

ORDINANCE #15-01:

AN ORDINANCE AMENDING CHAPTER 50, SOLID WASTE OF THE VILLAGE OF PINEHURST MUNICIPAL CODE.

THAT, WHEREAS, the Village Council of the Village of Pinehurst adopted an ordinance dated October 20, 1980, establishing and implementing certain authorized police powers for the purpose of prescribing regulations governing conditions detrimental to the health, safety, and welfare of its citizens; and

WHEREAS, on September 13, 2011 the Village Council of the Village of Pinehurst adopted Ordinance 11-25 which adopted the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the "Village of Pinehurst, North Carolina Municipal Code;" and

WHEREAS, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

WHEREAS, the organizational structure, services provided and operating procedures of the Village have been changed from time to time as circumstances and changing conditions warrant and the Village Council has determined that it is in the best interest of the citizens of Pinehurst to amend Chapter 50, Section 50.05 and Section 50.10 of the Pinehurst Municipal Code.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 27th day of January, 2015 as follows:

SECTION 1. That the following amendments be made to § 50.05:

§ 50.05 FREQUENCY OF COLLECTION AND REMOVAL.

(B) For residential properties, including apartment and condominium complexes, located in the village, village employees or contractors acting on behalf of the village shall provide household trash and recycling collection and removal services once per week, except for holidays or when inclement weather conditions prevent the provision of this service, pursuant to schedule prepared and maintained by the Public Services Department of the village. **For residential properties served by Village personnel, yard debris collection and removal service shall be provided once per week. Village-provided** trash, ~~and~~ recycling, **and yard debris** receptacles must be placed curbside/roadside/back alley prior to 7:00 a.m. on the day of pickup or no earlier than 5:00 p.m. prior to the collection day and must be removed from curbside/roadside/back alley by the end of the day of pickup. This provision does not apply to apartment and condominium complexes with common collection areas. For residential properties on major thoroughfares, as determined by the Public Services Director, trash, ~~and~~ recycling, **and yard debris** receptacles must adhere to the same time restrictions above; however, they shall be placed for collection purposes in the driveway, as opposed to curbside, in such a manner as to be

clearly visible from the road in which the driveway enters and/or exits. Trash, and recycling, **and yard debris** receptacles shall be stored between scheduled pickups either within a completely enclosed substantial structure such as a house, garage, shed or be stored behind the principal structure's building lines extended for all sides of the structure that directly face a street and be no more than five feet from the principal structure itself (exception: if a home is served by back alley collection or is an apartment or condominium complex then this requirement may not apply).

SECTION 2. That the following amendments be made to Section 50.10:

§ 50.10 YARD WASTE COLLECTION.

(A) Shrubbery trimmings, tree trimmings, lawn clippings, sticks, pinecones, yard rakings and the like shall only be collected when ~~placed~~ **deposited loose and un-bagged in the proper receptacle and placed** at the curbside as provided in this division. ~~These materials shall be placed by the occupant behind the curb in the grass strip between the street and the sidewalk where the strips are available, or they shall be placed immediately adjacent to that portion of the street right-of-way normally used by vehicles; however, no~~ **No** material **or receptacle** shall be placed in any street, gutter, canal or ditch where it would prevent or divert the flow of stormwater or interfere in any way with any storm drainage system or interfere with public use of any street.

(B) Tree limbs shall not be more than four feet in length or six inches in diameter, ~~and tree limbs shall be separated from yard raking.~~ **If tree limbs do not fit in cart with cover secure, they shall be placed adjacent to and spaced three feet from container with tree limbs securely tied in bundles not more than 18 inches in diameter and four feet in length.** ~~Tree limbs must be securely tied in bundles not more than 18 inches in diameter and four feet in length. Light refuse (leaves, twigs, pine needles, pinecones and similar vegetative waste) must be securely contained in a plastic bag.~~

SECTION 3. That this Ordinance amendment shall be and remain in full force and effect from and after the date of its adoption.

THIS ORDINANCE passed and adopted this 27th day of January, 2015.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

Attest:
Lauren M. Craig
Lauren Craig, Village Clerk

Approved as to Form:
Michael J. Newman
Michael J. Newman, Village Attorney