

City of Charlotte Code Violations (Excerpt)
(Commonly noted)

Sec. 10-172. Rollout containers.

(a) It shall be unlawful for any person in possession, charge, or control of any place in or from which litter is accumulated or produced to fail to provide, and at all times to keep in a suitable place readily accessible to city's collection personnel or authorized collection agent, adequate and suitable rollout containers capable of holding all such waste materials which would ordinarily accumulate between the times of successive collections.

(b) Rollout containers used in the residential garbage collection program are property of the city.

(c) A rollout container, when completely full, shall not exceed 200 pounds (excluding the weight of the container). All rollout containers, as required, shall be of approved construction and design and shall be maintained in good serviceable condition at all times. Any rollout container which does not conform to the provisions of this article, or which has ragged or sharp edges or any other defects likely to hamper or injure the person collecting the contents thereof or the public generally, shall be promptly replaced upon notice. If such rollout container, after proper notice, has not been replaced, the solid waste services key business executive or his designee shall have the authority to remove for disposal such rollout container on the next scheduled collection service day.

(d) Spilled materials or overflow caused by the property owner or occupant shall be cleaned up immediately after such spillage or overflow occurs.

(e) The solid waste services director or his designee shall have the authority to determine the proper location of rollout containers on private property.

(f) No rollout containers shall be stored in front of a home or in front of the building line closest to the street.

(g) The city will not collect from sunken containers.

(h) Civil penalty. A civil penalty in the amount of \$25.00 may be issued to any person who violates this section.

Sec. 10-99. Rollout container collection service.

(a) Rollout container collection service shall be provided to single residential units and special residential units, provided such special residential units are not part of a multifamily complex containing 30 or more units. The approval of development configurations, lot lines, phase lines, or variations in forms or timing of ownership that may be approved under any provisions of the city subdivision ordinance and/or the city zoning ordinance after initial approval of development configurations, lot lines, phase lines, or variations in forms or timing of ownership, will not exempt the development or any portions of the development from the applicable provisions of this section.

(b) Except as provided in section 10-100, rollout containers will be collected from the curb. Containers must be placed at ground level, within two feet of the curb and at least

three feet away from each other or other obstacles such as mailboxes, telephone poles, automobiles, bulky items, etc., or in a location specified by the solid waste service key business executive or his designee. Rollout containers should not block sidewalks. Service may be denied to:

(1) Any improperly placed container;

(2) Any container that is not accessible to solid waste services personnel without having to unlock or open a door, ascend or descend multiple steps, unlock or open a gate or similar obstacle, or encounter a vicious animal; and

(3) Any container rendered inaccessible by parked vehicles, equipment or other objects.

(c) Rollout containers shall be placed at the curb no earlier than the day before the collection day and shall be removed by midnight on the collection day.

(d) Garbage shall be drained of all liquid and enclosed in securely tied plastic bags prior to being placed in rollout containers.

(e) It shall be unlawful to place dangerous items and/or any waste materials of injurious nature such as broken glass, light bulbs, sharp pieces of metal, fluorescent tubes and television tubes in rollout containers for collection. Hypodermic syringes, hypodermic needles or any instrument or device for making hypodermic injections shall not be disposed of except as provided in section 10-111.

(f) Civil penalty. Any customer who places solid waste at curbside prior to the day before the scheduled collection date or who fails to remove solid waste and/or containers from curbside by midnight on the day of collection may be issued a civil penalty the amount of \$50.00. Any person who fails to properly prepare or containerize solid waste for curbside collection may be issued a civil penalty in the amount of \$50.00.

Sec. 10-241. Duty of owners and occupants to cut and remove....WEEDS AND GRASS....

(a) It shall be unlawful for the owner and/or occupant of a property to fail to cut grass, weeds, and other overgrowth vegetation on property when the grass, weeds, and other overgrowth vegetation is of a greater height than one foot on the average. It shall be the duty of the owner and occupant to cut and remove all grass, weeds, and other overgrowth vegetation as often as necessary so as to comply with this provision of this Code.

(1) Vacant lots adjacent to improved property, except as defined as heavily wooded, shall be cut in their entirety at least three times per year, as required during the mowing season (April through September).

(2) Vacant lots over one acre and adjacent to improved properties shall be cut within 100 feet of such improved property and shall be cut at least three times per year, as required during the growing season (April through September).

(3) Vacant lots over one acre and not adjacent to improved properties shall have a 100-foot buffer area cut adjacent to the nearest properties and shall be cut at

least three times per year, as required during the growing season (April through September).

(b) Civil penalty. A civil penalty in the amount of \$50.00 may be issued to any person in violation of this section.

Sec. 10-106. Bulky and junk items.

(a) It shall be unlawful for anyone to place or leave bulky items or junk at curbside for collection by the city except in accordance with the requirements of this section.

(b) Bulky and junk items shall be as defined in section 10-32.

(c) Collection for bulky and/or junk items shall only be provided to single, special and multiple residential units, except for the Charlotte Housing Authority 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:

(1) Renovations, building material, appliance and equipment changes that are commercially related. Such commercially related activities are the responsibility of the rental agent and/or owner of the property.

(2) Items from business establishments operated from a residential unit.

(3) Any bulky item or junk that pertains to any legal eviction or is the result of any other legal proceedings.

(4) Items that are the consequence of a fire at a business or residential structure. The solid waste services key business executive or his designee shall have the authority to exercise discretion to provide collections 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 bulky or junk items.

(5) Other items that will not be collected as a bulky item or junk are: oxygen tanks and other medical equipment; propane tanks; large oil tanks used for household purposes; parts of campers, boats, camper shells, trailers; automotive parts, including but not limited to motors, doors, fenders, car seats or batteries from a residentially used premises, etc.

(d) The solid waste services key business executive shall have the discretion to determine if items constitute bulky items or junk as defined in section 10-33 and shall have the discretion to determine whether a request for service is consistent with the eligibility standards as described in this section. The solid waste services key business executive shall have the authority to require items to be prepared for ease of collection and/or to ensure the safety of the employees performing the collection task. An item not prepared properly may be refused for collection at the discretion of the solid waste services key business executive. Special collection requirements for certain items are as follows:

(1) No bulky item or junk shall be collected if it is too large to be placed on the collection vehicle or if its size or weight is such that two individuals could not be reasonably expected to pick it up.

(2) Fifty-five-gallon drums that are for personal use will be collected if both ends have been removed and the drum is flattened.

(3) Wooden pallets will be collected only if they are broken into smaller pieces the size of boards or lumber with nails removed.

(4) Any appliance accepted for collection must be empty of its contents.

(5) Large furniture items shall be dismantled prior to collection such that a reasonable person can expect two individuals to easily load them onto the special collection vehicle.

(6) Gasoline and wheels must be removed from all lawn mowers prior to collection.

(7) Tires must be removed from all bicycles prior to collection.

(8) All glass in windows, doors, mirrors and other items with large expanses of glass must have the glass taped with an "X" mark so it will not shatter in the collection process.

(9) It shall be unlawful to place dangerous items and/or any waste materials of injurious nature such as broken glass; light bulbs; sharp pieces of metal; fluorescent tubes and television tubes out for collection unless they are securely wrapped and marked so as to prevent injury to the collection personnel. Hypodermic syringes, hypodermic needles or any instrument or device for making hypodermic injections shall not be disposed of except as provided in section 10-111.

(e) Tires.

(1) The solid waste services key business unit will not collect tires from any premises that do not have a lawful residential use and will not collect tires that are generated from any nonresidential and/or commercially related use as determined by the solid waste services key business executive.

(2) Tires eligible for collection are those used on bicycles, automobiles, motorcycles, large vans, mini vans, and small pickup trucks. No large truck or farm equipment tires shall be collected.

(f) Eligible bulky or junk items must be scheduled with the solid waste services key business unit for collection and placed at curbside prior to collection separate from any other items placed at curbside for city collection. A date will be given when collection will occur. Bulky items and junk shall not be placed at curbside for collection any earlier than the day before the collection date.

(g) Civil penalty. Any customer who places bulky/junk items at curbside prior to the day before the scheduled collection date or who fails to remove bulky/junk items and/or containers from curbside by midnight on the day of collection may be issued a civil penalty in the amount of \$50.00. Any person who fails to properly prepare a bulky/junk item for curbside collection or who places ineligible items for collection may be issued a civil penalty in the amount of \$50.00.

Sec. 10-105. Yard waste.

(a) Yard waste shall be separated from other solid waste at the curbside in accordance with the requirements of this section.

(b) The following regulations shall apply to yard waste collection:

(1) It is mandatory that yard waste be placed together to constitute a single, separate collection in order for the city and/or contractor to carry out its recyclables collection program. Yard waste collection shall be provided only to residential units receiving rollout container service.

(2) Yard waste shall not be placed at curbside any earlier than the day before the collection date. Any container used to store yard waste placed at curbside for collection shall be removed by midnight on the day of collection. Collection forces shall collect an amount of yard waste that is customarily and reasonably associated with the residential unit served and so long as it is properly prepared or containerized and in compliance with these regulations. The volume of yard waste placed at curbside for collection shall not exceed on any designated collection day an amount a reasonable person would expect two individuals comprising the collection crew to load into the collection vehicle.

(3) Yard waste shall be collected at curbside provided that it is placed in open containers or plastic bags for collection. Such bags shall be in good condition; and of size and weight that when full do not weigh more than 75 pounds each and are such that one individual can easily pick up each bag, one at a time, for disposal. Plastic bags containing yard waste shall not be secured at the top when placed at curbside for collection. Containers used for yard waste shall have all lids removed.

(4) Limbs collected by city collection forces shall be no larger than four inches in diameter nor longer than five feet. Tree shrubbery and limbs shall have all protruding branches trimmed. Limbs must be stacked in small, neat piles such that a reasonable person would expect one individual to easily pick up each pile, one at a time, for disposal. Each pile shall weigh no more than 75 pounds and shall not exceed four feet in height nor five feet in length.

(5) Tree trunks larger than four inches in diameter will not be collected by city collection forces. Tree stumps will not be collected by city collection forces or its authorized agent.

(c) It shall be unlawful to allow accumulations of limbs on private property. This shall not include compost areas.

(d) The solid waste service key business unit shall have the authority to decline to collect any yard waste that is not ready for collection in accordance with these regulations or exceeds the maximum amount that a city collection crew can reasonably expect to load into the collection truck. The solid waste service key business unit shall have the authority to decline to collect any tree or tree limbs where the service has been performed for a fee by a commercial yard service other than the property owner.

(e) Civil penalty. Any person who places yard waste at curbside earlier than the day before the scheduled collection date or who fails to remove yard waste from curbside by midnight on the day of collection may be issued a civil penalty in the amount of \$50.00.

Any person who fails to properly prepare yard waste for curbside collection or who places yard waste that is not eligible for collection at the curbside may be issued a civil penalty in the amount of \$50.00.