



Town of Plymouth

124 EAST WATER - PLYMOUTH, NORTH CAROLINA 27962

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AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PLYMOUTH, NORTH CAROLINA, AMENDING SECTIONS 94.01 DEFINITIONS AND SECTION 94.03 REMOVAL OF WASTE REQUIRED; PROHIBITED WASTE DISPOSAL OF CHAPTER 94: GARBAGE, REFUSE AND WEEDS OF THE TOWN OF PLYMOUTH, NORTH CAROLINA, CODE OF ORDINANCES TO ADD GRASS CLIPPINGS AND LEAVES TO THE DEFINITION OF YARD WASTE AND PROHIBITING YARD WASTE ON STREETS, SIDEWALKS AND OTHER AREAS

ORDINANCE NO. 2021-04

WHEREAS, §160A-174 of the North Carolina General Statutes authorizes that a town may by ordinance define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town, and may define and abate nuisances; and

WHEREAS, the Town of Plymouth, North Carolina, has previously enacted ordinances defining and regulating garbage, refuse, and weeds; and

WHEREAS, the Town Council of the Town of Plymouth, North Carolina, wishes to clarify that the definition of yard waste includes grass clippings and leaves; and

WHEREAS, the Town Council also wishes to clarify that it is unlawful for yard waste, including grass clippings and leaves, to be disposed of upon any street, sidewalk, curb, gutter, or public place, except in designated areas.

NOW, THEREFORE, BE IT ORDAINED, this 9th of August, 2021, that the Town Council of the Town of Plymouth, North Carolina, does hereby amend Sections 94.01: Definitions and Section 94.03: Removal of Waste Required; Prohibited Waste Disposal of Chapter 94: Garbage, Refuse and Weeds of the Town of Plymouth, North Carolina, as follows:

94.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ASHES. The residue of burning wood, coal, or other solid fuel.

BULK REFUSE. Discarded household furniture. Cardboard, magazines, and other non-recyclable products in large quantity.

GARBAGE. Animal and vegetable refuse and resulting from the handling, preparation, and consumption of food; including any liquids that may result.

HAZARDOUS REFUSE. Any material such as poisons, acids, caustics, explosives or any infected materials or any substance determined to be hazardous by EPA under the Toxic Substance Control Act.

HOUSEHOLD REFUSE. Refuse generated in the normal course of maintaining a household or residence.

INCIDENTAL REFUSE. Refuse generated by tourists, pedestrians, and citizens engaged in the intended recreational and leisure uses of sidewalks, boardwalks, piers and parks.

INDUSTRIAL WASTE. Waste from factories, processing plants, and other manufacturing enterprises.

INFECTIOUS WASTE. Any solid waste capable of producing an infectious disease. Types of waste designated as infectious are: micro-biological waste, pathological waste, blood products, and sharps.

RECEPTACLE. Any containers approved by the town for the deposit of garbage, ashes, or miscellaneous refuse.

REFUSE. Solid waste including but not limited to garbage, rubbish, and ashes.

RUBBISH. Refuse (exclusive of garbage and ashes) including but not limited to paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree, bush and hedge branches, cuttings and trimmings, yard trimmings, grass, leaves, tin cans, metals, mineral matter, glass, crockery, dirt, earth and dust.

STREET. The entire width between property lines of every way or place, whatever nature, when any part thereof is dedicated or on to the use of the public as a matter of right for the purpose of vehicular or pedestrian traffic.

WASTE. Useless, unused, unwanted or discarded materials resulting from natural community activities, including solids, liquids and gases.

YARD WASTE. Grass, grass clippings, leaves, shrub clippings, bush and hedge branches, sticks and tree limbs.

94.03 REMOVAL OF WASTE REQUIRED; PROHIBITED WASTE DISPOSAL.

- (A) No owner, occupant, or person in charge of any premises within the town shall suffer or permit any substance or liquid offal or any animal, fowl, fish or vegetable matter, or any trash, refuse or waste matter of any kind, or any matter putrid or offensive to persons, or any other substance or liquid which constitutes a fire hazard or other hazard to the health or safety of persons, or which constitutes a nuisance, to remain upon or within such premises. It shall be the duty of each owner occupant, and person in charge of any premises to remove therefrom all such substances and liquids and dispose thereof in a lawful and sanitary manner.
- (B) It shall be unlawful for any person to dispose of any animal, fowl, fish or vegetable matter, or any trash, yard waste, refuse or waste matter of any kind, or any matter putrid or offensive to persons, or any other substance or liquid, in or upon any street, sidewalk, curb, gutter, or public place, or in any well, cistern, creek, spring, reservoir, or watercourse, or upon the property of another without the consent of the owner of such property. This section shall not apply to any lawful disposition of

permitted refuse at any site that may be designated by the town as a refuse disposal site, nor shall it apply to the lawful setting out of refuse to be collected as provided in this chapter.

- (C) No owner, occupant, or person in charge of any premises within the town shall bury or suffer to be buried therein any animal or vegetable matter at such a location or at such a depth or in such a manner that upon decaying, it may contaminate any source of food or water or may otherwise become prejudicial to the public health or become a nuisance.

Adopted this 9th day of August, 2021.



Vershumn "Shawn" Hawkins
Mayor

ATTEST:

Dorenda Wallace
Town Clerk