



Agenda

Town of Boiling Springs Board of Commissioners

October 2, 2012

Town of Boiling Springs

P.O. BOX 1014
BOILING SPRINGS, NC 28017
Telephone 704-434-2357
Fax 704-434-2358
www.boilingspringsnc.net

AGENDA

TOWN OF BOILING SPRINGS BOARD OF COMMISSIONERS

October 2, 2012

7 p.m., Town Hall

- | | |
|--|-----------|
| 1. Call to Order – Max J. Hamrick, Mayor | - |
| 2. Approval of Minutes
September 4th, 2012 Regular Meeting | 2 |
| 3. Recognition of Citizens Present | 4 |
| 4. Regular Business | 7 |
| – Make Appointments to TDA Board (p. 8) | |
| – Consider Bids for Street Resurfacing (p. 9) | |
| – Review Proposed Solid Waste Chapter Amendment (p. 13) | |
| 5. Staff Reports | 21 |
| 6. Commissioners' Reports/Comments | 22 |
| 7. Mayor's Report/Comments | 22 |

It is the desire of the Board to allow all citizens an opportunity to speak and to conduct business in an open, professional, and productive manner. Persons not specifically listed on the agenda but wishing to speak must register with the Town Clerk prior to the start of the meeting. These persons will be recognized by the Mayor during the "Recognition of Citizens Present" portion of the meeting. A maximum of three (3) minutes will be allowed unless otherwise approved by a majority of the Board. Groups are urged to choose one spokesperson. If you require additional time, you may ask to be placed on the agenda for the next regularly scheduled meeting of the Board. This policy was adopted in an effort to allow the Board members adequate notice of business to come before it as well as time to familiarize themselves with an issue.

Town of Boiling Springs
Board of Commissioners
Regular Meeting Minutes
September 4, 2012

The Board of Commissioners of the Town of Boiling Springs met September 4, 2012 at the Boiling Springs Town Hall. Present were: Mayor Max J. Hamrick; Commissioners William Elliott, Darlene Gravett, James Beason, and Cliff Hamrick. Staff members present: Town Manager Tom Hart, Town Clerk Kimberly Greene, Finance Officer Rhonda Allen, Public Works Director Mike Gibert, and Police Chief Randy Page.

Others Present:

AGENDA ITEM I

Call to Order - Max J. Hamrick, Mayor

AGENDA ITEM II

Recognition of Citizens Present

AGENDA ITEM III

Approval of Minutes

Commissioner Elliott made the motion to approve minutes of the August 7, 2012 regular meeting as previously mailed. Commissioner Gravett seconded and the vote was unanimous.

AGENDA ITEM IV

Regular Business

Consider Revised Contract for Recycling

Mr. Hart advised the revisions were inconsequential and did not change the language of the contract. Mayor Hamrick inquired if the streets without cul-de-sacs for turnarounds would create a problem for Republic. Mr. Hart reported a few streets would be evaluated and possibly added to the Towns' street plan. Commissioner Gravett made the motion to approve the Revised Contract for Curbside Recycling and Collection Services Contract with Republic Services of NC, LLC d/b/a/GDS - Cleveland. Commissioner Elliott seconded and the vote was unanimous. A copy of the contract is on file.

Review Proposed Solid Waste Chapter Amendment

Mr. Hart reported Chapter 52. Solid Waste of the Town Code of Ordinances needed to be updated adding recycling services as well. The proposed amendment is for Board and Town Attorney review and recommendation.

AGENDA ITEM V

Closed Session

Mr. Hart sought direction on possible land acquisition. After a brief discussion, the Board declined purchase of the property and did not enter into closed session.

AGENDA ITEM VI

Staff Reports

Mike Gibert, Public Works Director

Water Department

Mike Gibert updated the Board on the water tank project. The inside of the tank was successfully repaired and painted white. There were eight holes in the seams as a result of corrosion. He reported R.E. McLean Tank Company planned to chlorinate the inside of the tank the next day then slowly start filling it. He expects the project to proceed with no significant problems.

Wastewater Department

Mr. Gibert reported wastewater personnel were recently required to pump one load at the Lyman Street Pump Station after an inch and a half of rain. The department continues to search for infiltration issues near Hamrick Fence Company to the Lyman Street outfall. The sewer line from Ingles to Woodland Avenue is scheduled to be replaced this budget year.

AGENDA ITEM VII

Commissioner's Report/Comments

Commissioner Gravett reported a vacant house near the roundabout on E. Homestead Avenue has an overgrown lawn.

AGENDA ITEM VIII

Mayor's Report/Comments

Mayor Hamrick reported the members of the Flint Hills Daughters of the American Revolution (DAR) requested we remember and celebrate the Constitution of the United States of America. Commissioner Hamrick made the motion to approve the Proclamation declaring September 17th through 23rd Constitution Week. Commissioner Beason seconded and the vote was unanimous. A copy of the Proclamation is on file in the office of the Clerk.

The Cleveland County Board of Elections will hold One-stop Absentee Voting for the 2012 General Election at the Boiling Springs Town Hall on November 1, 2012 and November 2, 2012 from 10:30 am until 6:30 pm and November 3, 2012 from 9:00 am until 1:00 pm.

Mayor Hamrick received a notice from Cleveland County Emergency Management seeking support for the consolidation of the Cleveland, Gaston, and Lincoln Counties Hazard Mitigation Plans. The Board agreed.

The Boiling Springs Rotary Club is scheduled to pick up litter along Town streets on September 22, 2012.

Mayor Hamrick reported on a customer water leak. The Board and staff discussed employee water meter cutoff/read procedure and setting precedence on adjustments.

There being no further business to come before the Board, Mayor Hamrick declared the meeting adjourned at 7:35 p.m.

Max J. Hamrick, Mayor

Kimberly Greene, Town Clerk

Meeting Date: October 2, 2012

Subject: Regular Business

- **Make Appointments to TDA Board (p. 8)**

Shelley Bell and Barbara Greene's seats on the TDA Board will expire at the end of October. Both have expressed interest in being reappointed.

- **Consider Bids for Street Resurfacing (p. 9)**

This year's budget includes \$260,000 for street maintenance and repair. The Town's street maintenance schedule calls for an estimated \$254,000 to make improvements in the Highlands subdivision and in the Southwest portion of the Homestead area (p. 9). The project will be bid on October 2nd prior to the Board's regular meeting. Staff will have enough time to consult with our engineer and make a recommendation to the Board at the meeting. A map of the areas to be resurfaced is included (p. 11)

- **Review Revisions to Solid Waste Chapter (p. 13)**

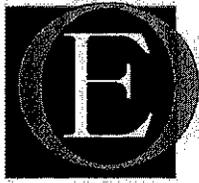
Included are the revisions to Chapter 52 of the Town Code that were provided to the Board last month. I would like to take the Board's feedback from this meeting and bring a finalized version to the Board in November for adoption.

Street Maintenance Project Schedule

	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
Southglenn	\$ 48,000				
Highland Pines	\$ 84,000				
Homestead Acres (SW)		\$ 224,000			
Michael Court		\$ 4,800			
Patricia Court		\$ 1,600			
Roberts Court		\$ 9,600			
Dennis Court		\$ 8,000			
Austin Dr.		\$ 6,400			
Oak Ave			\$ 75,000		
Clinton St.			\$ 15,000		
Spring St.			\$ 22,500		
Lyman St.			\$ 30,000		
Brooks Ave. (short)			\$ 15,000		
Beason St.				\$ 45,000	
Wall Ave.				\$ 60,000	
Hillcrest Ave.				\$ 135,000	
Lawhon St.					\$ 60,000
Gordon Ave.					\$ 90,000
Howington St.					\$ 24,000
Meadowood St.					\$ 12,000
Edgewood St.					\$ 16,000

Estimated Costs \$ 132,000 \$ 254,400 \$ 157,500 \$ 240,000 \$ 202,000

Actual Costs \$155,500



**Odom
Engineering
PLLC**

152 East Main Street • Forest City, NC 28043

Phone (828) 247-4495 • Fax (828) 247-4498

INVITATION TO BID

Owner: Town of Boiling Springs
Project: Boiling Springs Resurfacing Project 2012
Engineer: Odom Engineering
152 E. Main St.
Forest City, NC 28043
(828) 247-4495
Date: September 11, 2012

Your firm is invited to submit a bid to the Owner for construction of the Project. Bids will be received by delivery, to the **Town of Boiling Springs** at the address listed below by 2:00pm local time on **Tuesday, October 2, 2012**.

A mandatory Pre-Bid Meeting will be held on Wednesday, September 26, 2012 at 10:00am at the Town of Boiling Springs Town Hall.

Project bid will be a unit price bid in accordance with provided detailed plans and bid forms.

Submit your offer on the Bid Forms provided. Bonds will *not* be required for this project.

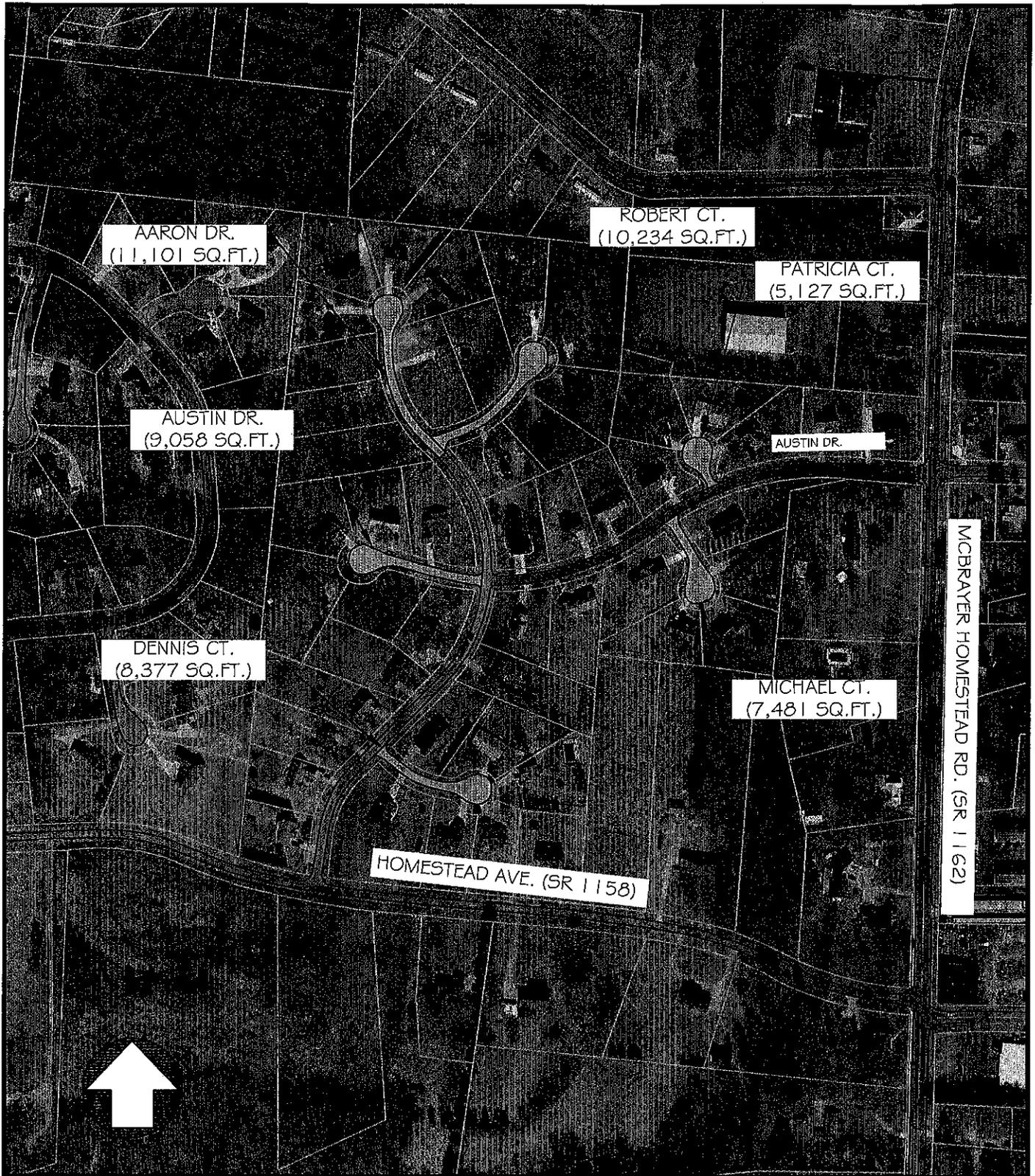
The project is to be completed by November 21, 2012.

Your offer will be required to be submitted under a condition of irrevocability for a period of 30 days after submission.

The Owner reserves the right to accept or reject any or all offers and award jobs individually based on the bids and available funds.

Mailing Address: Tom Hart, Town Manager
Town of Boiling Springs
145 South Main Street
Boiling Springs SC 28017
Ph: 704- 434-9419

END OF INVITATION TO BID




Odom
Engineering
PLLC
 152 East Main Street, Forest City, N.C. 28043
 ph: 828.247.4495 fax: 828.247.4498
 NC FIRM# P-0880

BOILING SPRINGS WEST
 REPAVING

FEBRUARY 2012

SCALE: 1"=300'
 Agenda Page 11




Odom
Engineering
PLLC
 152 East Main Street, Forest City, N.C. 28043
 ph: 828.247.4495 fax: 828.247.4498
 NC FIRM# P-0880

BOILING SPRINGS EAST
 REPAVING

FEBRUARY 2012

SCALE: 1"=400'
 Agenda Page 12

CHAPTER 52: SOLID WASTE

General Provisions

52.001 GENERAL

(A) This chapter shall regulate all solid waste generated within the corporate limits of the town or transported through town on any street or public way. It shall further apply to all persons residing, parking, passing through or visiting within the corporate limits of the town.

(B) The Town may also regulate the collection of solid waste, particularly the precollection practices and prohibition of items, through administrative policy. Such policies shall be used to enhance not circumvent the regulations set forth in this chapter.

52.002 DEFINITIONS

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

BULK WASTE. Large items of solid waste such as household appliances, furniture, automobiles or parts thereof, large auto parts, trees, branches, stumps, and other oversize waste, the large size of which precludes or complicates its handling by normal solid waste collection, processing or disposal methods,

COLLECTION. The act of removing solid waste from a point of generation to a disposal site.

COMMERCIAL SOLID WASTE. Solid waste generated by stores, offices, restaurants, warehouses and other non-manufacturing commercial activities.

COMMERCIAL BUILDING AND DEMOLITION WASTE. That solid waste including building materials, packaging and rubble resulting from construction, remodeling, repair and demolition operations. These materials include but are not limited to excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber or any other similar material used in construction or the containers or packaging thereof.

GARBAGE. All putrescible solid waste, including animal offal and carcasses, and recognizable byproducts, but excluding sewage and human waste.

INDUSTRIAL SOLID WASTE. Solid waste generated by industrial processes and manufacturing.

PUTRESCIBLE. Solid waste capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisance from odors and gases, such as kitchen wastes, offal and carcasses.

RECYCLABLES: Refuse that consists of: aluminum, steel, and tin cans; empty aerosol cans; clear, green and brown glass containers; all plastic bottles (#1 through #7); newspaper and newspaper inserts; brown paper grocery bags; magazines; catalogs; telephone books; junk mail; manila folders and envelopes; office paper; paperback books; post-it-notes; shredded paper; soda or beer cartons; toilet and paper towel rolls; wrapping paper; construction paper; egg cartons; paper envelopes; box board; and corrugated cardboard; any other

REFUSE. All nonputrescible solid waste.

RESIDENTIAL SOLID WASTE. Solid waste generated by residents of a household other than those solid wastes defined in this section.

SCRAP TIRE. A tire which is no longer suitable for its original, intended purpose because of wear, damage or defect.

SOLID WASTE. Garbage, refuse, rubbish, trash, recyclables and other discarded solid material, including solid waste generated by residences, businesses, industrial, commercial, agricultural and institutional operations and also from community activities, but does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluent, dissolved materials in irrigation return flows or other common water pollutants.

TIRE. A continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle or farm machine.

YARD WASTE. Tree limbs, leaves, shrubbery trimmings and cuttings and all other trimmings from natural growth of trees, shrubbery, weeds, plants and grass.

52.003 IMPROPER DISPOSAL

(A) No person shall throw, dump, drop or deposit, or cause to be thrown, dumped, dropped or deposited, whether intentional or not, on any street, avenue, alley, highway, sidewalk, park or other public place or on land vacant or occupied in the town not owned by the person in question, any waste including but not limited to refuse, yard waste, dead animals, glass, or anything injurious to health.

(B) No person shall burn any solid waste defined herein for the purpose of disposal unless the following conditions are met:

1. Burning shall be by permit only
2. Permits shall be issued by the local Fire Chief or his designee
3. Burning shall take place between 6 am and 6 pm
4. All refuse burning shall take place within the property of origin unless permit specifically allows otherwise
5. No drainage ditches or right of way shall be blocked by the burning
6. Ashes and cinders shall be collected and removed
7. Permits may be cancelled at any time due to weather, safety hazard, or nuisance by the Fire Chief or Town Manager

(C) No person shall bury any solid waste for the purposes of disposal except in a properly zoned and permitted commercial landfill.

52.004 IMPORTATION OF WASTE

It shall be unlawful for any person, firm or other organization to deposit any solid waste or yard waste generated outside the corporate limits of the town on or in any location such as a street right of way where it would be collected by the town or its agents.

52.005 COLLECTION SCHEDULES

(A) Collection schedules for the various types of waste described in this Chapter shall be kept on file in the office of the Town Clerk. These schedules will be adopted by the Town Board upon recommendation from the Town Manager and based on the current needs of the town. Any permanent alteration to a schedule will be accompanied by a notice being sent to the owners of all affected properties. There shall be no expectation that the collection of the various types of waste collected by the town be collected from any given property on the same day or at the same time on a given day.

(B) Temporary alterations to the schedule may be made by the Town Manager because of holidays, weather, staff shortages, equipment failure, or any exigent circumstance. In such circumstances, any provisions of this Chapter regulating the times during which collection containers may be placed for collection shall be considered suspended.

52.006 SOLID WASTE FEES

The Board upon recommendation from the Town Manager shall adopt regular fees for the collection of solid waste by the town or its agents. Generally, this chapter shall be understood to proscribe fees for the following services: curbside residential garbage collection, curbside residential recycling collection, residential yard waste collection, bulk item collection, and commercial and industrial garbage collection. In the spirit of promoting general health and safety, the service of collecting solid waste shall not be interrupted due to non-payment of fees. Monthly payments made to the town for services and fees will first be applied to solid waste fees and then to water and sewer fees. Unpaid fees may constitute a lien on the property.

52.007 TRANSPORT BY PRIVATE CITIZENS

(A) No person shall collect, handle, or transport over or along any streets or public ways in the town any solid waste that the town provides for the collection of without first having obtained a franchise therefore from the town.

(B) No person shall transport over or along any streets or public ways in the town any solid waste without providing the proper netting or secure means to prevent such waste from being spread onto the street or adjacent property.

52.008 PROHIBITED MATERIALS

The proceeding sections of this chapter may outline items prohibited with regards to the collection of a specific type of solid waste. The following items will be prohibited with regards to any type of collection by the town or its agents and may not be placed for collection.

- (A) Highly combustible, flammable, poisonous, radioactive or explosive material
- (B) Used cars, buses, motorcycles, or any self propelled vehicle
- (C) Tires or scrap tires
- (D) Batteries of any type or kind
- (E) Machinery or scrap metal of any kind
- (F) Waste resulting from construction, demolition, land clearing, or renovations and improvements.
- (G) Any item that the town does not have the equipment with which to properly dispose of or does not have access to proper disposal methods.
- (H) Any item that the County landfill will reject or impose a fine upon the town for the disposal thereof.
- (I) Any item, the collection or transport of which, is deemed hazardous either to personnel or equipment by the Director of Public Works.

52.009 OWNERSHIP OF MATERIALS

(A) Upon placement of any solid waste at curbside for collection by the town or its agents in accordance with this Chapter such materials shall become the property of the town regardless of whether the actual

collection of the items would be prohibited by this Chapter. Ownership of items and materials deemed uncollectable by this Chapter shall revert back to the owner of the property said items were generated on.
(B) It shall be a violation of this chapter for any person other than expressly authorized agents of the town acting in the course of their employment to collect or pick up any materials placed for collection.

52.010 SERVICE TO UNINCORPORATED AREAS

(A) With the approval of the Town Manger, the town may provide collection service to a property outside of the corporate limits of the town provided that all of the following conditions are met:

1. The property is charged the adopted fee for out of town customers.
2. Collection from the property does not present a unique challenge or safety hazard to the town or its agents.
2. The property lies along an existing collection route and is approximately adjacent to a property within the corporate limits. A collection route may be considered to only consist of one side of a particular street or public way or one area of a particular street.

52.020 ADOPTION OF COUNTY CODE

The full text of Articles I, II, and III of Chapter XI: Waste Management of the Cleveland County Code or Ordinances is hereby adopted and incorporated into this code of ordinances as if fully set out therein.

Enforcement

55.050 CODE ENFORCEMENT OFFICER

For the purpose of this Chapter the Town Manager or his designee shall serve as the Code Enforcement Officer of this Chapter.

55.051 RIGHT TO INSPECT

The Code Enforcement Officer may enter onto private property for the purposes of inspecting for compliance with the provisions of this Chapter.

55.052 PENALTIES

Violations of this Chapter may result in civil penalties in the amount of \$50 per occurrence.

Curbside Residential Garbage Collection

52.100 GENERAL

This subchapter shall apply to all solid waste generated by residential units within the corporate limits of the town. This subchapter shall not apply to multi-family units or developments that are determined to require dumpster service.

52.101 PRECOLLECTION PRACTICES

(A) All garbage and refuse as defined in 52.002 shall have the liquid drained therefrom before it is placed in a container for collection. Putrescible waste must be bagged prior to placement in garbage containers.

(B) All garbage or refuse shall be secured in a container that is provided by the town or expressly approved by the Director of Public Works.

(C) Containers shall be placed adjacent to the street or sidewalk for collection. Containers must be unobstructed with 3 foot clearance in all directions. Containers shall be set out for collection no sooner than 8 hours prior to the day of collection and shall be removed from their position adjacent to the street or sidewalk after the contents has been emptied on that same day.

(D) Any garbage or refuse that is in addition to the garbage or refuse contained within the approved container shall be neatly placed adjacent to the container for collection. The Town may collect items placed outside of the container at its discretion.

52.102 PROHIBITED ITEMS

The following items are expressly prohibited from collection:

(A) Any items that would be defined as recyclable by this chapter.

(B) Items generated by commercial activities

Also see 55.008 for generally prohibited items and 55.105 for the collection of dead animals.

52.104 COLLECTION REQUIRED

(A) All garbage and refuse shall be collected and placed in containers as required by this chapter and it shall be unlawful for any person to permit garbage or refuse to accumulate or remain on any premises longer than is reasonably necessary to remove and deposit same in the approved containers as required by this chapter. This section shall be interpreted as more stringent than the restriction defined in Chapter 94 of this Code.

(B) All residential units located within the corporate limits of the town shall be subject to the applicable fee set by the Town Board regardless of utilization of the service. Collection by the town or its agents is required for all residential units within the corporate limits of the town.

(C) Recycling collection shall be considered a necessary component of garbage collection.

52.105 REMOVAL OF DEAD ANIMALS

Dead animals will be removed from any premises by the town upon proper notice to the town. The Town Board may set a fee for the removal of dead animals from private property to recover costs incurred to properly dispose of the animal. The town will remove dead animals from streets or roads with no charge

to the person notifying the town of said animal. The Town will only pick up those dead animals which can easily be handled by sanitation crews and equipment.

Curbside Residential Recycling Program

52.200 GENERAL

This Subchapter shall establish the voluntary sorting and collection of residentially generated recyclable solid waste. The establishment of voluntary recycling shall not be construed as negating 52.102 which expressly forbids the town or its agents from collecting recyclable material as garbage.

52.201 PRECOLLECTION PRACTICES

(A) All recycling as defined in 52.002 shall have the liquid drained therefrom before it is placed in a container for collection. Further, all recycling shall be secured in a container that is provided by the town or expressly approved by the Director of Public Works.

(B) Containers shall be placed adjacent to the street or sidewalk for collection. Containers must be unobstructed with 3 foot clearance in all directions. Containers shall be set out for collection no sooner than 6 hours prior to the day of collection and shall be removed from their position adjacent to the street or sidewalk after the contents has been emptied on that same day.

(C) Any item that is in addition to the recycling contained within the approved container shall be neatly placed adjacent to the container for collection. These items may be collected at the discretion of the town or its agents and an additional fee may be set by the Board for said items.

52.202 PROHIBITED ITEMS

Only items defined as recyclable in 52.002 or by subsequent administrative policy are eligible for collection under this section.

52.203 COLLECTION REQUIRED

All residential units located within the corporate limits of the town shall be subject to the applicable fee set by the Town Board regardless of utilization of the service. Recycling service will be regarded as a necessary component of garbage collection services provided by the town.

Yard Waste Program

52.300 GENERAL

This subchapter shall establish a Yard Waste Program and apply to all yard waste defined in 52.002 generated by residential units within the corporate limits of the town. The collection of yard waste may further be regulated by an administrative policy. Yard waste collection will generally occur on a weekly basis although no specific day of collection shall be defined.

52.301 PRECOLLECTION PRACTICES

(A) All yard waste will be placed at the curb or edge of pavement for collection. Yard waste should be placed out for collection in a manner that minimizes impact on pedestrian and vehicle traffic, and does not block vehicular site visibility or affect the drainage of storm water.

52.302 PROHIBITED ITEMS

In addition, the following items are expressly prohibited from collection:

- (A) Any items that not defined as yard waste by this chapter
- (B) Yard waste generated off premises
- (C) Yard waste generated as the result of commercial activity (landscape services, tree removers, etc.)
- (D) Bagged items including leaves and grass clippings
- (E) Yard waste mixed any other items especially items which could damage collection equipment
- (F) Limbs exceeding 4 inches in diameter or 10 feet in length
- (G) Tree stumps

Special or Bulk Collection

52.400 GENERAL

This subchapter shall apply to bulk items as defined in 52.002 generated by occupied residential units within the corporate limits of the town. Bulk items generated by business or institutional activities including multi-family rental properties are not eligible for collection under this section. The collection of special or bulk items may further be regulated by an administrative policy.

52.401 PRECOLLECTION PRACTICES

- (A) Any resident desiring special bulk collection of loose matter not enclosed in containers or tied in bundles may request a special collection.
- (B) Materials to be collected must be placed in orderly piles and so located that such waste can be easily loaded onto trucks located on the street for disposal.

52.403 PROHIBITED ITEMS

The following items shall be prohibited:

- (A) Waste generated or found on a vacant lot
- (B) Appliances that contain hazardous fluids

Industrial and Commercial Collection

52.500 GENERAL

This subchapter shall apply to all solid waste generated by commercial, industrial, and institutional units within the corporate limits of the town. Collection from multi-family residential units or developments may be regulated under this subchapter if the Director of Public Works deems the development or unit will generate an amount of waste which could overwhelm curbside containers or curbside collection would be hazardous to town staff or equipment or residents.

52.501 PRECOLLECTION PRACTICES

- (A) No person shall place or cause to be placed any loose refuse or garbage on the ground or allow it to accumulate beside buildings. All properties regulated by this subchapter shall use containers manufactured for the purpose of containing commercial or industrial waste or a container approved by the Director of Public Works.

(B) All containers shall be placed so as to not create a hazard to public health or safety. Containers must be placed on a surface deemed capable of supporting the containers weight and the weight of collection equipment. Containers shall not obstruct the flow of pedestrians and vehicles about the property particularly the movement of emergency vehicles.

(C) Containers must be maintained in manner that does not create a hazard to public health or safety. Container shall not be allowed to leak waste and must be covered to restrict items from being scattered by weather, animals, or other means.

52.502 FENCING REQUIRED

The Town Manager may require that waste containers be enclosed by fencing to prevent the scatter of materials potentially harmful to the public health, to prevent the spread of noxious odors or vapors, or to prevent access to the container to protect public health or safety. The required fencing shall:

- (A) Exceed the height of the waste container by at least two feet.
- (B) Provide an easily manipulated gate for ease of access.
- (C) Consist of an 80 percent opaque material

52.503 PROHIBITED MATERIALS

See 55.008 for generally prohibited items.

52.504 PRIVATE COLLECTION

Any property regulated by this subchapter may choose to contract with any private solid waste collection contractor provided that the contractor has a franchise agreement to collect solid waste within the corporate limits of the town. The property owner may be required to periodically provide proof of such a contract and contractors may be required to periodically provide a listing of properties serviced within the corporate limits of the town. The use of a private contractor does not exclude the property from complying with any part of this chapter.

52.505 RESTRICTIONS ON INDUSTRIAL WASTE

Reserved

52.506 COLLECTION REQUIRED

All properties regulated by this subchapter shall be subject to the solid waste fees set by the Town Board. Collection of solid waste by the town or its agents is required unless a private contractor is used. When a private contractor is used the town's collection fee may be waived if the Director of Public Works determines the following conditions are met:

- (A) Proof of a contract with a private collection company is filed with the town.
- (B) The contract will provide the property with collection service that will effectively and safely removes solid wastes from the property. A contract will not be used to save money by under servicing a property.

No Changes Proposed to Health and Sanitation or Solid Waste Offenses Sections

Only renumbering of sections and replacement of the term town administrator with town manager

Meeting Date: October 2, 2012

Subject: Staff Reports

Police

Public Works

Finance

Town Clerk

Town Attorney

Town Manager

Meeting Date: October 2, 2012
Subject: Commissioners' Reports

Commissioner Gravett

Commissioner Elliott

Commissioner Beason

Commissioner Glenn

Commissioner C. Hamrick

Meeting Date: October 2, 2012
Subject: Mayor's Report