

ORDINANCE TO REGULATE DISPOSAL OF SOLID WASTE  
WITHIN CLAY COUNTY, NORTH CAROLINA

PURSUANT TO NORTH CAROLINA STATUTES 153A-132.1 AND 153A-136  
THE CLAY COUNTY BOARD OF COMMISSIONERS ORDAINS THAT:

SECTION I:

- A. It is in the best interest of Clay County that the county Board of Commissioners provide a solid waste transfer facility for use by the general public.
- B. All persons and organizations who desire to dispose of solid waste generated within Clay County must utilize the county transfer facility. Any person disposing of solid waste in any place other than the designated facility shall be guilty of violation of this ordinance. Each day or portion thereof that solid waste is disposed of or left in a non-designated area shall constitute a separate offense. Violators of this ordinance may be punished by a fine not exceeding \$50, and or, imprisonment for a period not exceeding 30 days.

SECTION II:

- A. All disposal of solid waste at the transfer station shall be under the supervision of county personnel.
- B. Medical waste, and hazardous waste(including asbestos), will not be accepted at the transfer station.
- C. All commercial and industrial solid waste will be weighed prior to being left at the transfer station.
- D. Used tires, white goods and other metal material will be placed in an area specified by a transfer station attendant.
- E. Used oil and lead-acid batteries will be accepted at the station, but will not be placed in waste trailer.
- F. Construction and demolition waste will be placed in the waste trailer. Any salvagable waste of this type will be placed in an area designated by an attendant.

SECTION III:

- A. All vehicles or containers used to transport solid waste within Clay County shall be

covered or enclosed to prevent spillage or littering of streets, highways, public and private property. Violators of this section will be held responsible for clean-up of the waste material, or be punished as a misdemeanor.

#### SECTION IV:

A. Commercial haulers, contractors, industry, and any other generator of large quantities of solid waste will be charged a tonnage fee for all solid waste left at the transfer station. Organizations or individuals will be billed monthly, with a due date for payment of the 28th of the month.

B. All accounts not paid by the due date will be declared delinquent, and the individual or organization will not be allowed disposal privileges until the account is paid, or other satisfactory arrangements are made. Additional charges of one and one-half percent per month on unpaid balance will be added to all delinquent accounts.

C. Solid waste fees shall be revised periodically by the Board of Commissioners in order to keep pace with disposal costs.

D. Commercial haulers of solid waste may be required to operate under a franchise issued by the county. Violations of provisions of the franchise shall be cause for cancellation of the franchise agreement and forfeiture of any franchise fee. Citizens disposing of solid waste from businesses or industry would not be required to operate under a franchise, but will be required to comply with hauling and billing procedures.

#### SECTION V:


A. Any ordinance or part of ordinances in conflict herewith are hereby repealed. The effective date of this ordinance is hereby established as 6 JAN. 1997 and shall be in full force and effect subsequent to this date.

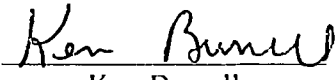
B. Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions, if otherwise valid, shall continue in full force and effect.

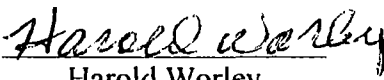
#### SECTION VI:

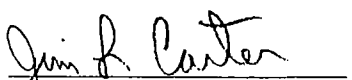
A. This ordinance to regulate solid waste disposal in Clay County, North Carolina, as herewith set forth, adopted or enacted, shall be included in the Code of Ordinances of Clay County.

PASSED AND ADOPTED by the Clay County Board of Commissioners this  
the 6th day of JANUARY, 1997.

  
Paul Jordan, Chairman

  
Ken Burrell

  
Harold Worley

  
Clerk to the Board

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