

CHAPTER 18. GARBAGE COLLECTION AND RECYCLING

ARTICLE I. COLLECTION

Section 18-1. Definitions

RECYCLABLE GARBAGE. As used in this Article, this term shall mean aluminum, steel and/or metal cans, P.E.T. plastics, HDPE plastics (beverage containers only), newsprint and all inserts, glass (clear, brown, and green), corrugated cardboard, and magazines.

OTHER GARBAGE. As used in this Article, this term shall mean and include all refuse, animal, fruit and other vegetable matter, all cans, glassware and crockery in which such matter has been put or stored and all rags, waster paper, floor sweepings and other combustible refuse except business materials, scrap tree trimmings, earth, furniture, and appliances. Also, not included in this definition are those material defined as recyclable garbage in Paragraph 1 above.

GARBAGE. As used in this Article, this term shall mean both “recyclable garbage” and “other garbage.”

RESIDENTIAL CUSTOMERS. All real property used for the purpose of or held out as a dwelling unit, whether occupied or vacant, within the corporate city limits of Holly Ridge.

NONRESIDENTIAL USE CUSTOMERS. Those customers such as Churches, schools, institutions, fraternal or veterans organizations, etc. that are neither commercial enterprises nor residential or small business customers, but, that require refuse collection.

SMALL BUSINESS CUSTOMERS. Those businesses which receive refuse collection service is the same as that provided to all residential and non-residential use customers.

INDUSTRIAL/COMMERCIAL CUSTOMERS. (amended 8/12/97) Those recipients of refuse collection service that exceeds the maximum amount of refuse allowed for small business customers and which require the use of a dumpster or other front end loading type container; commercial customers shall include, but, not limited to Holly Plaza and Pinewood Campground.

CURBSIDE. As used in this Article, this term means the curb or road side that faces the street address of the property.

MULTI-FAMILY CUSTOMERS. As used in this Article this term means any building that contains three or more dwelling units intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

Units of a residential nature that receive refuse collection that exceed the maximum amount of refuse allowed for residential customers and require the use of a dumpster or other front-end loading type container.

Section 18-2. Rates and Charges

1. All residential customers shall be assessed a fee for a garbage collection services, which shall include a fee to collect recyclable garbage and other garbage. Residential customers who do not use the garbage collection services provided by the Town shall be charged an availability fee. Residential customers may have one (1) additional cart at extra charge. The rates and charges for garbage collection services and/or future charges for garbage collection services provided by the Town shall be determined by the Town Council from time to time and on file with the Office of the Town Clerk. Said fees shall be billed by Onslow County Water and Sewer Authority (ONWASA) and due monthly along with the water/sewer bill.
2. All commercial/industrial customers shall contract with a commercial refuse carrier approved by the Council; small businesses and multi-family customers have the option to contract with a commercial refuse carrier, or they may use the Town's service as long as they do not exceed the limit of containers. Commercial/industrial customers may have up to two (2) containers, but no less than one (1) if no other contract is made with a commercial refuse carrier. All commercial and small business customers shall be responsible for all charges incurred thereby. Upon doing so, there shall be no assessment for garbage collection for the time period during which garbage collection for the time period during which garbage collection is properly effectuated by said commercial refuse carrier. Nothing contained herein however, shall be construed to allow the disposal of refuse by the business itself. Customers such as homeowner associations, civic groups, etc. that are not on the ONWASA billing system may request carts from the town on a case by case basis. All billing will be done in advance and if permanently located, billing should be at no less than per quarterly.
3. **ACTIVATE / DISCONTINUE SERVICES:** When a customer has water and/or sewer service activated the garbage and recycling services will be activated as well. All residential customers who have water and/or sewer services provided by ONWASA shall be charged a fee for garbage and recycling services, or an availability fee for any residential customer who chooses not to use the Town's garbage and recycling services. A customer may choose to discontinue water and/or sewer services with ONWASA which will also discontinue garbage and recycling services.

Section 18-3. Recycling mandatory

All residential, multi-family, nonresidential, and industrial/commercial customers shall participate in the Town's recycling program and are required to separate their garbage into "recyclable garbage" and "other garbage" and shall place the "recyclable garbage" into the designated container and the "other garbage" into another container for disposal by the Town or otherwise.

Section 18-4 Recycling guidelines

1. **RECYCLABLE GARBAGE.** All residential customers using the Town's garbage collection services shall place recyclable garbage into the designated recycling containers provided by the Town. All residential, nonresidential, multifamily, and industrial/commercial customers shall separate from their solid waste prior to collection of the solid waste for disposal all recyclable garbage.
2. **OTHER GARBAGE.** All residential customers using the Town's garbage collection services shall place other garbage in roll-out trash carts which will be provided by the Town. Initially, one cart will be issued per residence. However, if more carts are desired, or a cart is desired by a location that is not a current water customer; the resident must pay one additional garbage charge per cart, with a limit of two carts per residence.
3. **CURBSIDE PICKUP.** All containers for recyclable garbage or other garbage shall be placed at the curbside as heretofore defined and shall be picked up from that location only.
4. Repealed.
5. **LOSS, DAMAGE, OR DESTRUCTION OF TRASH CARTS OR OTHER GARBAGE OR RECYCLING CONTAINERS.** In the event a garbage cart or container is lost, damaged or destroyed, the garbage customer shall be billed for the cost of repair or replacement of that cart or container at the town's discretion. The cost will be the current rate for repair or replacement. Payment to be made to the Town of Holly Ridge, North Carolina. The one exception to this policy is that damage to the containers/ carts through the negligence of trash haulers will not be assessed against the customer.
6. **FAILURE TO PAY.** In the event any customer of garbage collection services fails to pay their bill when due, garbage services may be disconnected and terminated until such bill is paid in full. In addition to all other remedies provided herein, any overdue bills in excess of fifty (\$50.00) dollars may be submitted for collection through the State's debt setoff program.
7. **UNAUTHORIZED PICK-UP.** It shall be a violation of this Ordinance for any person unauthorized by the Town to collect or pick up or cause to be collected or

picked up any recyclable garbage which has been placed at the curb by any residential customer for collection. It shall also be a violation of this ordinance for any unauthorized person to collect or pick up or cause to be collected or picked up any recyclable garbage placed in a container or box by a residential, nonresidential, multifamily, or industrial/commercial customer for collection or pick up by a Commercial Hauler.

8. PENALTIES. In addition to all other remedies provided herein for the violation of the code of ordinances, violation of this Chapter may be enforced by the assessment of a civil penalty by the Town Manager or his designee in the amount of one hundred (\$100.00) dollars. Each day's continuing violation shall be a separate and distinct offense.

Section 18-5 Effective Date

This Ordinance shall become and be effective on the 9th day of January, 2013.