

Chapter 11 SOLID WASTE AND ENVIRONMENTAL REGULATIONS

ARTICLE III. STORAGE AND COLLECTION OF SOLID WASTES

Sec. 11-16. Services Provided by the town.

- (a) The town establishes that the collection of solid waste materials in a timely manner is necessary to protect the public health and safety. Therefore, the town establishes the following standard of service for solid waste collection to be covered by the ad valorem taxes paid to the town:
 - (1) weekly, curbside solid waste collection of one rollout cart of 96 gallons
 - (2) the town provides one such cart, compatible with its equipment, to each address qualified to receive service
 - (3) weekly, curbside collection of a second rollout cart of 96 gallons maybe included and provided if the resident purchases the second cart from the town for the fee established in the fee schedule.
- (b) For consistency, the town establishes that the level of service established above will be provided to the following types of locations or properties:
 - (1) Single-family houses with frontage on public streets or with driveway access to a public street
 - (2) Single-family houses on private streets where there is safe access to a receptacle storage area for the automated truck from a public street without unduly delaying travel on that public street.
 - (3) Townhouses with frontage on public streets or with executed hold harmless agreements for town equipment to provide service on private streets.
 - (4) Other attached housing arrangements with not more than five units on a single lot provided there is safe access to the receptacles for the automated truck from a public street.
 - (5) Any accessory dwelling unit collocated with a single-family dwelling (attached or detached) is a single-family dwelling for the purposes of this section and is entitled to its own container.
 - (6) Churches and community organizations located in residential areas that can safely and adequately be served with the standard define in paragraph a above.
- (c) The town establishes that the public health and safety cannot be reasonably preserved with this established level of service for businesses, offices, restaurants, hotels, industries, residential condominiums or apartment complexes as these facilities generally produce a larger volume of waste or require more frequent service due to the character of the waste generated. Additionally, the volume of recyclable material generated at these facilities benefits from the provision of bulk recycling collection services provided by Orange County.
- (d) The sanitation superintendent shall be empowered to determine which uses and operations are required to contract for solid waste collection.
- (e) The sanitation superintendent in coordination with Orange County recycling staff will determine the size of dumpsters and recycling containers needed to serve any development that does not qualify for town service.
- (f) The specifications of the enclosure for such containers are detailed in the Unified Development Ordinance for Hillsborough.

Sec. 11-17. Receptacles generally.

All locations served by the town will be provided a rollout cart for solid waste for removal by the town. The following rules and regulations shall be observed:

- (a) Town-provided containers must be used so that automated trucks can be utilized. Bulk items or items too large to fit in the provided container will be serviced during bulk collection or via special collection only.
- (b) It is the property occupant's responsibility to ensure that vehicles do not block the container and that the container is accessible to the automated truck arm.
- (c) The property occupant will be responsible for keeping his container in a clean and sanitary condition.
- (d) Each address receiving service will be provided a single container. If a resident/occupant desires an additional container for regular service, one additional container will be provided following the payment of a fee established by the fee schedule. No location will receive regular collection from more than two containers.

Sec. 11-18. Storage and collection practices—Premises required to have contracted service.

- (a) The location of dumpsters shall be determined by the sanitation superintendent in consultation with Orange County Solid Waste staff and the owner of the premises concerned. In making this determination, the sanitation superintendent shall consider the needs of the occupants of the premises, the welfare of the occupants and neighbors, and local ordinances.
- (b) Dumpsters must be located on private property and serviced without interfering with traffic flow on the parcel or nearby public roads. The location must also be constructed in compliance with the Orange County Solid Waste Management Ordinance and screening requirements in the Hillsborough Unified Development Ordinance.
- (c) All solid wastes shall be stored in dumpsters pending collection.
- (d) All dumpsters shall be cleaned periodically to minimize offensive odors, and the tops or openings to all dumpsters shall be kept securely fastened at all times pending collection.
- (e) The premises owner or tenant shall contract for dumpster service adequate to keep the premises from becoming a nuisance. Service may only occur between 6:30 a.m. and 6:00 p.m. Monday -Saturday. Collection is not allowed on Sundays.
- (f) Locations required to have contracted service which have limited volume of waste may opt to contract for rollout cart service if offered by their service provider and:
 - (1) the location is outside the Central Commercial Zoning District and
 - (2) the location does not serve food or beverages as part of their business and
 - (3) the location can place rollout carts in a location where they can be safely served while not unduly interfering with traffic on the adjoining public street or
 - (4) the location has been provided a written exemption by the sanitation superintendent for the current occupant/operation (items a-c need not apply).

Sec. 11-19. Same—Premises served by town.

- (a) Solid waste may be stored pending collection by the town only in the rollout carts provided by the town, and the top of such containers shall at all times be kept securely fastened. Such mobile containers shall be kept between scheduled pickups either within a completely enclosed substantial structure such as a house, garage, or shed, or:

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- (1) If a lot has frontage on only one street, then the rollout cart shall be located behind the building line of the side of the principal building on that lot that faces the street.
 - (2) If a lot is a corner lot, then the rollout cart shall be located behind the building line of the side of the principal building on that lot that faces the street.
 - (3) If a lot has frontage on two streets that are more or less parallel, then the rollout cart shall be located behind the building line of the front of the principal building on that lot but, if possible, not closer than 45 feet to the centerline of the street that runs along the rear of such lot. If the rollout cart stored behind the front building line must be located within 45 feet of the centerline of the street that runs along the rear of such lot, then such rollout cart shall be located along the side of the principal building.
- (b) Rollout cart shall be placed adjacent to the street for collection before 7:00 a.m. on the scheduled collection day but no sooner than 4:00 p.m. on the preceding day. After collection, all solid waste receptacles and all uncollected solid waste shall be removed to a storage location that complies with subsection (1) of this section, by 6:00 a.m. on the day following the collection day.
 - (c) If the sanitation superintendent determines that because of the physical infirmity of the occupant of any premises, the occupant cannot without severe hardship transport the solid waste from the storage location required by subsection (1) of this section, to the collection point required by subsection (2) of this subsection, he may provide rear yard pickup service if necessary.
 - (d) The town reserves the right to refuse to collect solid waste not placed in the approved containers or containers not located in a manner accessible to the automated truck. The town may collect unapproved containers as solid waste.
 - (e) No person may cause, suffer, or permit any garbage can or solid waste receptacles other than the rollout containers provided by the town to be stored in any location that does not comply with the provisions of this article dealing with the storage location of mobile containers.
 - (f) Containers weighing more than 75 pounds and heavy or bulky items such as tree trunks, tree trimmings, or hedge cuttings more than 69 inches in length or four inches in diameter, furniture, and similar items will be collected only in accordance with section 11-21.

Sec. 11-20. Other regular collection services.

- (a) Yard waste/brush will be collected weekly to locations receiving solid waste collection. The town may provide this service to commercial locations when the waste is not generated by commercial landscape services and otherwise meets the standards and limitations for yard waste. The standards and limitations will be established by the sanitation superintendent and published along with the collection calendar.
- (b) Bulk items will be collected once a month during the second full week of each month, using Sunday as the first day of the week. If the scheduled collection day falls on a town observed holiday, bulk items will be removed the following business day. Bulk items may be placed at the curbside no earlier than seven calendar days before the scheduled collection date.
- (c) Loose leaves will be collected by the town each fall for a period of not less than 10 weeks determined on the sanitation superintendent and published on the collection calendar. Loose leaves must be placed adjacent to the street so that they may easily be handled by the collector. No tree limbs, shrubs, or other materials may be mixed with the leaves. Outside of loose-leaf collection period, leaves may be collected with yard waste if properly bagged in biodegradable bags or otherwise required by the sanitation superintendent.

Sec. 11-21. Special collections.

Solid wastes that are too bulky, heavy, or cumbersome to be collected by the town as part of its regular collection service may be collected by the town pursuant to a request made to the sanitation superintendent and payment of a fee for this service. The fee will be determined by the sanitation superintendent based upon the nature and amount of the materials to be collected and the estimated time required to perform the service, but in all cases a fee of at least \$50.00 shall be charged. This fee must be paid in advance of the service. The town reserves the right to refuse any request made pursuant to this section and the failure of the town to provide this service shall not relieve any person of any of the obligations imposed by this article.

Sec. 11-22. Miscellaneous.

- (a) Collection routes and schedules. The sanitation superintendent shall establish collection routes and schedules and may alter these routes and schedules from time to time. A copy of the current routes and schedules shall be kept on file in the collections office and posted on the town website.
- (b) Discretionary determination. Whenever this article authorizes the sanitation superintendent to make a discretionary determination, all persons affected by that determination shall comply with it within 15 calendar days after receiving written notice of the determination and the reasons for it. Thereafter, a failure on the part of the person receiving such notice to comply with the determination shall constitute a violation of this article.
- (c) Damage or interference with solid waste storage or collections. No person may damage, displace, or otherwise interfere with solid waste receptacles or solid waste stored or prepared for collection except with the consent of the owner, lessee, or occupant of the premises where those receptacles or solid wastes are located.

Sec. 11-23. Limitations on solid waste materials collected by the town.

The town does not provide collection of the following items due to either their degree of recyclability or hazardous nature. No person shall dispose of any of the following items in receptacles designated for town solid waste collection:

- (1) Oil-based paint or paints with ignitable solids including paint containers with residual liquid, however latex paint residues will be accepted mixed with kitty litter-type material, open, and completely dried;
- (2) Hazardous materials as classified by the United States Environmental Protection Agency;
- (3) Gas tanks and oil drums;
- (4) Asbestos;
- (5) Large dead animals;
- (6) Recyclable corrugated cardboard, defined. For purposes of this subsection, the term "corrugated cardboard" means cardboard from any commercial, industrial, construction, multifamily, or institutional source that has three layers, including an inner wavy layer, and is the type generally used for most boxes; and the term "recyclable corrugated cardboard" means cardboard that is not waxed and is not contaminated with other materials (e.g., pizza boxes with food and oil);
- (7) White good, defined. For purposes of this subsection, the term "white goods" means refrigerators, ranges, water heaters, freezers, unit air conditioners, washing machines, dishwashers, clothes dryers, and similar domestic and commercial large appliances;
- (8) Antifreeze (ethylene glycol);

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- (9) Aluminum cans; or
 - (10) Used oil.