



# Agenda Item Summary Sheet

Item No: J-1  
Meeting Date: March 4, 2020

**Item Title:** Town Manager Ogburn – Sanitation and Recycling  
– Consideration of trash cart rollback ordinance

**Item Summary:**

At its February 5, 2020 meeting, the Board, at the manager’s request, delayed any decision on action regarding the section of town code regulating proper placement of trash and recycling until its March 4, 2020 meeting. This was done in order to facilitate a meeting with concerned citizens/neighborhood associations that have expressed opposition to this approach.

The issue of the town’s ability to enforce this ordinance with available resources is the primary reason staff recommended it be rescinded. The amount of time and staff resources involved in issuing notices of violation for improperly placed trash and recycling carts seems somewhat unproductive. Complaints are primarily isolated to a few sections of town; however, if there is an expectation that the ordinance be fully enforced, more resources would be necessary and the expense associated with this effort would likely not be justified in light of other town goals. Previously, some Board members have resisted the idea that the town would act as the ‘cart police’ in these instances.

On February 20, 2020 staff met with residents that would like to see the ordinance remain in place for fear that removing it would cause disregard for cart placement with no mechanism for regulation. Their further concerns relate to community aesthetics, the amount of trash blown from carts left in the right-of-way, and the smell from trash as they walked through their neighborhoods. Discussion focused on the importance of increased education targeted primarily to visitors by the town and property management companies. However, there was a strong opinion that staff would have to issue violations along with civil penalties in order to affect any change towards increased compliance.

In lieu of rescinding the ordinance at this time, staff requests the ability to work towards a resolution of this matter through a combined effort of strong education and enforcement for habitual offenders. Staff would evaluate the performance of this approach and report our findings to the Board at the end of the tourist season.

Number of Attachments: 1

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**Specific Action Requested:**

Provided for Board discussion.

Submitted By: Administration

Date: February 26, 2020

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**Finance Officer Comment:**

Signature: Amy Miller

Date: February 26, 2020

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**Town Attorney Comment:**

I will participate in the discussion as necessary.

Signature: John Leidy

Date: February 26, 2020

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**Town Manager Comment and/or Recommendation:**

Attached please find the ordinance to rescind the trash cart rollback ordinance if the Board is interested.

Signature: Cliff Ogburn

Date: February 26, 2020