and other discarded solid materials, including "solid waste" materials resulting from homes, businesses, industrial, commercial, and agricultural operations, and from community activities, but does not include solids or dissolved materials in domestic sewage or other significant pollutants.

Solid waste system. All solid waste collected as a part of a contract with the Town for ongoing, weekly pickup.

Tree trimmings. Tree limbs, leaves, shrubbery, weeds, plants, or grass.

(Ord. No. 07-08-06-002, 8-6-07)

Sec. 41.02. Approved containers.

It shall be unlawful for any person to throw, place, or deposit any garbage or refuse of any kind on any public or private property except in approved containers or as otherwise provided in this chapter.

(Ord. No. 07-08-06-002, 8-6-07)

Cross references: Penalty, see 10.99.

Sec. 41.03. Burning and burying solid waste or yard waste.

(a) It shall be unlawful for any person to burn or set fire to any solid waste or yard waste within five hundred (500) feet of any home, building or structure. Any open burning shall be done only after a permit has been issued by the Fire Chief. The Fire Chief, or his representative, shall inspect the site to be used for burning to insure that:

- (1) The materials to be burned are not toxic, hazardous or unlawful to burn;
- (2) Fire will not spread to surrounding property;
- (3) Burning is not within five hundred (500) feet of any home, building or structure; and
- (4) Due to wind, weather or other conditions is otherwise safe.

The fire department may charge a reasonable fee for the issuance of an open burning permit as required by this section.

(b) It shall be unlawful for any person to bury any solid waste without first obtaining a permit to do so from the state.

(c) The Fire Chief, Police Chief or Planning Director or their representatives, may issue civil penalties for violations of this section. The civil penalty for violation of this section shall be two hundred fifty dollars (\$250.00). All such civil penalties are due and payable to the Town within ten (10) days of the date issued. Offenders may appeal civil penalties issued under this section to the Town Manager within ten (10) days of the issuance date.

(Ord. No. 07-08-06-002, 8-6-07)

Editor's note: Extensive state regulations are in effect with respect to the open burning of trash and refuse; see Department of Environmental Management, regulations governing the control of air pollution.

Cross references: Penalty, see 10.99.

Sec. 41.04. Accumulation of garbage and refuse prohibited.

All garbage and refuse shall be collected and placed in containers as required by this chapter, and it shall be unlawful for any person to permit garbage or refuse to accumulate or remain on any premises longer than is reasonably necessary to remove and deposit same in approved containers as required herein.

(Ord. No. 07-08-06-002, 8-6-07)

Cross references: Penalty, see 10.99.

Sec. 41.05. Containers required.

The occupant of every building or premises where garbage and refuse does or may exist shall use a container or dumpster approved by the Public Works Director and in accordance with Chapter 4.6 of the Knightdale Unified Development Ordinance (NOTE: Private haulers contracted by the Town of Knightdale may require container specifications).

(Ord. No. 07-08-06-002, 8-6-07)

Cross references: Penalty, see 10.99.

Sec. 41.06. Precollection practices.

All garbage and refuse shall be placed in plastic bags before being deposited in the container. Ashes and cinders shall be placed in a separate container provided for that purpose and no ashes shall be deposited in any container until they are cold. Containers which fail to have a cover as required in section 41.05 or which have become rusted or broken and therefore are unable to contain garbage and refuse in a satisfactory manner shall not be used. Recycling is encouraged and recyclable materials can be separated into containers provided by private haulers selected by the Town.

(Ord. No. 07-08-06-002, 8-6-07)

Cross references: Penalty, see 10.99

Sec. 41.07. Collection schedule.

Garbage and refuse will be collected by the Town according to a collection schedule maintained in the Finance Department. Such schedule may be periodically revised and amended by action of the Council.

(Ord. No. 07-08-06-002, 8-6-07)

Sec. 41.08. Unlawful to displace containers.

It shall be unlawful for any person to damage, displace, or to otherwise interfere with garbage containers or their contents except the owner or on permission or at the request of the owner.

(Ord. No. 07-08-06-002, 8-6-07)

Cross references: Penalty, see 10.99.

Sec. 41.09. Special or bulk collections regulated.

(a) Bulk trash, tree limbs, shrubbery cuttings, leaves, and other refuse will be collected separately from other solid waste according to a schedule or program devised by the Town of Knightdale. Bulk items, tree limbs, shrubbery cuttings, and leaves are prohibited from being placed in the solid waste collection containers described in section 41.02 above.

(b) Any property owner desiring special bulk collections of loose matter not in closed containers or tied in bundles may request a special collection for which a special charge will be made. If sufficient manpower and equipment are available, Town personnel are authorized to make such special collections, provided that person making the request agrees to pay for the labor and equipment used at the rate specified by the Town.

(c) No collection shall be made from vacant lots nor shall any large rocks, tree trunks, tree stumps, tree limbs of more than six (6) feet in length, or other heavy objects be collected by the Town. No waste building materials or lot clearings shall be collected from houses or other structures under construction or recently completed.

(d) Material to be collected by special collections shall be placed in neat piles and so located that such refuse can be easily loaded on trucks for disposal.

(Ord. No. 07-08-06-002, 8-6-07)

Cross references: Penalty, see 10.99.

Sec. 41.10. Fees.

(a) Fees are established by the Knightdale Town Council and reviewed from time to time as necessary.

(b) Fees will be charged to all customers served by the solid waste system, regardless of whether or not the customer chooses to take advantage of the service.

(Ord. No. 07-08-06-002, 8-6-07)

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