

June 23, 2020 – 1<sup>st</sup> Reading  
 July 14, 2020 – Presented for 2<sup>nd</sup> Reading

1 **2020-33 (2nd READING): TO AMEND CHAPTER 17 OF THE CODE OF LAWS OF**  
 2 **THE CITY OF MYRTLE BEACH ENTITLED SOLID WASTE MANAGEMENT TO ADD**  
 3 **DEFINITIONS AND MORE CLEARLY DESCRIBE COLLECTION AND ENFORCEMENT**  
 4 **PROVISIONS AND TO AMEND EXHIBIT C ENTITLED SCHEDULE OF SOLID WASTE**  
 5 **FEES AND CHARGES OF THE 2020-21 BUDGET ORDINANCE.**

6 **Applicant/Purpose:** Staff/to add definitions & clarify collection & enforcement provisions of  
 7 the Solid Waste Management Ordinance to improve the quality of life for our residents and  
 8 overall appearance of the community, and to amend the Schedule of Solid Waste Fees &  
 9 Charges to include fees for enhanced services.

10  
 11 **Brief:**

- 12 • This proposed ordinance revision will provide:
  - 13 ○ A fair allocation of the costs of solid waste collection services by defining
  - 14 standard service levels.
  - 15 ○ A mechanism & fee structure for collection services above standard collections.
  - 16 ○ Enforcement of compliant collection practices & illegal dumping corrective
  - 17 actions.
  - 18 ○ A mechanism for financial recovery from violators.
- 19 • Changes since 1<sup>st</sup> reading:
  - 20 ○ Added language to authorize the Manager to waive or reduce fees under
  - 21 extraordinary situations &/or hardships.
  - 22 ○ Added "Solid Waste Billing" Section to clarify that non-payment is subject to the
  - 23 same remedies as non-payment of utility bills, up to & including cessation of
  - 24 service & removal of solid waste containers.

25  
 26 **Issues:**

- 27 • The current ordinance does not clearly define standard levels of service or provide a
- 28 mechanism for collection services over & above standard collection services.
- 29 • Without a clear definition of standard levels of service & compliant collection practices,
- 30 the City has little enforcement ability.
- 31 • The City has historically absorbed the cost to collect and dispose of non-compliant
- 32 material and illegally dumped material without financial recovery.
- 33 • This practice affects the community's appearance & unfairly burdens our taxpayers.

34  
 35 **Public Notification:** Normal meeting notification.

36  
 37 **Alternatives:**

- 38 • Deny the proposed ordinance changes.
- 39 • Modify the proposed amendment.

40  
 41 **Financial Impact:** None.

42  
 43 **Manager's Recommendation:**

- 44 • I recommend 1<sup>st</sup> reading (6/23/2020)
- 45 • I recommend approval (7/14/2020)

46  
 47 **Attachment(s):** Proposed ordinance.

CITY OF MYRTLE BEACH  
COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

TO AMEND CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY OF MYRTLE BEACH ENTITLED SOLID WASTE MANAGEMENT TO ADD DEFINITIONS AND MORE CLEARLY DESCRIBE COLLECTION AND ENFORCEMENT PROVISIONS AND TO AMEND EXHIBIT C ENTITLED SCHEDULE OF SOLID WASTE FEES AND CHARGES OF THE 2020-21 BUDGET ORDINANCE

WHEREAS, the City of Myrtle Beach recently conducted a comprehensive review of its Solid Waste Management Ordinance; and

WHEREAS, upon review, the City of Myrtle Beach determined that changes were needed to more clearly explain solid waste collection provisions by adding more definitions and rewriting specific sections relating to units of service, compliant collection, illegal dumping and code enforcement.

NOW THEREFORE, BE IT ORDAINED BY MYRTLE BEACH CITY COUNCIL THAT CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY OF MYRTLE BEACH BE AMENDED BY DELETING CHAPTER 17 IN ITS ENTIRETY AND REPLACING IT WITH THE FOLLOWING:

Chapter 17 - SOLID WASTE MANAGEMENT

ARTICLE I. - IN GENERAL

Sec. 17-1. - Prohibition of Unlawful Solid Waste Management Activities – All unlawful conduct set forth in this section shall constitute a violation of this chapter.

(a) It shall be unlawful for any person to cause or allow unsightly litter, foul or offensive odors, or potentially dangerous materials to remain on or emanate from any property under his control, or to discard, abandon, or cause the same on any public or private property within the corporate limits of the city.

(b) It shall be unlawful for any person to:

(1) Scatter refuse on or litter any public or private street, area or place;

(2) Cast, throw, place, sweep or deposit anywhere within the city any refuse or trash in such a manner that it may be carried or deposited by the elements upon or in any street, sidewalk, alley, storm drain or other public place, or into any occupied or unoccupied premises within the city;

(3) Place, dump, throw or deposit any refuse, yard waste, bulk waste, electronic waste, tires, trash or debris in such a manner as to block any storm water catchment or enter any-storm water conveyance, swash, waterway, pond, body of water, beach, or other natural resource;

(4) Cause, by use of any blower, broom, sweeper or other device any dirt, sand, leaves, yard clippings, litter or other debris to be deposited on any public right-of-way or public property

- 43 except as may be specifically authorized pursuant to Public Works operations or required by the  
44 provisions of this chapter related to solid waste collection;
- 45 (5) Place, dump, throw, or allow any refuse, yard waste, bulk waste, electronic waste, tires,  
46 trash, or debris within the rights-of-way of the city except that a property owner or person in  
47 lawful possession and control of property may place such refuse, yard waste, bulk waste,  
48 electronic waste, tires, trash, or debris generated from said property on the right-of-way  
49 immediately adjacent to the property within city designated points of collection for service  
50 pursuant to the provisions of this chapter;
- 51 (6) Place, or park vehicles within the public right-of-way in such a manner as it impedes solid  
52 waste collection services within designated points of collection. The owner, registrant, operator  
53 and any occupants of the vehicle in possession thereof shall be jointly and severally liable for the  
54 penalties imposed pursuant to this chapter and each shall each be guilty of a violation.;
- 55  
56 (7) Collect or scavenge any solid waste material which has been placed at the street, curb line  
57 or in approved collection area pursuant to this chapter.;
- 58 (8) Place or to cause to be placed any dumpster within the city within the public right-of-way  
59 without written approval of the Public Works Director or his/her designee.
- 60 (9) Place or cause to be placed any privately owned compactor on any public right-of-way or  
61 other public property.
- 62 (10) Place or to cause to be placed any solid waste material other than a recyclable in or near a  
63 recycling collection area or refuse receptacle or container.
- 64 (11) Place, dump, throw or deposit or cause to be placed, dumped, thrown or deposited any  
65 solid waste material on the premises of the compactor site outside of the compaction unit.
- 66 (12) Place or cause to be placed any white good or container of any kind within the public right-  
67 of-way for collection that has an airtight door or cover with a lock or latch, without first removing  
68 the lock or latch, door or cover from the white good or container.
- 69 (13) Place or cause to be placed any material other than those authorized pursuant to this  
70 chapter for collection. Prohibited materials within the city's solid waste material collection  
71 stream includes but is not limited to untreated ashes, hazardous waste, industrial waste,  
72 regulated waste, regulated medical waste, large dead animals, construction and demolition  
73 waste, motor oil, lead-acid batteries, tires, and liquid paint.
- 74 (14) Transport materials within the city without a suitable cover or restraints to prevent any  
75 spillage of the material from the vehicle or trailer while it is being transported.
- 76 (15) Place any material of any kind in a container which another shall be paying the collection  
77 fee and in control of the collection service being provided.
- 78 (c) The owner, operator, registrant, and any occupants of a vehicle involved in placing, depositing,  
79 leaving, littering, throwing, casting, or dumping any waste on the public right-of-way, public park,

80 public place, or on any real property without the lawful consent of the property owner or the  
81 lawful consent of the owner or lawful consent of the occupant in possession thereof shall be  
82 jointly and severally liable for the penalties imposed pursuant to this chapter.

83 (Code 1980, § 6-2-1,6-2-11; Ord. No. 93-29, 6-24-93; Ord. No. 94-12, 3-8-94; Ord. No. 981215-54,  
84 §§ 4—6, 12-15-98)

85 Sec. 17-2.- Definitions.

86 The following words, terms and phrases, when used in this chapter, shall have the meanings  
87 ascribed to them in this section, except where the context clearly indicates a different meaning:

88 **Animal and agricultural waste** means, principally, the manure and crop residue from various  
89 agricultural pursuits, including dairying and the raising of livestock and poultry. Animal waste also  
90 includes, in addition to such items, waste from stables, kennels, pet pens, chicken coops,  
91 veterinary establishments and the like.

92 **Ashes** shall mean the residue of the combustion of solid fuels including, but not limited to, wood,  
93 coal and other combustible material in homes, stores, institutions and small industrial  
94 establishments for the purposes of heating, cooking and disposing of combustible waste material.  
95 Ashes are usually composed of a mixture of fine powdery residue, cinders, clinkers and small  
96 portions of unburned or partially burned fuel or other materials.

97 **Building materials** means any material such as lumber, brick, block, stone, plaster, concrete,  
98 asphalt, roofing shingles, gutters and other substances accumulated as the result of repairs or  
99 additions to existing buildings or structures, construction of new buildings or structures, or the  
100 demolition of existing buildings or structures.

101 **Bulk waste** means solid waste that due to its size, weight or shape cannot be placed in a plastic  
102 bag, roll cart or other receptacle. This term includes discarded household furniture, mattresses and  
103 box springs, white goods, toys and other bulk household materials. This term does not include  
104 regulated waste, garbage, household trash, or putrescible waste.

105 **Business trash** means any waste accumulation of dust, paper, cardboard, excelsior, rags or other  
106 accumulations other than garbage or household trash which are usually attendant to the operation  
107 of stores, offices and similar businesses.

108 **Commercial establishment** means any retail, wholesale, motel, hotel, restaurant, parking lot,  
109 parking garage, institutional, religious, governmental or other nonresidential establishment which  
110 may generate garbage, business trash or other refuse. This shall also include any rental property  
111 located within residential and mixed-use areas of the city, including but not limited to a single  
112 residential unit, multiple-residential units, or dwelling units that are not the primary residence of the  
113 property owner.

114 **Commercial waste** means any waste accumulation generated by, originating in or around a  
115 commercial property including, debris, paper, cardboard, packaging materials, pallets, rags or other  
116 accumulations other than garbage or typical household trash which are usually attendant to the  
117 operation of retail or wholesale stores, offices, restaurants, hotels, institutions and other similar  
118 businesses. This shall also include institutional waste and waste generated at residential properties

119 as a result of commercial activities to include on-site commercial activities at a residential property,  
120 off-site commercial activities where materials are brought back to a residential property. This does  
121 not include regulated waste.

122 **Compactor** means a roll-off container having an auxiliary packing mechanism.

123 **Construction and demolition (C&D) waste** means any grubbing, land clearing and filling, or  
124 building material accumulated as the result of altering real property, repairs or additions to existing  
125 buildings or structures, construction of new buildings or structures, or the demolition of existing  
126 buildings or structures.

127 **Cubic yard** means a dimension of three (3) feet by three (3) feet by three (3) feet.

128 **Curb line** means the area between the sidewalk and the street curb or edge of pavement, used for  
129 deposit of solid waste, bulk waste, yard waste, recyclables and other items that are not prohibited  
130 under the rules and regulations of the Public Works Department pursuant to this chapter.

131 **Dead animals** mean animal carcasses or parts thereof; and animals or parts thereof that have died  
132 which are not otherwise hazardous, infectious, regulated medical waste or regulated material. This  
133 term does not include the following: animal carcasses or parts thereof from slaughterhouses; animal  
134 carcasses or parts thereof specifically prohibited by this chapter, rule or regulation of the City of  
135 Myrtle Beach or other law; bodies of human beings or parts thereof.

136 **Dumpster** means metal containers of not less than two (2) cubic yards of capacity nor larger than  
137 eight (8) cubic yards capacity, constructed to be watertight but with drain plugs at the lowest point of  
138 the container to facilitate the drainage of any liquids that might accumulate in the container or from  
139 cleaning the container. Dumpsters serviced by the city shall be designed so that they can be  
140 emptied mechanically by specially designed trucks operated by the Public Works Department.

141 **Dwelling** means a building that contains one or two dwelling units, intended or designed to be  
142 used, rented, leased, let or hired out to be occupied for living purposes.

143 **Dwelling unit** means a single unit providing complete, independent living facilities for one or more  
144 purposes, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

145 **Electronic waste** means those electronic devices that are regulated by the rules and regulations  
146 promulgated by the Public Works Department or other government agency including, but not limited  
147 to, South Carolina Department of Health and Environmental Control (SCDHEC). These covered  
148 devices include:

- 149 (1) Computer Device - a tablet, desktop, laptop, or notebook computer or a printing device  
150 marketed and intended for use by a consumer.
- 151 (2) Computer Monitor Device - a display device typically manufactured without an internal tuner  
152 that can display pictures and sound and is designed for use with a desktop computer.
- 153 (3) Television Device - a device that contains a tuner that locks on to a selected carrier  
154 frequency and is capable of receiving and displaying television or video programming via  
155 broadcast, cable, or satellite including, but not limited to, a direct view or projection  
156 television with a viewable screen of nine inches or larger whose display technology is based  
157 on cathode ray tube, plasma, liquid crystal display, digital light processing, liquid crystal on

158 silicon, silicon crystal reflective display, light emitting diode, or similar technology marketed  
159 and intended for use by a consumer primarily for personal purposes.

160 **Environment** means any water, water vapor, land surface or subsurface, air, fish, wildlife, biota and  
161 other natural resources.

162 **Environmental Law** means any and all statutes, laws, ordinances, rules, regulations, permits,  
163 licenses, orders and/or directives of any governmental agency, now or hereafter in effect, relating to  
164 the protection of the environment or governing or regulating the use, storage, treatment, generation,  
165 transportation, processing, handling, abandoning, production or disposal of or release of any  
166 chemical, substance, waste, pollutant or contaminant.

167 **Explosive material** means any solid or liquid substance that acts by chemical reaction to liberate,  
168 at high speed, heat and gas and create tremendous pressure. An explosive substance, especially  
169 one used to produce an explosive effect.

170 **Fill Material** means any material, including but not limited to earth, rocks and gravel, which is used  
171 for filling a hole or depression.

172 **Garbage** means the waste produced by the handling, processing, preparation, cooking and  
173 consumption of animal or vegetable products used for human consumption. This definition shall  
174 include any other matter that is also subject to decomposition, decay, putrefaction or the generation  
175 of noxious or offensive gases or odors, or which before, during, and after decay may serve as  
176 feeding or breeding material for animals or flies or other insects. This definition does not include  
177 food processing waste from canneries, slaughterhouses, packing plants or other similar large food  
178 waste processing sources.

179 **Grubbing** means to clear ground of roots and stumps by digging them up, clearing real property by  
180 digging or breaking up the soil.

181 **Hazardous waste** any waste or a combination of wastes, which, because of its quantity,  
182 concentration or physical, chemical or infectious characteristics, may cause or significantly  
183 contribute to an increase in mortality or an increase in serious irreversible or incapacitating  
184 reversible illness or may pose a substantial present or potential hazard to human health or the  
185 environment when improperly treated, stored, transported or disposed of or otherwise managed.  
186 This term includes but is not limited to compressed gas, poisons, acids, caustics, explosive  
187 material, high-level or low-level radioactive material, toxic substances, highly flammable material,  
188 and parts of the human body including pathological specimens, solid waste generated from the  
189 treatment, storage or disposal of hazardous waste and those substances which the Public Works  
190 Department or other governmental agency has identified as a hazardous waste pursuant to the  
191 above criteria and has been included on a list of hazardous waste promulgated by the South  
192 Carolina Department of Health and Environmental Control (SCDHEC).

193 **Household trash** means waste accumulation of paper, sweepings, dust, rags, bottles, cans or  
194 other waste material of any kind, other than garbage, which is attendant to residential  
195 housekeeping.

196 **Illegal dumping** means to place, deposit, leave, litter, throw, cast or otherwise dump solid waste  
197 materials in an area not designated for collection, in an area where the materials were not

198 generated, or to place items out in any area that are not acceptable under the rules and regulations  
199 promulgated by the Public Works Department.

200 **Industrial waste** means regulated material that is generated by or originates in and around  
201 industrial processes and manufacturing operations or occurs as a result of any industrial activity.  
202 This term includes but is not limited to solids, such as solidified chemicals, paints or pigments, the  
203 end or by-products of incineration ash, foundry sand and dredge spoil; contained gaseous  
204 materials; hazardous waste; and any liquid, sludge, septage, solid, semisolid substance or  
205 contained gaseous material in which any of the foregoing is intermixed or absorbed or onto which  
206 any of the foregoing is adhered. This term does not include refuse originating from the commercial  
207 user's office operations or vegetative yard waste resulting from tree or landscaping services.

208 **Infectious waste** means any waste that has been exposed to or is comprised of infectious agents  
209 and must, therefore, be isolated as required by environmental law or governmental agencies. This  
210 term includes but is not limited to equipment, instruments, utensils and fomites (any substance that  
211 may harbor or transmit pathogenic organisms) of a disposable nature from the rooms of patients  
212 who are suspected to have or have been diagnosed as having a communicable disease; laboratory  
213 wastes, such as pathological specimens (e.g., all tissues, specimens of blood elements, excreta  
214 and secretions obtained from patients or laboratory animals) and disposable fomites attendant  
215 thereto; and surgical operating room pathologic specimens and disposable fomites attendant  
216 thereto; as well as similar disposable material generated by organizations, such as medical  
217 institutions, dental institutions, biological research organizations, laboratories and hospitals.

218 **Institutional waste** means all solid waste that is generated by or originated in and around tax  
219 exempt educational, health care, correctional, hospitals, public, charitable, philanthropic and  
220 religious institutions and other institutional facilities. This term does not include regulated material.

221 **Land clearing and filling** means the act or process of removing obstructions from or adding fill  
222 material to the surface and subsurface of real property.

223 **Litter** means garbage, refuse, waste materials or any other discarded, used or unconsumed  
224 substance which is not handled as specified in this article.

225 **Loading and unloading area** means any space or area used by any moving vehicle for the  
226 purpose of receiving, shipping and transporting goods, wares, commodities and persons.

227 **Multiple-residential unit** means any duplex, apartment, group of apartments, condominiums or  
228 townhomes used as dwellings for more than one family.

229 **Municipal Solid Waste** means all putrescible and non-putrescible material or substances  
230 discarded or rejected as having served their original intended use or as being spent, useless,  
231 worthless or in excess to the person at the time of such discard or rejection. This term includes, but  
232 is not limited to, garbage, household trash, refuse, and recyclable material. This term does not  
233 include solid or dissolved matter in domestic sewage or substances, material in non-containerized  
234 gaseous form or regulated waste.

235 **Parking lot** means any area, paved or unpaved, the principal function of which is the parking of six  
236 or more motor vehicles. This definition excludes those parking spaces on public streets.

237 **Portable packing unit** means a metal container that contains a packing mechanism with an  
238 internal or external power unit.

239 **Qualified individuals with a disability** means a person with a disability who, with or without  
240 reasonable modifications to rules, policies or practices, the removal of architectural, communication  
241 or transportation barriers or the provision of auxiliary aids and services, meets the essential  
242 eligibility requirements for the receipt of services or the participation in programs or activities  
243 provided by the Public Works Department.

244 **Recyclable material** means any solid waste material which can be collected, separated and/or  
245 treated, reclaimed, used or reused to produce new raw material or product as designated in the  
246 rules and regulations promulgated by the Public Works Department. This term does not include  
247 regulated waste. Some of the materials included in this category include, but are not limited to  
248 aluminum containers, boxboard, corrugated cardboard, glass, high grade paper, magazines, metal  
249 cans, newsprint, paper, and plastic containers. Market conditions may influence the list of  
250 acceptable materials for recycling service.

251 **Recycling** means any method, technique or process by which materials, which otherwise would  
252 become solid waste, are collected, separated and/or processed, treated, modified, converted,  
253 reclaimed, used or reused so that its components may be beneficially used or reused as raw  
254 materials or products.

255 **Refuse** means solid waste accumulations consisting of garbage, household trash and commercial  
256 waste. This does not include yard waste and regulated waste materials.

257 **Refuse receptacles** mean:

258 (1) Roll Cart means a collection container that shall be made of plastic, of substantial  
259 construction and be a minimum capacity of 30 gallons and maximum of 100 gallons. The  
260 rollout container shall have a hinged lid. Roll carts shall be designed so that they can be  
261 emptied mechanically by specially designed trucks operated by the Public Works  
262 Department.

263 (2) Dumpster means metal containers of not less than two (2) cubic yards capacity nor larger  
264 than eight (8) cubic yards capacity, constructed to be watertight but with drain plugs at the  
265 lowest point of the container to facilitate the drainage of any liquids that might accumulate  
266 in the container or from cleaning the container. Dumpsters serviced by the city shall be  
267 designed so that they can be emptied mechanically by specially designed trucks operated  
268 by the Public Works Department.

269 (3) Roll-off container means a container unit that may vary in capacity between ten (10) cubic  
270 yards and forty (40) cubic yards and which is commonly used for collecting, storing and  
271 transporting construction and demolition waste, commercial waste, industrial waste,  
272 hazardous waste or yard waste. The container is lifted by a specially designed and  
273 equipped truck and becomes an integral part of that truck for transporting waste materials  
274 to a disposal site. Debris removal services associated with roll-off container collection and  
275 transport of construction and demolition waste, industrial waste, hazardous waste, and  
276 regulated waste shall be performed by private solid waste contractors or haulers.



277 **Regulated waste** means any material which has been exposed to or is a chemical, substance,  
278 waste or pollutant, as defined in or governed by any environmental law or as determined by any  
279 governmental agency or the Public Works Department, including but not limited to electronic waste,  
280 industrial waste, radioactive waste, hazardous waste, infectious waste, raw sewage, septage,  
281 sludge, regulated medical waste, petroleum or waste oil.

282 **Regulated medical waste** means any waste, which is generated in the diagnosis, research,  
283 treatment or immunization of human beings or animals or in the production or testing of biologicals.  
284 This term includes but is not limited to infectious waste, syringes, lancets and needles.

285 **Scavenge** means the unlicensed, unauthorized or uncontrolled removal of waste at any point in the  
286 waste stream.

287 **Single-residential unit** means any dwelling occupied by one family.

288 **Solid Waste** means all putrescible and non-putrescible material or substances discarded or  
289 rejected as having served their original intended use or as being spent, useless, worthless or in  
290 excess to the person at the time of such discard or rejection. This term includes but is not limited to  
291 garbage, ashes, refuse, rubbish, and recyclable material. This term does not include solid or  
292 dissolved matter in domestic sewage or substances, material in non-containerized gaseous form or  
293 regulated waste.

294 **Tree and shrubbery trimmings** means waste accumulation of tree branches, tree limbs, bushes,  
295 shrubbery, cuttings or clippings usually created as refuse in the trimming or cutting of trees, shrubs,  
296 or bushes. Parts of trees including stumps, trunks, and branches greater than 4 inches in diameter  
297 shall not be included in this definition and shall be the responsibility of the property owner to  
298 arrange for the proper disposal of these items.

299 **White good** means discarded machine or device for performing a specific task. This term includes  
300 stoves, refrigerators, dishwashers, dryers, washing machines, scrap metal and other large  
301 appliances. This term does not include electronic waste or regulated waste.

302 **Yard waste** means tree and shrubbery trimmings, grass clippings, leaves, weeds, small twigs or  
303 the combination of these and other non-woody materials that are usually associated with yard or  
304 lawn maintenance activity. No sediment nor vegetative material associated with grubbing and land  
305 clearing and filling activity shall be collected and hauled by the city. No stumps, logs, tree limbs or  
306 other materials placed by landscape or tree service contractors or workers shall be hauled by the  
307 City. This type of refuse shall be containerized as provided in this chapter.

308 **Yard waste receptacles** means a two-ply brown paper bag used for loose yard waste and shall not  
309 weigh more than twenty-five (25) pounds when full.

310 (Code 1980, § 6-2-2; Ord. No. 981215-54, §§ 1, 2, 12-15-98)

311 **Cross reference**— Definitions and rules of construction generally, § 1-2.

312 Secs. 17-3—17-20. - Reserved.

313

314 ARTICLE II. - COLLECTION

315

316 Sec. 17-21. - Refuse containers; size; type; etc.  
317

318 The Public Works Director or his/her designee is authorized to adopt rules and regulations for types  
319 of refuse and yard receptacles to provide uniform types of said receptacles within the City of Myrtle  
320 Beach solid waste service area.

321 (a) Roll carts are provided by the Public Works Department for storage and collection of solid  
322 waste. Only those containers provided by the City shall be used for the storage and collection  
323 of solid waste. There are multiple-sized container options available to provide solid waste  
324 services at each single-family, detached residence. City-supplied containers are constructed so  
325 they can be emptied by the lifting devices mounted on City trucks. Personal containers shall not  
326 be used, nor will service be provided to containers other than those provided by the City, or  
327 those that will be discarded with the contents including, but not limited to, cardboard boxes,  
328 cartons and crates. Plastic bags may be used with permission from the Public Works  
329 Department when City issued containers are not available until such time that a roll cart can be  
330 delivered.

331 (b) Dumpsters are authorized per the specifications as set forth by the city. Distributors of  
332 dumpsters who wish to sell or lease such containers in the city are subject to approval of the  
333 Public Works Director or his/her designee.

334 (c) Joint use compactors are provided for city customers in the area defined as the refuse  
335 compactor service area in Section 17-24 (f), between Kings Highway and Ocean Boulevard.  
336 These containers can be accessed by city customers only. Only putrescible waste or typical  
337 household trash shall be placed in the container.

338 (d) 10 to 40 yard roll-off containers are authorized through private solid waste contractors or  
339 haulers.

340 (e) All dumpsters described in this article shall be placed on a concrete pad, have appropriate  
341 guard posts, and be screened on three sides. Construction of the pad, posts and screen shall  
342 be in accordance with guidelines set forth by the city. All pads, posts, and screens shall be  
343 maintained so as to continue to comply with the established guidelines.

344 (f) It shall be considered a violation of this chapter for a dumpster to be placed in the public right-of-  
345 way without the written approval of the Public Works Director or his/her designee.

346 (Code 1980, § 6-2-4; Ord. No. 981215-54, §§ 7, 8, 12-15-98; Ord. No. 2002-79, 12-17-02)

347 Sec. 17-22. - Refuse receptacles to be safe.

348 All refuse receptacles as required in this article shall be of safe construction and design and shall  
349 be maintained in a good, serviceable, and sanitary condition at all times. Any refuse receptacle  
350 which does not conform to the provisions of this article, or which has ragged or sharp edges or  
351 other defects likely to hamper or injure the person collecting the contents thereof or the public  
352 generally, shall be promptly replaced upon notice. If the refuse receptacles, after due and proper  
353 notice, have not been replaced, the Public Works Department, shall have the authority to remove  
354 the refuse receptacle as refuse.

355 (Code 1980, § 6-2-5)

356 Sec. 17-23. - Preparation of refuse for collection in containers and curbside.

- 357
- 358 (a) Solid waste shall be prepared for collection by residential or commercial users in accordance  
359 with the provisions of this chapter.
- 360
- 361 (b) City shall determine that area considered to be the curb, as it relates to refuse collection pickup  
362 points.
- 363 (c) Residential and commercial solid waste collection services begin at 6:00 a.m. All items for  
364 collection shall be placed within five (5) feet of the edge of pavement by 6:00 am on the  
365 scheduled pick-up day, and no earlier than 6:00 pm the evening before the regularly scheduled  
366 collection day, to ensure pick-up.
- 367 (d) Roll carts that are not out when the collection truck passes will not be collected until the next  
368 regularly scheduled collection date, unless a request for call back service is scheduled by the  
369 customer with the Public Works Department for an additional solid waste service charge  
370 pursuant to the Schedule of Solid Waste Fees and Charges.
- 371 (e) All waste must be contained within the containers used. Lids must be able to close. No  
372 additional refuse should be placed next to the container for collection. If additional capacity is  
373 needed to contain refuse for collection each week, additional containers will be provided, or in  
374 the case of commercial properties, an extra day of service added for an additional container  
375 and/or service fee pursuant to the Schedule of Solid Waste Fees and Charges.
- 376 (f) All roll carts must be returned to the rear or side of the residential or commercial structure by  
377 11:00 pm on the designated or scheduled day of collection.
- 378 (g) Bulk waste up to two (2) cubic yards shall be placed curbside in a segregated pile for residential  
379 collection on the regularly scheduled collection day, or within a designated collection point for  
380 commercial collection on a scheduled collection day for an additional solid waste service charge  
381 pursuant to the Schedule of Solid Waste Fees and Charges. Ineligible bulk waste or bulk waste  
382 that is placed in such a manner to be deemed inaccessible by the collection truck operator will  
383 not be picked up when the collection truck passes.
- 384 (1) Customers may include electronic waste and up to two (2) tires within a segregated pile for  
385 residential collection.
- 386 (2) Customers shall give a minimum of 48 hours advance notice to the Public Works  
387 Department when electronic waste or tires are placed for residential collection.
- 388 (h) The property owner or person in lawful possession and control of property is responsible for  
389 removal of ineligible bulk waste from the right-of-way within 48 hours from the designated or  
390 scheduled day of collection. Ineligible bulk waste shall be collected by a private solid waste  
391 contractor or hauler.
- 392 (i) Inaccessible bulk waste not collected when the collection truck passes will not be collected until  
393 the next regularly scheduled collection date, unless a request for call back service is scheduled

394 by the customer with the Public Works Department for an additional solid waste service charge  
395 pursuant to the Schedule of Solid Waste Fees and Charges. The property owner or person in  
396 lawful possession and control of property is responsible for removal of inaccessible bulk waste  
397 from the right-of-way within 48 hours from the designated or scheduled day of collection.

398 (j) Yard waste shall be placed curbside in a segregated pile for residential collection on the regularly  
399 scheduled collection day, or within a designated collection point for commercial collection on a  
400 scheduled collection day for an additional solid waste service charge pursuant to the Schedule  
401 of Solid Waste Fees and Charges. Yard waste receptacles shall be used to contain loose yard  
402 waste materials (ex. leaves and grass clippings). Ineligible yard waste or yard waste that is  
403 placed in such a manner to be deemed inaccessible by the collection truck operator will not be  
404 picked up when the collection truck passes.

405 (k) The property owner or person in lawful possession and control of property is responsible for  
406 removal of ineligible yard waste from the right-of-way within 48 hours from the designated day of  
407 collection. Ineligible yard waste shall be collected by a private solid waste contractor or hauler.

408 (l) Inaccessible yard waste not collected when the collection truck passes will not be collected until  
409 the next regularly scheduled collection date, unless a request for call back service is scheduled  
410 by the customer with the Public Works Department for an additional solid waste service charge  
411 pursuant to the Schedule of Solid Waste Fees and Charges. The property owner or person in  
412 lawful possession and control of property is responsible for removal of inaccessible yard waste  
413 from the right-of-way within 48 hours from the designated or scheduled day of collection.

414 (m) All owners or occupants must have a sufficient number of receptacles to hold all solid waste  
415 accumulated between scheduled collections and shall not allow solid waste to be stored or to  
416 accumulate on their property in a manner deemed to be a public nuisance.

417 (n) The placement of used motor oil, lead-acid batteries or liquid paint in any refuse container is  
418 prohibited. The city will not accept such items for disposal. These items may be disposed of at  
419 approved sites provided by the county or at approved private recycling facilities.

420 (Code 1980, § 6-2-6; Ord. No. 92-33, 6-23-92)

421 Sec. 17-24. - Availability and extent of service.

422

423 The Public Works Director or his/her designee may cause to be made not less than one collection  
424 service per week of solid waste, unless prevented by occurrence or occurrences beyond the City's  
425 control, including but not limited to an act of God, act of war, civil disturbance, labor disturbance or  
426 strike, equipment failure, disaster, ice storm, hurricane or explosion.

427

428 This collection shall include the removal and disposal of solid waste from approved refuse and yard  
429 waste containers and bulk waste and yard waste properly segregated and placed curbside for  
430 public collection. Changes to collection service due to occurrences beyond the City's control may  
431 include altering designated collection days and/or hours and temporary cancellation of one or more  
432 services.

- 433 (a) Roll carts shall be serviced once weekly with the exception of that area designated as the  
434 central business district, which shall be serviced as needed. For the purpose of this section, the  
435 central business district is defined geographically as the areas and arterials between Business  
436 Highway 17 (Kings Highway) and the Atlantic Ocean bounded by 21<sup>st</sup> Avenue North and 6<sup>th</sup>  
437 Avenue South.
- 438 (b) Backdoor service is available on a once per week basis for qualified individuals with a disability  
439 on a short-term or permanent basis, subject to the approval of the Public Works Director or  
440 his/her designee, which will require a doctor's recommendation for those persons who are  
441 unable to place their roll cart at the curb. Annual updates of the doctor's recommendation  
442 requesting backdoor service must be made to maintain the service.
- 443 (c) For purposes of this section, the number and type of containers required shall be determined  
444 based on the total number of multiple-residential unit apartments, group of apartments,  
445 condominiums or townhomes.
- 446 (d) Unless special circumstances arise as resolved by the Public Works Director or his/her  
447 designee, all customers who generate more refuse than can be serviced by four (4) roll carts as  
448 scheduled by the city, and desiring service by the city, shall no longer receive roll cart service,  
449 and shall be required to use a dumpster or compactor provided by the city, provided that such  
450 container can be installed and serviced safely.
- 451 Suggested distribution of containers shall follow as closely as possible to the following schedule:
- 452 (1) Commercial complex or residential home, one to six units:  
453 One roll cart per unit;
- 454 (2) Commercial or multiple-residential unit complex, seven to 15 dwelling units:  
455 Minimum of one or more dumpsters with at least six yards of total capacity;
- 456 (3) Commercial or multiple-residential unit complex, 16 to 25 dwelling units:  
457 Minimum of one or more dumpsters with at least eight yards of total capacity;
- 458 (4) Commercial or multiple-residential unit complex, 26 to 40 dwelling units:  
459 Minimum of one or more dumpsters with at least 16 yards of total capacity;
- 460 (5) Commercial or multiple-residential unit complex, 41 to 60 dwelling units:  
461 Minimum of one or more dumpsters with at least 24 yards of total capacity;
- 462 (6) Commercial or multiple-residential unit complex, 61 dwelling units or more:  
463 Minimum one 30-yard compactor;
- 464 (7) Trailer parks and mobile home parks:  
465 Six- or eight-yard dumpster to be located at entrance of park or at the request of park owner  
466 roll carts will be provided for each mobile home, provided speed bumps are removed and  
467 adequate turnaround space is available.
- 468 (e) The city shall determine when a roll cart or dumpster that is serviced by the city is unserviceable  
469 and shall repair or replace such container.

- 470 (f) The area of the city between Business Highway 17 (Kings Highway) and the Atlantic Ocean,  
 471 excluding all property fronting on Business Highway 17, is hereby designated a refuse  
 472 compactor service area.
- 473 (1) No new dumpsters are permitted within the refuse compactor service area with the  
 474 exception of servicing permanent residential complexes. For the purpose of this section, a  
 475 permanent residential complex shall be defined as one in which no fewer than 75 percent of  
 476 the dwelling units in the complex are occupied only by the owners or their immediate  
 477 families or are rented for terms of not less than 30 days. Compactor units shall be used in  
 478 lieu of the otherwise authorized dumpsters within the defined area.
- 479 (2) All commercial waste subject to collection within the compactor service area by dumpster in  
 480 accordance with Section 17-24 (d) must be placed in a city provided joint use compactor, or  
 481 a property owner's compactor that is serviced by a private solid waste contractor or hauler.  
 482 No dumpsters shall be used in this area for commercial waste collection.
- 483 (3) To keep the compactor sites in a clean, neat, litter-free, and sanitary condition, customers  
 484 serviced by compactors shall not place, throw, or discarded materials around the compactor  
 485 or on the premises of the compactor site outside of the compactor opening. No bags of  
 486 garbage may be placed next to, or on top of, the compactor. In addition, no yard waste  
 487 and/or bulk waste may be placed out next to the compactor for city collection.
- 488 (4) Any person required to use a compactor may elect to provide his or her own compactor or  
 489 may elect to lease capacity, if approved by the city, in a common compactor which will be  
 490 provided by the city. The option to use a city-provided compactor shall not apply for  
 491 residential complexes with more than 100 units.
- 492 (5) No privately owned compactors shall be permitted on any public right-of-way or other public  
 493 property.
- 494 (g) On occasion the city may request verification of solid waste services to ensure proper disposal  
 495 of materials generated by the property.
- 496 (h) No person, except city employees in the performance of their official duties and city contractors,  
 497 shall engage in the collection of residential solid waste.
- 498 (i) No private solid waste contractor or hauler shall collect residential solid waste identified within  
 499 Section 17-39 unless authorized by the Public Works Director or his/her designee.
- 500 (Code 1980, § 6-2-7; Ord. No. 91-03, 1-8-91; Ord. No. 94-09, 2-22-94; Ord. No. 96-63, 6-11-96;  
 501 Ord. No. 96-93, 10-8-96; Ord. No. 981215-54, §§ 9—11, 12-15-98; Ord. No. 20000328-15, 3-28-00)
- 502 Sec. 17-25. - Storing of refuse and trash.
- 503 (a) Public streets. No refuse, trash, bulk waste, yard waste, leaves, tree and shrubbery trimmings,  
 504 refuse receptacle, or dumpster shall be placed within the vehicular travel way or gutter of any  
 505 street.

- 506 (b) Public sidewalks. Refuse, trash, bulk waste, yard waste, leaves or tree and shrubbery trimmings  
507 contained in approved refuse receptacles may be placed on the sidewalk on the day of  
508 collection so long as they do not unreasonably interfere with pedestrian traffic.
- 509 (c) Public alleys. Refuse contained in approved refuse receptacles may be placed in a public alley  
510 on the day of collection so long as it does not unreasonably interfere with vehicular or  
511 pedestrian traffic and is accessible by City collection equipment.
- 512 (d) Blockage of storm drains. No person shall place any refuse, trash, bulk waste, yard waste,  
513 leaves or tree and shrubbery trimmings, or refuse receptacle or container on, upon, or over any  
514 storm drain opening or so close thereto as to be drawn by the elements into the storm drain. No  
515 person shall place any refuse, trash, bulk waste, yard waste, leaves or tree and shrubbery  
516 trimmings, or refuse receptacle or container in a gutter, thereby causing blockage of storm water  
517 flows or possible blockage of storm drainage systems if carried by the elements into such  
518 systems.
- 519 (e) White goods or containers. No person shall place or cause to be placed any white good or  
520 container of any kind within the public right-of-way for collection that has an airtight door or  
521 cover with a lock or latch, without first removing the lock or latch, door or cover from the white  
522 good or container.
- 523 (f) Multi-family residential. In the case of townhouses, condominiums, apartments, etc., where it is  
524 deemed impractical to move roll carts to back yards, a screened area will be required. The  
525 location and design must be approved by the city.
- 526 (Code 1980, § 6-2-8)
- 527 Sec. 17-26. - Interfering with collection practices.
- 528 No person or private solid waste contractor or hauler shall interfere with or otherwise deter the  
529 normal refuse collection process by tampering with refuse containers or their contents unless by  
530 permission of the city, nor shall any person or private solid waste contractor or hauler place any  
531 hazardous waste in any collection receptacle.
- 532 (Code 1980, § 6-2-10)
- 533 Sec. 17-27. - Responsibility to place refuse for collection.
- 534 It shall be the responsibility of each householder or storekeeper to place their refuse for collection at  
535 the proper time and in the proper manner, as provided for in this article.
- 536 Shall a private solid waste contractor or hauler provide solid waste collection services to properties  
537 within the city limits, it is the responsibility of each property owner to schedule collection services  
538 and place their refuse, bulk waste, and yard waste generated by the property for collection at the  
539 proper time and in the proper manner, as provided in this chapter.
- 540 (Code 1980, § 6-2-12)
- 541 Sec. 17-28. - Collectors to exercise reasonable care.

542 Collectors for the city shall exercise reasonable care in the handling of roll carts and shall not  
543 willfully break, deface or injure same.

544 (Code 1980, § 6-2-13)

545 Sec. 17-29. – Repair or replacement of roll carts or dumpsters serviced by the city.  
546

547 In accordance with Section 17-24 (e) and pursuant to continued receipt of the monthly solid waste  
548 container fee associated with said refuse container, repair and replacement of unserviceable roll  
549 carts or dumpsters associated with providing solid waste service to residential or commercial  
550 customers shall be the responsibility of the City.

551 (Code 1980, § 6-2-15)

552 Sec. 17-30. - Commercial establishments.

553 (a) All commercial establishments shall store their refuse in refuse receptacles or containers as  
554 specified in this article, so as to eliminate the dispersal of such refuse by the elements and the  
555 resulting unsightly litter in and about their establishments. Approved methods of containerization  
556 include roll carts, dumpsters, roll-offs and compactors. All refuse resulting from the preparation  
557 or disposal of products used for human consumption shall be placed in plastic bags before  
558 being placed in a container for disposal. All refuse resulting from disposal of animal and  
559 agricultural waste shall be placed in watertight plastic bags before being placed in a container  
560 for disposal. The number and type of containers necessary for each commercial establishment  
561 shall be as required to maintain a clean, neat, litter-free, and sanitary premises. Spillage and  
562 overflow shall be immediately cleaned up by the establishment when and as it occurs.

563 (b) It shall be the responsibility of the Public Works Department during the plan review process and  
564 prior to the issuance of a building permit for new commercial buildings or extensive renovations  
565 to existing commercial buildings, to provide input and comment on the method and location of  
566 refuse storage for collection for the building. If any problems are foreseen during this review,  
567 they shall be called to the attention of the owner or designer for correction by the Public Works  
568 Department.

569 (c) When a commercial establishment generates so much refuse that it requires five or more roll  
570 carts per collection, the establishment shall be required to provide a dumpster or compactor as  
571 described in this article.

572  
573 (d) Property owners or those in lawful possession and control of property involved in rental activity  
574 within residential and mixed-use areas in the city shall be responsible for collecting,  
575 containerizing, and disposing by a private solid waste contractor or hauler of all construction and  
576 demolition waste and solid waste material attributed to tenant move-outs generated on said  
577 property.

578  
579 (e) Commercial establishments not serviced by the city shall schedule collection services with a  
580 private solid waste contractor or hauler.

581 (Code 1980, § 6-2-16)



582 Sec. 17-31. - Loading and unloading areas.

- 583 (a) All loading and unloading areas shall, at the direction of the city, be provided with refuse  
584 receptacles or containers for loose papers, debris, packaging materials, and other business  
585 trash. The number and type of such containers necessary for each area shall be as required to  
586 maintain a clean, neat, and litter-free premises, and as directed by the Public Works Director or  
587 his/her designee.  
588
- 589 (b) It shall be the responsibility of the property owner or those in lawful possession and control of  
590 the property to manage any solid waste leachate or accumulated rainwater associated with  
591 loading and unloading areas in accordance with environmental laws and regulations to  
592 eliminate the potential of foul or offensive odors.

593 (Code 1980, § 6-2-17)

594 Sec. 17-32. - Construction and demolition sites.

595 All construction and demolition contractors shall provide onsite refuse receptacles for loose debris,  
596 paper, waste building materials, scrap building materials, and other trash produced by those  
597 working on the site. All such materials shall be containerized by the end of each workday, and the  
598 site shall be kept in a reasonably clean and litter-free condition. The number and type of refuse  
599 receptacles shall be determined by the city, based on the size of the project. Dirt, mud, construction  
600 materials, or other debris deposited upon any public or private property as a result of construction  
601 or demolition activities shall be immediately removed by the contractor and in all cases by the end  
602 of the workday.

603 (Code 1980, § 6-2-18)

604 Sec. 17-33. - Points of collection.

- 605 (a) On the day of collection, unless otherwise provided by this article, it shall be the responsibility of  
606 the owner or occupant to place refuse receptacles at the curbside or at the edge of the vehicular  
607 travel way as specified in this chapter. No refuse receptacles or container, unless otherwise  
608 provided in this article, shall be stored in front of a building or dwelling except on the day of  
609 collection.
- 610 (b) Any commercial establishment wherein food items are sold for off-premises consumption shall  
611 place a receptacle immediately outside the premises for the use of patrons to discard said food  
612 items or their wrappings therein.
- 613
- 614 (1) Said receptacle shall be secured to eliminate improper removal from the site. Said  
615 receptacle shall be visible and accessible to the public and shall be maintained in a  
616 clean and sanitary state. Said receptacle shall be covered in such a fashion so as to  
617 eliminate the possibility of scattering by wind or soaking by rain or accessibility to  
618 animals.
- 619
- 620 (2) Said receptacle shall not be allowed to overflow or in any way become a health hazard  
621 or nuisance and shall be emptied in an approved fashion as provided in this chapter.  
622

623 (3) Said receptacle shall be emptied by the establishment, and the contents therein placed  
624 in the containers used by the commercial establishment for its regular solid waste  
625 disposal needs.  
626

627 (Code 1980, § 6-2-19)

628 Sec. 17-34. - Collection practices.

629

630 (a) Residential Collection Standards

631

632 Garbage, household trash, recyclable materials, yard waste, and bulk waste accumulated at  
633 residences shall be collected at curbside or at the edge of the vehicular travel way on a schedule  
634 determined by the City. Such collections shall be limited to approved refuse receptacles and each  
635 material type shall be segregated at curbside or at the edge of the vehicular travel way for  
636 collection. Solid waste shall be prepared for collection by residential service customers in  
637 accordance with Section 17-23 and the provisions of this chapter.

638

639 (b) Commercial collection standards

640 Garbage, recyclable materials, and other commercial waste materials accumulated at commercial  
641 establishments shall be collected within designated areas on a schedule determined by the City.  
642 Such collections shall be limited to approved refuse receptacles and each material type shall be  
643 segregated at curbside or at the edge of the vehicular travel way for collection.

644 Solid waste shall be prepared for collection by commercial service customers in accordance with  
645 Section 17-23 and Section 17-30 and the provisions of this chapter. Collection frequency is  
646 dependent upon the volume of waste generated by the commercial establishment or multi-  
647 residential complex and the service charges are pursuant to the Schedule of Solid Waste Fees and  
648 Charges.

649 Any person or commercial establishment that uses a dumpster shall be responsible for its service  
650 and for the proper disposal of waste generated by that person or establishment. Private solid waste  
651 contractor or haulers who contract to provide service and disposal must comply with all state and  
652 federal statutes and regulations as well as all applicable ordinances of the City.

653 Every private solid waste contractor or hauler that collects and disposes of garbage, bones, putrid  
654 and decaying meats, fryer oil grease or soap fat within the City of Myrtle Beach shall use for that  
655 purpose a receptacle so constructed as to prevent the escape of any contents, offensive odor or  
656 vapor therefrom. Such a receptacle shall at all times, when not necessarily open for the purpose of  
657 depositing the material collected therein, be kept securely covered.

658 (1) Dumpsters, roll-offs, and compactors. Dumpster doors must be kept closed at all times that  
659 the container is not being filled or emptied. Dumpsters must be maintained at all times in a  
660 safe, serviceable, and sanitary condition as directed by the city. Every person who engages  
661 in the leasing, renting, or supplying (not including absolute unconditional sale) of dumpsters,  
662 compactors, or portable packing units to persons subject to the provisions of this article shall  
663 operate and maintain facilities and equipment for servicing, cleaning, repairing, and painting  
664 such units and for otherwise maintaining such units in a safe, serviceable, clean, neat, litter-

665 free, and sanitary condition. Persons or establishments using dumpsters are responsible for  
666 preparing the containers for servicing. The owner or occupant of premises using a dumpster  
667 is required to immediately clean up all spilled refuse or other material in the area of the  
668 container. Service, if provided by the city, will be discontinued to any person or establishment  
669 that fails to locate or maintain containers in accordance with the requirements of this article.

670 All persons and commercial establishments not served by the city shall be responsible for  
671 disposal of all garbage, bulk waste, recyclables, yard waste, electronic waste, tires, regulated  
672 waste and medical waste they generate. It shall be unlawful to place these items into  
673 dumpsters along with other types of solid waste. Bulk waste items placed at curbside for  
674 collection by private solid waste contractors or haulers must be collected or removed within  
675 48 hours of placement.

676 (2) Industrial waste. The collection and disposal of industrial waste shall be the responsibility of  
677 the operator of the factory, plant, or enterprise creating or causing the industrial waste.

678 (3) Hazardous waste. No hazardous waste shall be placed in any receptacle, container, or unit  
679 used for refuse collection by the city.

680 (4) Dead animals. Small dead animals to include cats, dogs, small household pets and other  
681 animals of similar size will be collected by the city on request, provided that it is during the  
682 operating hours of the landfill, the body is in a place easily accessible to the collector, and is  
683 wrapped or contained in a plastic bag or other suitable watertight container, when possible,  
684 that will be collected with the body. Owners of large dead animals shall be responsible for  
685 their removal and disposal.

686 (5) Construction and Demolition Material. The city shall not be responsible for the collecting,  
687 handling, or disposal of grubbing, land clearing and filling, or building materials that originate  
688 from private property preliminary to, during, or subsequent to altering real property,  
689 construction of new buildings, or from demolition of existing structures. Such materials or  
690 refuse shall be collected and disposed of by the property owner or the person doing the work.  
691 If such material or refuse has not been removed and disposed of by the property owner or  
692 the person doing the work, the city shall not issue a certificate of occupancy, even though  
693 other requirements for such certificate have been met. The certificate of occupancy shall be  
694 issued only when this requirement as well as any other requirements have been met.

695 (6) In order to facilitate the establishment of recycling programs, and encourage full participation  
696 on the part of established businesses, it is necessary to waive some requirements of this  
697 Code of Ordinances relating to siting and screening of recycling containers. Therefore, on  
698 property which was developed on or before the effective date of this subsection:

699 If there is insufficient area on the property to site the container in full compliance with all of the  
700 provisions of this code (including the zoning ordinance), the Engineering Manager, in  
701 coordination with the Solid Waste Superintendent, and Zoning Administrator as appropriate,  
702 shall be authorized to the minimum extent required, to waive the provisions of the Code in the  
703 following particulars:

704 (1) Screening requirements may be waived or modified as necessary to facilitate the location of  
705 containers; provided that the containers will not be visible from any public street or from  
706 adjacent residential property.

707 (2) Required parking spaces on the property may be reduced by no more than two spaces to  
708 facilitate siting of the containers or access thereto.

709 Containers used for recycling shall be eight cubic yards and shall be placarded as a recycling  
710 container with a list of the acceptable recyclable materials.

711 To the extent that the provisions of this subsection (6) amend the provisions of the zoning  
712 ordinance, they shall be cross referenced appropriately in the zoning ordinance and  
713 incorporated therein by reference.

714 It shall be unlawful for any person to deposit any material other than acceptable recyclable  
715 material in a container which is designated for recycling.

716 (Code 1980, § 6-2-20; Ord. No. 95-09, 2-14-95; Ord. No. 981215-54, §§ 12—14, 12-15-98)

717 Sec. 17-35. - Special refuse or disposal problems.

718 (a) Contagious disease refuse. The removal of clothing and bedding from places where highly  
719 infectious diseases have prevailed shall be performed under the supervision and direction of the  
720 county health department. Such refuse shall not be placed in containers for city collection and  
721 disposal.

722 (b) Hypodermic instruments. No person shall dispose of or discard any hypodermic needle or any  
723 instrument or device for making hypodermic injections before first breaking, disassembling,  
724 destroying, or otherwise rendering inoperable and incapable of reuse such hypodermic syringe,  
725 needle, instrument, or device, and without safeguarding the disposal thereof by wrapping or  
726 securing hypodermic paraphernalia in a suitable manner so as to avoid the possibility of causing  
727 injury to collection personnel.

728 (c) Ashes. Ashes may contain live embers or other burning materials. Unless ashes are properly  
729 extinguished and/or treated by allowing them to cool, then they may not be placed in the container  
730 for disposal. Treated ashes must be placed in bags before placement within the refuse container.

731 (d) Fish processing. All fish (seafood) processing waste, surplus entrails, heads, tails, scales,  
732 shells, bones, etc., must be packaged in a watertight container, such as a plastic bag, can, etc., and  
733 be disposed of by the occupant privately or at the city transfer station. None of the above fish  
734 wastes may be placed or stored on the exterior of the building.

735 (e) Animal waste and agricultural waste. All animal waste and agricultural waste must be packaged  
736 in a watertight container, such as a plastic bag, can, etc. and be deposited of by the occupant  
737 privately or at the city transfer station.

738 (Code 1980, § 6-2-23; Ord. No. 981215-54, § 15, 12-15-98)

739 Sec. 17-36. - Refuse collection and hauling in general.

740 All private solid waste collectors or refuse haulers or handlers operating within the city shall use a  
741 commercially manufactured truck body provided with a tightly fitting cover so operated as to prevent  
742 offensive odors escaping therefrom and refuse from being dropped, blown, or spilled. These

743 vehicles shall also be kept in good repair and shall be cleaned as often as necessary to prevent the  
744 body of the vehicle from becoming a breeding place for insects or a source of foul or offensive  
745 odors. Waste that is dropped, blown, or spilled onto public streets shall be cleaned up immediately  
746 by the responsible hauler. If the responsible hauler does not clean up the waste, the city shall clean  
747 it up at the expense of the responsible hauler. If the responsible hauler does not pay the cost of  
748 cleanup to the city, or if the hauler is responsible for repeated spills, he or she shall be subject to  
749 appropriate enforcement action as provided in this chapter.

750 (Code 1980, § 6-2-24; Ord. No. 981215-54, § 16, 12-15-98)

751 Sec. 17-37. - Responsibility of owners and agents.

752 The owners or agents, tenants or lessees, jointly or separately, of all residential units and  
753 commercial establishments shall be responsible for compliance with this article.

754 (Code 1980, § 6-2-25)

755 Sec. 17-38. - Transfer station procedures.

756 Provided the Public Works Director or his/her designee determines that adequate operating  
757 capacity exists under applicable industry standards, the transfer station shall process waste  
758 collected and delivered to it by city equipment and personnel, other municipalities, other  
759 governments, residents of the city and businesses located within the city limits.

760 Further, provided the Public Works Director or his/her designee determines that the remaining  
761 operating capacity exists under applicable industry standards, the transfer station may process  
762 waste collected and delivered to it by private solid waste contractors or haulers, businesses located  
763 outside the city limits and persons who are not residents of the city.

764 All materials delivered to the transfer station will be inspected to verify that they are in compliance  
765 with all federal, state and local ordinances to be managed at the transfer facility.

766 All materials delivered to the transfer station will be charged a fee pursuant to the Schedule of Solid  
767 Waste Fees and Charges for hauling charges, in addition to the tipping fees charged by the  
768 disposal facility where materials are delivered to for final disposition.

769 (Code 1980, § 6-2-30; Ord. No. 981215-54, § 17, 12-15-98; Ord. No. 2000-34, 6-13-00)

770 Sec. 17-39. - Restrictions on collection and disposal service.

771 The city reserves the sole right to provide solid waste collection and disposal service to the  
772 following types of customers and activities within the city:

773 (a) All detached single-family units, which includes mobile home parks with individual meter service.

774 (b) All multiple-residential units where water service is individually metered for each residential unit  
775 or where solid waste services are not billed to one individual or entity.

776 (c) All persons or commercial establishments provided roll-cart container service.

777 (d) All persons or commercial establishments within the refuse compactor service area that are  
778 served by a city-owned compactor.

779 It shall be unlawful for any person who is not employed by the city or under contract with the city to  
780 provide solid waste collection and disposal services to the above listed types of customers and  
781 activities.

782 (Ord. No. 96-87, 9-24-96; Ord. No. 981215-54, § 18, 12-15-98)

783 Article III. Administration

784 Sec. 17-44. - Administration and enforcement of chapter.

785 The administration of the provisions of this chapter shall be the duty and responsibility of the Public  
786 Works Director or his/her designee.

787 The solid waste fee is inclusive of expenditures associated with providing and maintaining city  
788 issued refuse receptacles and collection and disposal of materials dependent upon service delivery.  
789 The solid waste fee calculation methodology is defined within the Schedule of Solid Waste Fees  
790 and Charges.

791 The Public Works Director or his/her designee shall have the authority to enter at any reasonable  
792 time upon private property to investigate conditions related to the matters covered by Section 1-9  
793 and this chapter.

794 (Code 1980, § 6-2-3; Ord. No. 981215-54, § 3, 12-15-98, SC Code § 16-11-700(2019))

795 Sec. 17-45. - Violations of chapter.

796 It shall be unlawful for any person to violate any provision of this chapter, and any such violation  
797 shall be punished as prescribed in section 1-9 of this Code. Each day a violation continues  
798 constitutes a separate offense.

799 Any abatement necessitating the use of city collection services may result in recovery of the costs  
800 of collection incurred for such abatement from the violator in accordance with the most current  
801 Federal Emergency Management Agency Schedule of Equipment rates, labor rates for city  
802 personnel, and final disposal rates.

803

804 (Code 1980, § 6-2-28; Ord. No. 2003-7, 1-28-03)

805 Sec. 17-46. Enforcement.

806 If the city determines any person has done or permit to be done any act, which is in violation of  
807 this chapter, then the Public Works Director or his/her designee is authorized to issue any of the  
808 following:

809 (1) Written notice. Issue written notice to the owner specifying the nature and location of the alleged  
810 noncompliance, with a description of the remedial actions necessary to bring the project into  
811 compliance within a reasonable specified time.

812 (2) Stop-work order. Issue a stop-work order directing the applicant, or owner, to cease and desist  
813 all or any portion of the work, which violates the provisions of the chapter.

814 (3) Emergency cease and desist order. Issue emergency cease and desist order directing a  
815 property owner by requiring immediate compliance with the solid waste management ordinance  
816 by halting operations resulting in a threat to public health and safety. The emergency cease and  
817 desist order may be written or verbal.

818 (4) Revocation of approval. Should the applicant, or owner, not bring the project into compliance  
819 with the written notice and stop-work order, he/she shall then be subject to immediate  
820 revocation of the building permit and to the penalties described in section 1-9.

821 (5) Citation. Issuance of an ordinance summons, or other appropriate charging document, as an  
822 initiation of criminal process by code enforcement officers designated by the manager. This  
823 ordinance shall become effective upon its adoption.  
824

825 AND BE IT FURTHER ORDAINED that Ordinance Number 2020-31, the 2020-21 Budget Ordinance,  
826 is hereby amended with respect to Exhibit C – Schedule of Solid Waste Fees and Charges by deleting  
827 that schedule and replacing it with the new Schedule of Solid Waste Fees and Charges attached  
828 hereto.

829  
830 This ordinance will take effect upon second reading.

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837 ATTEST:

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842 \_\_\_\_\_  
JENNIFER ADKINS, CITY CLERK

843

844 1<sup>ST</sup> READING: 6-23-2020

845 2<sup>ND</sup> READING: 7-14-2020

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BRENDA BETHUNE, MAYOR

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Exhibit C. Schedule of Solid Waste Fees and Charges

For purposes of this section, “standard residential service” shall mean:

- 1) once per week curbside collection of general waste, once per week recycling service, once per week yard waste collection, and bulky trash service for a single service address with one or two roll-out containers, or
- 2) once per week service to each residential service address utilizing a shared 8 cubic yard container.

For purposes of this section, “standard commercial service” shall mean:

- 1) once per week curbside collection of garbage only for a single service commercial establishment address utilizing city-provided roll carts, or
- 2) once per week collection of garbage only for commercial establishment addresses utilizing city-provided 8 cubic yard dumpster containers, or
- 3) as needed collection of garbage only from city-provided joint use compactors within the refuse compactor service area, and
- 4) separate service charge for scheduled collection of yard and bulk waste from commercial establishments within a designated collection point.

For customers with more than one garbage roll cart, each additional garbage roll cart container is serviced at an additional charge.

For commercial roll-cart and dumpster customers, each additional collection occurrence per week is an additional charge.

“Container fee” shall mean an assessment to cover the initial cost and replacement cost of one garbage roll cart or one eight cubic yard garbage dumpster or one joint-use garbage compactor container.

“Eight cubic yard (8 yd<sup>3</sup>) container service” shall mean one instance of collecting and removing the contents of one solid waste container with a rated capacity of eight cubic yards;

“Call-back service” refers to each incidence of unscheduled service above and beyond the rate for which the customer has subscribed;

“Compactor service” shall mean one instance of collecting and removing the contents of one compaction unit. If a city-provided compactor is used the compactor container fee will be assessed to each joint-user and the collection and landfill disposal fees for compactor service shall be proportioned based upon the square footage and/or seat capacity, and/or rooms, and/or dwelling units of the buildings being served.



894 **“Transfer station customers”** are private haulers, private individuals or firms doing business as landscapers,  
 895 or other individuals or firms not falling into a previously defined class, who collect waste and deliver it to the  
 896 transfer station to be transferred to the landfill by city forces.

897

<u>Standard Residential Service:</u>	<u>Collection</u>	<u>Landfill Disposal</u>
899 Service to one (1) garbage and		
900 one (1) recycling roll cart container	\$ 22.90/month	\$ 5.90/month
901		
902 Service to each additional garbage roll cart	\$ 3.90/month	\$ 5.90/mo. per container
903		
904 Container fee per garbage roll cart	\$ 2.00/month	
905		
906 Service to two cubic yards of bulk waste	Included in rate	Included in rate
907 Service to yard waste	Included in rate	Included in rate
908 Service to electronic devices on call-in request	Included in rate	Included in rate
909 Service up to two tires per week on call-in request	Included in rate	Included in rate
910		

911 **Standard Commercial Services:**

912

<u>Commercial Roll Cart Garbage Only Service:</u>	<u>Collection</u>	<u>Landfill Disposal</u>
913 One garbage roll cart serviced once <del>twice</del> per week	\$ 19.15/month	\$ 5.90/month
914 Each additional collection occurrence per week	\$ 19.15/month	\$ 5.90/month
915 Each additional container up to a maximum of five	\$ 3.90/month	\$ 5.90/mo. per container
916		
917		
918 Container fee per garbage roll cart	\$ 2.00/month	

919

<u>Commercial Eight Cubic Yard Container Garbage Only Service:</u>	<u>Collection</u>	<u>Landfill Disposal</u>
920 Service once per week	\$ 155.25/month	Included in rate
921 Service to each additional collection occurrence per week	\$ 42.50/service	Included in rate
922		

923

924 Container fee per garbage dumpster	\$ 35.00/month	
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<u>Commercial Joint Use Compactor Garbage Only Service:</u>	<u>Collection</u>	<u>Landfill Disposal</u>
926 Service to compactor	\$ 132.50/service	Contemporary landfill tipping rate
927		

928

929 Container fee per garbage compactor	\$ 100.00/month	
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932	<b><u>Call Back Collection Services*:</u></b>	<b><u>Collection</u></b>	<b><u>Landfill Disposal</u></b>
933	Garbage or Recycling Commercial Collection Call Back Service	\$ 90.00/service	Contemporary landfill tipping rate
934			
935			
936			
937	Yard/Bulk Waste Commercial Collection Call Back Service	\$ 115.00/service	Contemporary landfill tipping rate
938			
939			
940	Contemporary Landfill Tipping Rate per cubic yard July 1, 2020		
941			
942	Service to yard waste		\$2.56/cubic yard
943	Service to bulk waste		\$5.08/cubic yard
944	Service to comingled waste		\$13.30/cubic yard
945			

946 \*Call Back Collection Services fees may be waived or reduced at the discretion of the City Manager under  
 947 extraordinary situations and/or hardships.

950	<b><u>Transfer Station Customers:</u></b>	<b><u>Collection</u></b>	<b><u>Landfill Disposal</u></b>
951			
952	Transfer station processing and hauling fees	\$ 23.00/ton	Contemporary landfill tipping rate
953			
954			
955	Contemporary Landfill Tipping Rate per ton July 1, 2020		
956			
957	Garbage		\$ 38.00/ton
958	Bulk Waste		\$ 29.00/ton
959	Yard Waste		\$ 20.50/ton