

ORDINANCE NO. 3067-X

AN ORDINANCE TO AMEND ORDINANCE NO. 2930-X, THE 1990-91 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION FOR A SYMPOSIUM ON CRIME AND DRUGS.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$40,000 is hereby available from the General Fund Contingency.

Section 2. That the sum of \$40,000 is hereby appropriated to the Mayor and City Council Operating Budget (0101; 101.00.199).

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of December, 1990, the reference having been made in Minute Book 97, and is recorded in full in Ordinance Book 39, at page(s) 283.

Pat Sharkey,
City Clerk

ORDINANCE NO. 3068

AMENDING CHAPTER 10

AN ORDINANCE AMENDING CHAPTER 10, ENTITLED "HEALTH AND SANITATION", OF THE CITY CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED, by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Code § 10-34, "Yard trash", is deleted in its entirety and a new Code § 10-34, "Yard trash", is substituted in lieu thereof to read as follows:

"Sec. 10-34. Yard trash.

(a) Definition. Yard trash is defined in § 10-16(2)(e).

(b) Unlawful acts. It shall be unlawful for anyone to fail to separate yard trash from other curbside trash constituting a separate collection at curbside in accordance with the requirements of this section.

(c) Collection regulations. The following regulations shall apply to yard trash collection:

(1) General regulations. It is mandatory that yard trash be placed together to constitute a single, separate collection in order for the City to carry out its recyclable program. Yard trash collection shall be provided only to single-family, duplex, and multi-family residential units served by City forces. A yard trash collection day will be designated once a week by the superintendent of the Sanitation Division. Yard trash shall not be placed at curbside prior to the day preceding the collection date. Any container or any yard trash placed at curbside shall be removed by midnight on the day of collection. The Sanitation Division shall only collect an amount of such yard trash that is customarily and reasonably associated with the residential unit(s) served and so long as it is properly prepared or containerized and in compliance with these regulations.

(2) Leaves and grass clippings. Leaves and grass clippings will be collected at curbside by the City provided that they are bagged in clear plastic bags and securely tied or that they are placed in 20, 32, or 90 gallon containers.

(3) Limbs. Limbs to be collected by the City shall not be larger than four inches in diameter, longer than five feet in length or

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heavier than seventy-five pounds. Tree and shrubbery limbs shall have protruding branches trimmed and must be neatly stacked in place in an orderly manner at curbside. Limbs may be placed in 20, 32 or 90 gallon containers. If limbs are not placed in the authorized containers and are placed at curbside for collection by City forces, then the limbs must be stacked in small neat piles such that a reasonable person would expect one individual to pick up the piles easily for disposal.

(4) Stump and trunks. Tree stumps will not be collected by the City. Tree trunks larger than four inches in diameter will not be collected by the City.

(d) Forfeiture of collection service. The Sanitation Division shall have the authority to decline to collect any yard trash that is not ready for collection in accordance with these regulations.

(e) Penalty. A citation may be issued in the amount of \$25.00 to any person who places yard trash at curbside for collection by the City prior to the day preceding the scheduled collection date or who fails to remove yard trash or containers from curbside by midnight on the day of collection. A citation may be issued in the amount of \$50.00 to any person who fails to comply with any other provision of these regulations in this section."

Sec. 2. This ordinance shall become effective on January 1, 1991.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of December, 1990, the reference having been made in Minute Book 97, and is recorded in full in Ordinance Book 39, at page(s) 284-285.

Pat Sharkey,
City Clerk

ORDINANCE NO. 3069

AMENDING CHAPTER 10

AN ORDINANCE AMENDING CHAPTER 10, "HEALTH AND SANITATION", OF
THE CITY CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte,
North Carolina, that:

Section 1. § 10-35, "Bulky Items/Junk" is deleted
in its entirety and, in lieu thereof, there is substituted a
new § 10-35, "Bulky Items/Junk", to read as follows:

"§ 10-35. Bulky Items/Junk.

(a) Unlawful act. It shall be unlawful for anyone
to place or to leave any bulky items/junk ("bulky
items") at curbside for collection by the City except
in accordance with this section.

(b) Definition of bulky items/junk. Bulky items
shall mean household furniture, household appliances,
mattresses, boxed springs, and other such similar
household items. The City will not collect central
heating units or central air-conditioning units or
pallets.

(c) Eligibility for service. Special services
collection for bulky items shall only be provided to
City-served single and multiple residential units for
the benefit of the occupant of the premises who might
be currently residing on the premises or who might
have recently voluntarily vacated the premises. The
service is not available for renovations, building
materials, and changes in appliances and equipment
that are commercially related. Such commercially
related activities are the responsibility of the rent-
al agent and owner of the property. The City shall
not collect any bulky items nor provide any special
services collection that pertains to any legal evic-
tion or is the result of any other legal proceeding.

(d) Superintendent's discretion. The superinten-
dent of the Special Services Division, who is responsi-
ble for the administration of this section, shall have
the discretion to determine if items constitute bulk
items, as defined above, and shall have the discretion
to determine whether a request for service is consis-
tent with the eligibility standards described above.

The Special Services Division shall not provide
special services collection for bulky items or any
other items that are the consequence of a fire at the
structure. The superintendent of the Special Services
Division shall have the authority to exercise discre-

tion to provide special services collection when, as a result of a fire, there is only a single bulky item or what would otherwise be a normal collection amount as opposed to clearing the premises of burnt-out bulky items.

(e) Procedure. The bulky items special services collection service is provided once a week on a day designated by the Special Services' superintendent to collect such items. Eligible items must be scheduled with the Special Services Division for collection. A date will be given when collection will occur. Bulky items shall not be placed at curbside prior to the day preceding the collection date.

(f) Tires. Rimless tire collection is provided once a week on a day designated by the Special Services Division. Tires must be scheduled with the Special Services Division for collection at curbside. A date will be given when collection will occur. Tires shall not be placed at curbside prior to the day preceding the collection date. The Special Services Division serves only premises that have lawful residential uses. The Special Services Division shall collect from such residential premises only an amount of rimless tires that a reasonable person might expect to have been generated from a residential use of premises. The superintendent of the Special Services Division shall have authority to determine what constitutes a reasonable amount of tires generated from a residentially used premises. The City will not collect tires from any premises that do not have a residential use and will not collect tires that are generated from any non-residential use or from any commercially related use. The City will not collect any other automobile parts, including, but not limited to, motors, doors, fenders, car seats or batteries from a residentially used premises.

(g) Penalty. A citation may be issued in the amount of twenty-five dollars (\$25.00) to any person who places bulky items at curbside prior to the date preceding the scheduled collection date, or who fails to remove the same by midnight on the day of collection, or who otherwise violates this section."

Section 2. There shall be a new § 10-35.1 entitled, "Dilapidated Condition on Premises", to read as follows:

"§ 10-35.1. Dilapidated Condition on Premises.

(a) Unlawful act. It shall be unlawful for any person to have on their premises materials that would create a littered condition, such as dilapidated furni-

ture, appliances, machinery, equipment, building materials, automobile parts, tires, or any other items which are in a wholly or partially rusted, wrecked, junked, dismantled, or inoperative condition, which are not completely enclosed within a building or dwelling. After notice of violation of this section, it shall be unlawful to allow any such item(s) to remain on the property of the occupant or owner for a period longer than seven (7) days. This shall not apply to authorized junk dealers or establishments licensed to engage in the repair, rebuilding, reconditioning, or salvaging of equipment.

(b) Penalty. A citation may be issued in the amount of fifty dollars (\$50.00) to any person who violates this section."

Section 3. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of December, 1990, the reference having been made in Minute Book 97, and is recorded in full in Ordinance Book 39, at page(s) 286-288.

Pat Sharkey,
City Clerk