

**ORDINANCE TO REGULATE DISPOSITION 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 Clay County Board of Commissioners provide a sanitary landfill for use by the general public.
- B. All persons who desire to dispose of solid waste in Clay County must use the county landfill. Any person disposing of solid waste in any place other than the county landfill shall be guilty of violations of this ordinance and shall, for each day or portion thereof the articles or matter are left, constitute a separate offense, and that a person in violation of the ordinance may be punished by a fine not exceeding \$50.00 (fifty dollars) or imprisoned not exceeding thirty (30) days, or both, for each offense.

Section II:

- A. All disposal of solid waste at the landfill shall be under the supervision of county landfill personnel.
- B. Medical waste, hazardous waste (including asbestos), will not be accepted at the landfill.
- C. All solid waste will be weighed prior to being placed in the landfill.
- D. An area will be set aside at the landfill for disposal of construction/demolition waste such as concrete, brick, block, lumber, and other waste materials resulting from building construction, demolition, or renovation.
- E. Used tires and white goods shall be placed in an area specified by a landfill attendant.
- F. No used oil will be accepted at the landfill. Used lead acid batteries will be accepted, but will not be placed in the landfill.

Section III:

- A. All vehicles or containers used to transport solid waste in Clay County shall be covered or otherwise contained to prevent spillage and littering on streets, highways, or public and private property. Violators of this section shall 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 an annual fee of \$50.00 (fifty dollars) for disposal permit. Those issued permits shall be charged a tonage fee for all solid waste placed in the landfill. Permitted organization or individuals will be billed monthly, with a due date of the 25th of each month.
- B. Solid waste tonage fees shall be revised periodically by the Clay County Board of Commissioners in order to keep pace with disposal costs.
- C. All accounts not paid within thirty (30) days from due date will not be allowed to dispose of waste in the landfill until satisfactory arrangements are made. Additional charges of one and one-half percent per month will be added to all accounts not paid by the 25th of the month after charges are incurred.
- D. Individuals disposing of more than eight bags, or more than two-hundred (200) pounds of waste or garbage from a single vehicle, shall be charged a prorated fee for the excess. The fee charged will be based on the tonage rate. An allowance for recyclable material will be made on a two for one basis, ie, one bag of recyclables per two bags of waste. This allowance will be taken into account before calculation of fees chargeable.

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SOLID WASTE WITHIN CLAY COUNTY, N.C.

PURUANT TO NORTH CAROLINA STATUTES 153a-132.1 AND 153a-136 THE CLAY COUNTY BOARD OF COMMISSIMERS ORDAINS THAT:

SECTION I:

- A. IT IS IN THE BEST INTEREST OF CLAY COUNTY THAT THE CLAY COUNTY BOARD OF COMMISSIMERS PROVIDE A SANITARY LANDFILL FOR USE BY THE GENERAL PUBLIC.
- B. ALL PERSONS WHO DESIRE TO DISPOSE OF SOLID WASTE IN ~~THE~~ CLAY COUNTY MUST USE THE COUNTY LANDFILL. ANY PERSON DISPOSING OF SOLID WASTE IN ANY PLACE OTHER THAN THE COUNTY LANDFILL SHALL BE GUILTY OF VIOLATION OF THIS ORDINANCE AND SHALL BE PUNISHED AS A MISDEMEANOR.
- C. ONLY PERSONS LIVING IN OR OWNING PROPERTY IN CLAY COUNTY, N.C OR BUSINESSES OR CORPORATIONS OPERATING IN CLAY COUNTY, N.C SHALL BE ALLOWED TO PLACE SOLID WASTE IN THE LANDFILL. NO SOLID WASTE SHALL BE BROUGHT INTO CLAY COUNTY FOR DISPOSAL.

SECTION II.

- A. ALL DISPOSAL OF SOLID WASTE AT THE LANDFILL SHALL BE UNDER THE SUPERVISION OF COUNTY LANDFILL PERSON^{NE}AL.
- B. MEDICAL WASTE, HAZARD^{OUS} WASTE, (INCLUDING ASBESTOS,) WILL NOT BE ACCEPTED AT THE LANDFILL.
- C. ALL SOLID WASTE WILL BE WEIGHED PRIOR TO BEING PLACED IN THE LANDFILL.
- D. AN AREA WILL BE SET ASIDE AT THE LANDFILL FOR DISPOSAL OF CONSTRUCTION/DEMOLITION WASTE SUCH AS CONCRETE, BRICK, BLOCK, LUMBER, AND OTHER WASTE MATERIALS RESULTING FROM BUILDING CONSTRUCTION, DEMOLITION, OR RENOVATION.

E. USED TIRE AND WHITE GOODS SHALL BE PLACED IN AN AREA SPECIFIED BY A LANDFILL ATTENDANT.

F. NO USED OIL WILL BE ACCEPTED AT THE LANDFILL. USED LEAD ACID BATTERIES WILL BE ACCEPTED, BUT WILL NOT BE PLACED IN THE LANDFILL.

SECTION III.

A. ALL VEHICLES OR CONTAINERS USED TO TRANSPORT SOLID WASTE IN CLAY COUNTY SHALL BE COVERED OR OTHERWISE CONTAINED TO PREVENT SPILLAGE AND LITTERING ON STREETS, HIGHWAYS, OR PUBLIC AND PRIVATE PROPERTY.

SECTION IV.

A. COMMERCIAL HAULERS, CONTRACTORS, INDUSTRY, AND ANY OTHER GENERATOR OF LARGE QUANTITIES OF SOLID WASTE WILL BE CHARGED AN ANNUAL FEE OF \$50.00 FOR A DISPOSAL PERMIT. THOSE ISSUED PERMITS SHALL BE CHARGED A TONAGE FEE FOR ALL SOLID WASTE PLACED IN THE LANDFILL. PERMITTED ORGANIZATION OR INDIVIDUALS WILL BE BILLED MONTHLY, WITH A DUE DATE OF THE 25th OF EACH MONTH.

B. SOLID WASTE TONAGE FEES SHALL BE REVISED PERIODICALLY BY THE CC BOARD OF COMMISSIONERS IN ORDER TO KEEP PACE WITH DISPOSAL COSTS.

C. ALL ACCOUNTS NOT PAID WITHIN THIRTY (30) DAYS FROM DUE DATE WILL NOT BE ALLOWED TO DISPOSE OF WASTE IN THE LANDFILL UNTIL SATISFACTORY ARRANGEMENTS ARE MADE. ADDITIONAL CHARGES OF ONE AND ONE-HALF PERCENT PER MONTH WILL BE ADDED TO ALL ACCOUNTS NOT PAID BY THE 25th OF THE MONTH AFTER CHARGES ARE INCURRED.

D. INDIVIDUALS DISPOSING OF MORE THAN EIGHT BAGS, OR MORE THAN 200LBS OF WASTE OR GARBAGE FROM A SINGLE VEHICLE, SHALL BE CHARGED A PRORATED FEE FOR THE EXCESS. THE FEE CHARGED WILL BE BASED ON THE TONAGE RATE.

E. INDIVIDUALS WHO HAVE OUT-OF-STATE TAGS ON THEIR VEHICLES MAY OBTAIN A LANDFILL PERMIT FROM THE CLAY COUNTY MANAGERS OFFICE. THESE INDIVIDUALS MUST SHOW PROOF THAT THEY ARE EITHER RESIDENTS OR PROPERTY OWNERS IN CLAY COUNTY.

AN ALLOWANCE for a Recyclable material will be made on a 2 for one basis, i.e. one ~~charge~~ bag of Recyclables per 2 bags of waste. This allowance will be taken into account before calculation of fees