



**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA**

ARTICLE I. NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Town of Nags Head Town Code of Ordinances shall be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina that Chapter 30 – *Solid Waste Management* of the Town Code is hereby amended as follows:

PART I. That Sec. 30-4. *Type and size of refuse receptacles* be amended as follows:

- (a) All refuse to be collected by the town shall be stored in proper receptacles between times of collection.
- (b) All single-family residences and each unit of a duplex located anywhere within the town limits unless otherwise excluded by the public works director, will utilize rollout carts for the placement of refuse for pickup by the town. A minimum of one trash cart ~~and one recycling cart~~ is required at each single-family residence and at each unit of a duplex. All seasonal rental units must provide **one trash cart for every two bedrooms.** ~~trash and recycling carts in accordance with the following schedule:~~

# of Bedrooms	# Trash Carts	# Recycling Carts	Total Carts
One to Three	1	1	2
Four to Six	2	2	4
Seven to Nine	3	3	6

The maximum number of **rollout trash and recycling** carts allowed will be determined by the number of rollout ~~and recycling~~ carts required to maintain total compliance with this chapter. The property owner will be responsible for replacing **rollout trash and recycling** carts that have been lost, stolen, or damaged unless such damage is covered under warranty and within the warranty period of ten years, or unless caused by sanitation services at no fault of the property owner. Property owners are also responsible for replacing **rollout trash and recycling** carts that are older than ten years. Additional **rollout trash and recycling** carts necessary to comply with this chapter must be purchased by the property owner from the town.

- (c) Any commercial establishment of less than 2,000 square feet gross floor area may use **rollout trash and recycling** carts, not to exceed a total of two trash and two recycling carts.
- (d) Each new residence built after date of adoption of the ordinance from which this section is derived must have in place the appropriate number of trash ~~and recycling~~ carts prior to the issuance of a certificate of occupancy.
- (e) Bulk containers are required at each commercial establishment in accordance with section 30-7. Distributors of bulk containers who wish to sell or lease such containers in the town are subject to certification of equipment compatibility by the director of public works before such sales will be permitted.
- (f) Detachable containers are authorized through private contractors. Such contractors must be licensed by the town.

- (g) The public works director is authorized to determine the number and type of refuse receptacles needed for any situation not covered by the schedule set forth in subsection (b) above.

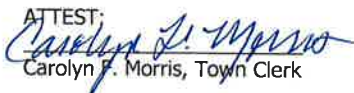
Part II. That Sec. 30-6. *Preparation of refuse for collection* be amended as follows:

- (a) *Generally.* The refuse collection schedule will be established by the public works director and changed as conditions warrant from season to season. Bulk containers, trash carts, or recycling carts which are obstructed or not properly positioned when the truck passes will not be collected until the next regularly scheduled pickup date. Lids must be closed when in use.
- (b) *Receptacles required.* All refuse shall be placed in approved receptacles.
- (c) *Access to receptacles.* Routes for access and collection of residential refuse shall be improved and maintained for the safety of refuse collectors. Access routes shall not be obstructed. Service will not be provided when dogs or other animals interfere with collectors.
- (d) *Large items/bulk pickup.*
 - (1) *Residential collection.* Large, bulky items such as stoves, refrigerators, water heaters, sofas, box springs, etc., which cannot normally be loaded into the back of a standard refuse truck, shall be picked up with equipment designed for large, bulky items. This service does not include the pickup of building materials, roofing, soil, rock, concrete, tree stumps, etc. Tree and shrubbery trimmings must originate from a lot upon which is located a single-family or two-family dwelling unit. Tree and shrubbery trimmings must be cut in lengths of not over eight feet in length. To receive pickup of large, bulky items, an individual must make an appointment with the town from October 1 through March 31.
 - (2) *Commercial collection.* Large, bulky items which cannot normally be loaded into the back of a standard refuse truck shall be picked up with equipment designed for large, bulky items. This service does not include construction materials, carpet, wood, more than 25 mattresses/box springs, stumps, logs, tree and shrubbery trimmings, etc. Each pickup shall be limited to a maximum of no more than 1,500 pounds per item. To receive pickup of large, bulky items, an individual must make an appointment with the town for pickup. Pickup periods are from November 1 through December 15, and from February 15 through March 31.
- (e) *Storage and removal of trash and recycling carts.* Trash and recycling carts must be placed for pickup within the street right-of-way and within four feet of the improved portion of the street, but not on the improved portion of the street. ~~Trash and recycling carts shall be placed for pickup no earlier than the day before the scheduled pickup time.~~ Trash and recycling carts must be removed from the street right-of-way no later than the day of collection. The property owner or occupant shall be responsible for such placement and removal.

ARTICLE II. Effective Date.

This ordinance amendment shall be in full force and effect upon the date of adoption by the Board of Commissioners.


Benjamin Canoon, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk



APPROVED AS TO FORM:

John Leidy, Town Attorney

Date adopted: March 3, 2021
Motion to adopt by Commissioner _____
Motion seconded by Commissioner _____
Vote: AYES NAYS