

CHAPTER 9: GARBAGE, REFUSE, AND RECYCLING

Statutory reference:

Authority to provide trash and garbage collection service, see G.S. § 160A-192

ARTICLE I: GENERAL PROVISIONS

§ 9-1 LITTERING.

(A) No person shall throw, scatter, spill or place or intentionally or recklessly cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property or private property not owned by him or her within the city or in the waters of the state including, but not limited to any public highway, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street or alley, **except:**

(1) When the property is designated by the state or city for the disposal of garbage and refuse and the person is authorized to use the property for the purpose; or

(2) Into a litter receptacle in a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of the private or public property or waters.

(B) When litter is so blown, scattered, spilled, thrown or placed from a vehicle or watercraft, the operator thereof shall be presumed to have committed the offense. This presumption, however, does not apply to a vehicle transporting agricultural products or supplies when the litter from that vehicle is a nontoxic biodegradable agricultural product or supply.

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

LITTER. Any rubbish, waste material, cans, refuse, garbage, trash, debris, dead animals or discarded materials of every kind and description.

VEHICLE. Defined as in G.S. § 20-4.01(49).

WATERCRAFT. Any boat or vessel used for transport upon or across the water.

(86 Code, § 9-1)

(D) The maximum penalty for violating this section shall be no less than \$50 and no greater than \$250. A copy of the penalty schedule, which may be amended from time to time, is on record in the office of the City Clerk.

(Am. Ord. 92-1-3, passed 1-14-92)

§ 9-2 ACCUMULATION OF RUBBISH PROHIBITED.

All owners, proprietors or persons in charge of every business house, including all factories, mills, stables, hotels, depots, offices and private residences and all other houses, buildings or premises shall keep the same free from all empty and unused boxes, wastepaper, ashes and all other rubbish and all other things not kept for sale.

('86 Code, § 9-2) [Penalty, see § 1-99](#)

§ 9-3 UNAUTHORIZED USE OF DUMPSTER OR TRASH RECEPTACLE.

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

LIMITED USE DUMPSTER OR TRASH RECEPTACLE. Any dumpster or other trash receptacle placed and intended for deposit of garbage, trash and other materials only by residents of immediately surrounding apartment or residential units or by employees of immediately surrounding business establishments, and which is emptied on a regular basis by the City or its contractor.

UNAUTHORIZED PERSON. Any person who is neither a resident or guest of a resident of an apartment or residential unit in immediate proximity to a limited use dumpster or trash receptacle, as defined above, nor an employee of a business establishment in immediate proximity to a dumpster or receptacle.

(B) It shall be unlawful for any unauthorized person to deposit garbage, trash or any other materials in any limited use dumpster or trash receptacle located within the corporate limits of the city.

('86 Code, § 9-3) (Ord. 83-6-1, passed 6-21-83)

(C) The penalty for violation of this section shall be no less than \$50 and no greater than \$250. A copy of the penalty schedule, which may be amended from time to time, is on record in the office of the City Clerk.

(Am. Ord. 92-1-4, passed 1-14-92)

§ 9-4 PILFERING OR RUMMAGING THROUGH COMMERCIAL CONTAINERS.

It shall be unlawful for any person, other than the owner or lessee, to rummage through or pilfer from any deposit in any commercial garbage container.

('86 Code, § 9-4) [Penalty, see § 1-99](#)

ARTICLE II: COLLECTION AND DISPOSAL

§ 9-16 RECEPTACLES GENERALLY.

(A) All occupied homes within the City limits shall be provided with roll out trash containers by the City or its contractor for garbage and recycling and shall place garbage and recycling in the appropriate container.

(B) Where refuse accumulates at stores, hotels, motels, apartment houses, theaters, office buildings and similar places in quantities of more than 100 gallons, the owners may be required to use a container made and designed to meet all standard requirements of a dumpmaster or Dempster dumpster-type container, where the City Manager or designated representative sees the necessity for it. The City Manager or his or her designated representative will determine which type and size of container shall be used.

(*86 Code, § 9-16 (Ord. 9-26 changed 7-12-11)*)

§ 9-17 MAINTENANCE AND PLACEMENT OF CONTAINERS.

All roll-out containers or dumpsters used for storage and collection of garbage, trash, or similar material shall be kept clean, with covers on, and maintained in good condition and repair by the owner or user thereof, and shall be subject to inspection and approval or condemnation by the City Manager or his or her designated representative. Dumpsters shall be kept in a place easily accessible to city or private hoist trucks at all times, and no service shall be given to those places permitting objects, obstructions, or vehicles to hinder the servicing of the containers by the hoist trucks.

(*86 Code, § 9-17*)

§ 9-18 REPLACEMENT OF RECEPTACLES UNFIT FOR USE.

(A) Garbage receptacles provided by the City or its contractor shall be maintained in good repair by residents and businesses at all times. Receptacles which have deteriorated to the extent that they are unserviceable shall be considered unsuitable.

(B) Any person failing to comply with this section will be served with a notice by the City Manager or his or her agent in person or by first class mail.

(C) The notice shall serve to notify the person that the above requirement has not been met.

(D) The City will provide appropriate containers but when repeated loss or destruction occurs, the City will charge the responsible homeowner/renter or business to replace the container. This charge will be added to the utility bill and include the cost of the container(s) plus a \$25 processing fee per container.

(*86 Code, § 9-18 (Ord. 9-28 changed 7-12-11)*)

§ 9-19 RECEPTACLES TO BE KEPT FREE OF WATER AND OTHER LIQUIDS.

The users or owners of all receptacles and/or bulk containers in which garbage and/or waste material is placed for collection shall keep the receptacles and/or bulk containers free of water or other excessive liquids.

(`86 Code, § 9-19)

§ 9-20 LOOSE PAPER AND SIMILAR MATERIALS.

It shall be unlawful for any person to permit, allow, place or cause to be placed for collection by city collection crews or private collection agencies, any loose paper or similar material in any receptacles or containers other than regulation recycling receptacles or bulk containers, as defined in this chapter.

(`86 Code, § 9-20) [Penalty, see § 1-99](#)

§ 9-21 FLUORESCENT LIGHTING BULBS AND BROKEN GLASS.

It shall be unlawful for any person to permit, allow, place or cause to be placed fluorescent lighting bulbs or broken glass of any kind in any garbage or trash receptacle, without first having securely wrapped and completely covered the material so as to prevent injury from the broken edges thereof.

(`86 Code, § 9-21) [Penalty, see § 1-99](#)

§ 9-22 ANIMALS AND ANIMAL WASTES.

It shall be unlawful for any person to permit, allow, place or cause to be placed, in any garbage, trash, or recycling receptacle or bulk container, any animals, parts of animals or animal waste of any kind whatsoever, except that which constitutes garbage.

(`86 Code, § 9-22) [Penalty, see § 1-99](#)

§ 9-23 ASHES.

Cold ashes may be mixed with garbage in the same container. Hot ashes shall not be placed in containers issued by the City or its contractor.

(`86 Code, § 9-23) (*Ord. 9-23 changed 7-12-11*)

§ 9-24 LEAVES.

Leaves shall be placed in piles immediately back of the street curb or drainage ditch during leaf season(October 15th through January 15th) but must be placed in clear bags or boxes during other times.

(`86 Code, § 9-24) (*Ord. 9-24 changed 7-12-11*)

§ 9-25 BUILDING RUBBISH.

Building materials or refuse from any building, remodeling or repair operations or any landscaping work or any household appliances or similar items will not be removed from the site or curb by the city. All materials of this nature shall be removed by the business, person or other entity who performed the work or by the property owner. If said materials or debris are not removed from the curb within 6 days of written notice from the City, the property owner will be assessed a fine of \$100 per day until removed which will be added to their utility bill.

(`86 Code, § 9-25) (Am. Ord. 01-8-3, passed 8-14-01)

§ 9-26 YARD TRIMMINGS.

(A) The city will remove all limbs, brush, logs, stumps, tree trimmings and related materials provided that the same are cut in lengths not to exceed four feet where the same are in excess of two inches in diameter and provided that the same are placed immediately back of the street curb or drainage and are of a size and shape that removal can be made by one person.

(B) The city will not remove limbs, brush, logs, stumps, tree trimmings or related materials exceeding four feet in length or associated with the removal of an entire tree. Removal of these items shall be the sole responsibility of the property owner. If said materials or debris are not removed from the curb within 6 days of written notice from the City, the same will be removed by the city, at the property owner's expense, at the rate of \$100 per hour which will be added to their utility bill.

(C) The city will not remove any trees, limbs, brush, logs, stumps, tree trimmings and related materials from any lot on which a residence is not built. The city will also not remove any such materials from a lot prior to a residence being built thereon. Removal of these items is solely the responsibility of the property owner.

(`86 Code, § 9-26) (Am. Ord. 01-8-3, passed 8-14-01)

§ 9-27 RATES AND CHARGES.

The fees that shall be paid to the city for garbage and trash collection service shall be as established time to time by resolution.

(`86 Code, § 9-27)

§ 9-28 RESIDENTIAL POINT OF COLLECTION AND STORAGE

- (A) Residential point of collection for garbage, trash, and recycling service shall be deemed curbside, no later than 6:00 am EST and must be removed back to the house by 9:00 pm, on scheduled service day for all service points with the exception of the following: Aged, feeble, or handicapped residents for whom it would be impractical or difficult to transport the container to curbside, shall be serviced from an easily accessible point adjacent to their home. In no case shall the City or its agent be requested to enter garages, carports, on decks, etc. for the collection of exempted back door solid waste collection. The resident shall complete an approved application for back door service verifying the sole residency (or physical impairment of ALL residents of the residence) and physical impairment per the agreed upon request for back door pickup, thus qualifying them for back door collection. The City also agrees to work to minimize the number of back door collection accounts by offering various sized roll-out carts to said residents as described as aged, feeble, or handicapped.
- (B) If a resident's roll-out cart is not out when the garbage or recycling vehicle comes to pick it up on collection day and the resident is unable to wait until the following week for garbage and two weeks for recycling, a \$15 service call-back fee is available to empty the container on a day that is not the regularly scheduled service day.
- (C) It shall be unlawful if garbage, trash, or recycling roll-out containers are not placed back to the house by 9:00 pm for storage. If the carts are left out after 9:00 pm on the scheduled service day, a one time courtesy letter will be sent to all new accounts reminding the resident or business that the container must be removed from the curb by 9:00 pm on the scheduled service day. If roll out cart remains on the curb for 5 days after this letter is sent, a \$25 fee will be assessed and placed on the utility bill. If the container is not rolled back to the house by 9:00 pm on subsequent scheduled service days a \$25 fee will be assessed and placed on the utility bill after verification by a City employee.

(Ord. 9-28, passed 7-12-11)

ARTICLE III: PAYMENT PROVISIONS; UTILITY TERMINATION

§ 9-40 PARTIAL PAYMENT AND UTILITY TERMINATION

(A) The City of Oxford's Water and Sanitation Utilities bill has multiple public enterprise utility services listed for payment. These include water, sewer, garbage, sprinkler, and pollution control. When only partial payment is made and a customer does not pay the service charges for all the utilities on the bill, the partial payment will be applied to the respective service charges in the following order: delinquent solid waste(garbage) charges, first; stormwater(pollution control) charges, second; and then to all other City utility service charges.

(B) Solid Waste(garbage) service charges are due at the collection office in City Hall within the time period stated on the bill. Bills not paid within this time shall be charged a late fee as set forth in the adopted fee schedule.

(C) In the event that Solid Waste (garbage) service charges and delinquent fees are not paid on or before the cut off date, city water utility services shall be discontinued.

(D) In hardship cases the Finance Director can provide a two-month payment arrangement. The bill must be paid in full at the end of this agreement or city water utility services will be discontinued. In order to be eligible for this payment arrangement the customer shall not have been disconnected in the last twelve months. This arrangement can only be considered once-a-year.

(Article III Ord. 9-40, passed 7-12-11)