



**LENOIR COUNTY
SOLID WASTE
MANAGEMENT**

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**LENOIR COUNTY ORDINANCE
FOR THE MANAGEMENT
OF SOLID WASTE**

OCTOBER 1, 1993

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OCTOBER 1, 1993

LENOIR COUNTY ORDINANCE FOR THE
MANAGEMENT OF SOLID WASTE

SECTION I. PURPOSE AND STATUTORY AUTHORITY

The purpose of this ordinance is to regulate the storage, collection, and disposal of solid waste in Lenoir County. This ordinance is adopted pursuant to the authority contained in G.S. 153A-121, -132.1, -136, -274 through -278, and -291 through -293, and 130A-309.09, -309.09A, -309.09B, and -309.09D. Unless otherwise indicated, the ordinance applies to both publicly-owned and privately-owned municipal solid waste management facilities located in Lenoir County.

SECTION II. DEFINITIONS

The following definitions apply in the interpretation and enforcement of this ordinance:

- A. Ash: Refuse resulting from the burning of coal, municipal solid waste or other combustible materials.
- B. Barrel: A container with a capacity of 42 U.S. gallons.
- C. Board: Board of Commissioners of Lenoir County.
- D. Bulky waste: Large items of solid waste such as furniture, large auto parts, trees, branches, stumps, and other oversize wastes whose large size precludes or complicates their handling by normal solid waste collection, processing, or disposal methods.
- E. Collection: The act of removing solid waste (or materials that have been separated for the purpose of recycling) to a transfer station, processing facility, or disposal facility.
- F. Commercial solid waste: All types of solid waste generated by stores, offices, restaurants, warehouses, and other non-manufacturing activities, excluding residential and industrial waste.
- G. Construction and demolition waste: Solid waste resulting solely from construction, remodeling, repair, or demolition operations on buildings, or other structures, but does not include inert debris, land-clearing debris, yard debris, or used asphalt, asphalt mixed with dirt, sand, gravel, rock, concrete, or similar nonhazardous material.
- H. Corrugated Cardboard: Cardboard manufactured in a series of

wrinkles or folds, or into alternating ridges and grooves.

- I. Department: The Department of Environment, Health and Natural Resources (DEHNR).
- J. Drop-Off Site: A facility provided by the county where solid waste receptacles and recycling containers are located.
- K. Garbage: All putrescible waste, including animal offal and carcasses, and recognizable industrial by-products, but excluding sewage and human waste.
- L. Hazardous waste: Solid waste, or a combination of solid wastes, that because of its quantity, concentration or physical, chemical or infectious characteristics may:
 - (1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or
 - (2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.
- M. Incineration: The process of burning solid, semi-solid, or gaseous combustible wastes to an inoffensive gas and a residue containing little or no combustible material.
- N. Industrial solid waste: Solid waste generated by industrial processes and manufacturing.
- O. Inert debris: Solid waste that consists solely of material that is virtually inert and that is likely to retain its physical and chemical structure under expected conditions of disposal.
- P. Institutional solid waste: Solid waste generated by educational, health care, correctional, and other institutional facilities.
- Q. Land-clearing debris: Solid waste that is generated solely from land-clearing activities.
- R. Landfill: A disposal facility or part of a disposal facility where waste is placed in or on land and that is not a land treatment facility, a surface impoundment, an injection well, a hazardous waste long-term storage facility or a surface storage facility.

- S. Littering: The placing or failing to take steps to prevent blowing, throwing, or otherwise depositing of any material on public or private property in violation of state or local laws and ordinances or without the property owner's permission. Litter includes but is not limited to: paper, cardboard, building debris, yard waste, tires, white goods, etc.
- T. Medical waste: Any solid waste that is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production testing of biologicals, but does not include any hazardous waste, radioactive waste, household waste as defined in 40 C.F.R. 261.4(b)(1), or those substances excluded from the definition of "solid waste" in this ordinance.
- U. Municipal solid waste: Solid waste resulting from the operation of residential, commercial, industrial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service. Municipal solid waste does not include hazardous waste, sludge, or solid waste from mining or agricultural operations.
- V. Municipal solid waste management facility: Any publicly- or privately-owned solid waste management facility permitted by the Department that receives municipal solid waste for processing, treatment, or disposal.
- W. Pathological waste: Human tissues, organs, and body parts, and the carcasses and body parts of any animals that were known to have been exposed to pathogens that are potentially dangerous to humans during research, were used in the production of biologicals or in invivo testing of pharmaceuticals, or that died with a known or suspected disease transmissible to humans.
- X. Person: Any individual, corporation, company, association, partnership, unit of local government, state agency, federal agency, or other legal entity.
- Y. Putrescible: Solid waste capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisances from odors and gases, such as kitchen wastes, offal, and animal carcasses.
- Z. Processing: Any technique designed to change the physical, chemical, or biological character or composition of any solid waste so as to render it safe for transport; amenable to recovery, storage, or recycling; safe for disposal; or reduced in volume or concentration.

- AA. Radioactive waste: Waste containing any material, whether solid, liquid, or gas, that emits ionizing radiation spontaneously.
- BB. Recycling: The process by which solid waste or recovered materials are collected, separated, or processed, and reused or returned to use in the form of raw materials or products.
- CC. Refuse: Solid waste, other than garbage or ashes, from residences, commercial establishments, and institutions
- DD. Regulated medical waste: Blood and body fluids in individual containers in volumes greater than 20 ml., microbiological waste, and pathological waste that has not been treated pursuant to rules promulgated by the Department.
- EE. Resource recovery: The process of obtaining material or energy resources from discarded solid waste that no longer has any useful life in its present form and preparing the solid waste for recycling.
- FF. Sanitary landfill: A facility for disposal of solid waste on land in a sanitary manner in accordance with the rules concerning sanitary landfills adopted pursuant to GS.Ch. 130A, article 9.
- GG. Scrap tire: A tire that is no longer suitable for its original, intended purpose because of wear, damage, or defect.
- HH. Septage: Solid waste that is a fluid mixture of untreated and partially treated sewage solids, liquids, and sludge of human or domestic origin that is removed from a septic tank system.
- II. Sharps: Needles, syringes, and scalpel blades.
- JJ. Sludge: Any solid, semisolid, or liquid waste generated from a municipal, commercial, institutional, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, or any other waste having similar characteristics and effects.

KK. Solid waste: Any hazardous or nonhazardous garbage, refuse, or sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, domestic sewage and sludges generated by the treatment thereof in sanitary sewage collection, treatment and disposal systems, and other material that is either discarded or is being accumulated, stored or treated prior to being discarded, or has served its original intended use and is generally discarded, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, institutional, commercial, and agricultural operations, and from community activities. The term does not include:

- (1) Fecal waste from fowls and animals other than human
- (2) Solid or dissolved material in:
 - a. Domestic sewage and sludges generated by treatment thereof in sanitary sewage collection, treatment, and disposal systems that are designed to discharge effluents to the surface waters;
 - b. Irrigation return flows; and
 - c. Wastewater discharges and the sludges incidental to and generated by treatment which are point sources subject to permits granted under Section 402 of the Water Pollution Control Act, as amended (P.L. 92-500), and permits granted under G.S. 1143-215.1 by the Environmental Management Commission. However, any sludges that meet the criteria for hazardous waste under RCRA shall also be a solid waste for purposes of this definition;
- (3) Oils and other liquid hydrocarbons controlled under Article 21A of Chapter 143 of the General Statutes. However, any oils or other liquid hydrocarbons that meet the criteria for hazardous waste under RCRA shall also be a solid waste for the purposes of this definition;
- (4) Any source, special nuclear or byproduct materials as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011);
- (5) Mining refuse covered by the North Carolina Mining Act, G.S. 74-46 through 74-68 and regulated by the North Carolina Mining Commission. However, any specific mining waste that meets the criteria for hazardous waste under RCRA shall also be a solid waste for the purposes of this definition.

- LL. Solid waste collector: Any person who collects or transports solid waste.
- MM. Solid waste manager: Director of the County's Solid Waste Department.
- NN. Solid waste disposal site: A location at which solid waste is disposed of by incineration, sanitary landfill, or other approved method.
- OO. Solid waste receptacle: Container used for the temporary storage of solid waste while awaiting collection.
- PP. Source separation: Setting aside recyclable materials at their point of generation by the generator.
- QQ. Tipping Fee: The monetary charge for disposing of solid waste in an approved landfill.
- RR. Tire: A continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle as defined in G.S. 20-4.01(23).
- SS. Transfer station: A site at which solid waste is concentrated for transport to a processing facility or disposal site. A transfer station may be fixed or mobile.
- TT. Used oil: Any oil that has been refined from crude oil or synthetic oil and, as a result of use, storage, or handling, has become unsuitable for its original purpose.
- UU. White goods: Inoperative and discarded refrigerators, ranges, water heaters, freezers, and other similar domestic and commercial large appliances.
- VV. Yard trash: Solid waste consisting solely of vegetative matter resulting from landscaping maintenance.

SECTION III. STORAGE AND DISPOSAL

- A. No owner, occupant, tenant, or lessee of any property may deposit, store, or permit to accumulate any solid waste on his property that is not stored or disposed of in a manner prescribed by this ordinance.
- B. The owner, occupant tenant, or lessee of any property shall remove or cause to be removed all garbage from his property at least once each week (7-day period).

- C. Garbage shall be stored only in a container that is durable, watertight, with a fly-tight cover. Solid waste receptacles, as defined by this ordinance, may also be used for storage provided they meet the requirements of this subsection. The number of containers shall be adequate to store one week's accumulation of garbage. Each container shall be kept clean so that no odor or other nuisance condition exists.
- D. Refuse shall be stored in a manner that will resist harborage to rodents and vermin and will not create a fire hazard. Regulated refuse under this subsection includes, but is not limited to, lumber, boxes, barrels, bottles, cans, tires, paper, cardboard, rags, old furniture and other bulky waste, and white goods.
- E. No owner, occupant, tenant, or lessee of any building or dwelling may leave outside the building or dwelling, in a place accessible to children, any abandoned or unattended icebox, refrigerator, or other receptacle that has an airtight door without first removing the door.
- F. Solid waste shall be disposed of only in one of the following ways:
 - (1) In a landfill approved by the Department;
 - (2) In an incinerator that has all required local, state, and federal control permits;
 - (3) By any other method, including recycling and resource recovery, that has been approved by the Department.
- G. No person may discard, dispose, leave, or dump any solid waste on or along any street or highway or on public or private property unless such solid waste is placed in a receptacle or at a location designated for the deposit of solid waste.
- H. Construction wastes must be disposed of at disposal sites approved and permitted by the Department (DEHNR).
- I. Regulated medical, hazardous, and radioactive waste must be disposed of according to written procedures approved by the Department (DEHNR).
- J. Any person collecting and transporting solid waste generated on his/her property for disposal at an approved disposal site shall comply with this ordinance in all respects.

- K. All sharps (needles, and syringes) shall be placed in a sealed, puncture-proof container prior to disposal.
- L. Open burning of solid waste is prohibited in accordance with title 15A NORTH CAROLINA ADMINISTRATIVE CODE 2D.0520.

SECTION IV. LANDFILL MANAGEMENT

- A. The county sanitary landfill may be used for the disposal of solid waste by county residents and nonresident property owners. The landfill shall be open during hours established by the board. In emergencies, the landfill may be opened for additional hours as directed by the county manager or the manager's representative. When not in operation the landfill will be kept locked, and entry will not be permitted. Solid waste shall be disposed of at the landfill in the manner and according to procedures established by the county's solid waste manager.
- B. The following wastes may not be disposed of in the county sanitary landfill:
 - (1) Burning or smoldering materials, or any other materials that would create a fire hazard
 - (2) Hazardous waste
 - (3) Tires; unless they have been halved or shredded
 - (4) Liquid waste
 - (5) Untreated regulated medical waste
 - (6) Radioactive waste
 - (7) Automobile and truck bodies
 - (8) Metal drums or barrels unless the top and bottom have been removed or has been crushed.
 - (9) Corrugated cardboard
- C. The items listed below must be separated from other solid waste and stored in designated areas within the landfill to facilitate recycling.
 - (1) Lead-acid batteries
 - (2) Used oil and Tires
 - (3) White goods

(4) Yard trash

D. The following wastes may be accepted on a conditional basis only (state regulations require that these wastes receive special treatment before they are placed in a landfill):

(1) Asbestos

(2) Sludges

Conditionally acceptable wastes may be disposed of in accordance with Department regulations and policies promulgated by the county solid waste manager and adopted by the board. Haulers of conditionally acceptable waste shall obtain prior approval from the landfill administrator at least three working days before transporting conditionally approved wastes to the landfill.

E. The following waste may be disposed of in the county landfill once consent has been obtained from the County Health Director and the landfill supervisor:

(1) Animal and foul fecal matter

(2) Dead animals

F. No person may loiter or rummage about the landfill or remove articles therefrom.

G. No person may deposit material at any point in the landfill except where indicated by authorized employees of the landfill or by official signs.

H. No person may discharge firearms, fireworks, or explosives on landfill property.

I. The maximum allowable speed of vehicles at the landfill is fifteen miles an hour.

J. Waste brought to the County landfill shall be observed and inspected for prohibited materials. The hauler may be requested to remove unacceptable materials at the discretion of the landfill supervisor.

SECTION V. DROP-OFF SITES AND SOLID WASTE RECEPTACLES

A. Drop-off sites are located throughout the county for the convenience of county residents, and nonresident property owners, on land owned or leased by the county. Each site maintains several receptacles for the deposit of solid waste.

- B. Commercial, industrial, governmental and institutional establishments are only authorized to use the drop-off sites to deposit separated recyclables. All other municipal solid waste must be taken to the landfill where tipping fees will be paid.
- C. The following wastes may not be deposited in the solid waste receptacles or left at the drop-off sites.
- (1) Asbestos
 - (2) Burning or smoldering materials, or any other materials that would create a fire hazard
 - (3) Commercial waste
 - (4) Construction waste
 - (5) Hazardous waste
 - (6) Industrial waste
 - (7) Institutional waste
 - (8) Liquid waste
 - (9) Radioactive waste
 - (10) Regulated medical waste
 - (11) Tires
 - (12) White goods
 - (13) Sludges
 - (14) Barrels
 - (15) Sharps (Unless identified & in puncture-proof container)
 - (16) Bulky waste
- D. All solid waste intended for disposal in a solid waste receptacle shall be deposited inside the container. No solid waste may be left outside the receptacle.
- E. The following items may be deposited at designated areas within the drop-off sites.
- (1) Lead acid batteries

(2) Used motor oil

(3) Other recyclable items when approved by the solid waste manager

F. No person may remove any item from the solid waste containers or drop-off sites. Climbing on or into a container, or damaging a container is prohibited.

SECTION VI. SOURCE SEPARATION AND RECYCLING

- A. Each person who owns, leases or manages a residence, residential unit, or place of business, industry, commerce, or other place providing goods or services, or institution, church, or school should remove recyclable materials from the solid waste stream and make them available for recycling. Nothing in this ordinance is intended to prevent any person from donating or selling recyclable materials to any other person.
- B. The following materials should be recycled: Corrugated cardboard, computer paper, magazines and newspaper; aluminum and bi-metal cans from food and beverage products; plastic soft drink containers which are PET (polyethylene terephthalate) and marked with a # 1 and plastic containers which are HDPE (high density polyethylene) and marked with a # 2 ; glass bottles and jars from food and beverage containers; motor oil and lead acid batteries from cars and other vehicles; and other materials that may be approved by the board.

SECTION VII. FLOW CONTROL

- A. All municipal solid waste (MSW) generated within the designated geographic area of the county placed in the waste stream for disposal or recycling shall be collected, transported, and disposed of at the county resource recovery facility or the county landfill. The removal of (MSW) from within the geographic area for disposal outside the county is prohibited unless approved by the board. The disposal of (MSW) generated in areas outside the boundaries of the county in county-owned or contracted solid waste management facilities is prohibited except when approved by the board. This section shall not be construed to prohibit the source separation of materials from (MSW) prior to collection for disposal.
- B. No person, except licensed private collectors and county or municipal collectors, shall collect or remove any (MSW) within the county for disposal.
- C. The county solid waste manager shall establish a system of classification for types of solid waste that will facilitate both identification and delivery to appropriate county disposal facilities.

SECTION VIII. LICENSING OF SOLID WASTE COLLECTORS

- A. No person may engage in business as a solid waste collector except under a license issued by the county pursuant to this ordinance.
- B. Applications for license to engage in the business of solid waste collector shall be filed with the County Solid Waste Manager. The applicant shall furnish the following information:
- (1) Name and address of the applicant and whether a sole proprietorship, corporation, or partnership, with disclosure of the ownership interests;
 - (2) A list of the equipment possessed, available, or to be obtained by the applicant, including motor vehicle license tag numbers;
 - (3) Number of employees the applicant expects to use in the business;
 - (4) Experience of the applicant in solid waste collection;
 - (5) Balance sheet or equivalent financial statement as of the close of the applicant's last business year showing the net worth of the business;
 - (6) Planned routes and areas of the county the applicant expects to serve;
 - (7) Schedule of fees the applicant expects to charge;
 - (8) Evidence of liability insurance coverage;
 - (9) Name and location of the facility where collected waste is to be disposed of.
- C. Before issuing a license pursuant to this section, the County Solid Waste Manager shall inspect or cause to be inspected all facilities and equipment the applicant plans to use in the solid waste collection business.

- (1) The County Solid Waste Manager may issue the applicant a license only when he finds that the applicant's facilities, equipment, and proposed operating methods are in compliance with this ordinance and applicable rules of the Department and that the applicant will perform solid waste collection in an efficient and sanitary manner. A condition of the license shall be that the licensee shall serve every person who contracts with him for solid waste collection in such a manner that the licensee does not cause the person to be in violation of this ordinance.
 - (2) If the County Solid Waste Manager denies an applicant a license, the applicant may request a hearing before the County Solid Waste Manager. The County Solid Waste Manager shall keep summary minutes of the hearing and at least one week after the hearing shall give the applicant written notice of his decision either granting the license or affirming his denial of the license. The applicant may appeal the County Solid Waste Manager's decision to the board of county commissioners by giving written notice of appeal to the county manager, the board shall either affirm the denial or direct the County Solid Waste Manager to issue the license.
 - (3) A license shall be valid for a period of three years from the date of issuance.
- D. A licensee shall submit a quarterly report to the County Solid Waste Manager containing the following information:
- (1) Number of customers added or deleted
 - (2) Changes in routes
 - (3) New and replacement equipment
 - (4) Any other information requested by the County Solid Waste Manager and pertinent to the solid waste collection business.
- E. Vehicles and containers used for the collection and transportation of solid waste shall be covered, leakproof, durable, and easily cleaned. They shall be cleaned as often as necessary to prevent a nuisance and insect breeding and shall be maintained in good repair. Vehicles shall display in numbers at least three inches high the county license number of the licensee or the license sticker issued by the County Solid Waste Manager.

- F. Vehicles and containers used for the collection and transportation of solid waste shall be loaded and moved in such a manner that the contents will not fall, leak, or spill, and shall be covered to prevent the blowing of material. If spillage or leakage should occur, the material shall be recovered immediately by the licensee and returned to the vehicle or container and the area properly cleaned.
- G. When the County Solid Waste Manager finds that a licensee has violated this ordinance or the conditions of the license, the County Solid Waste Manager shall give the licensee written notice of the violation and inform him that if another violation occur within thirty days, or in the case of a continuing violation, if it is not corrected within ten days, the license will be revoked. If another violation occurs within the thirty-day period, or, if the continuing violation is not corrected within ten days, the County Solid Waste Manager shall give to licensee written notice that the license is revoked. Upon receipt of the notice of revocation, the licensee shall stop collecting, transporting, or disposing of solid waste. The County Solid Waste Manger may reinstate a revoked license after the revocation has been in effect for thirty days if he finds that the conditions causing the violation have been corrected. A licensee whose license has been revoked may appeal the revocation to the board of county commissioners by giving written notice of appeal to the county manager within ten days of receiving notice of revocation from the County Solid Waste Manager. After a hearing on the appeal, the board shall either affirm the revocation or direct the County Solid Waste Manager to reinstate the license.

SECTION IX. SCAVENGING

No person shall remove or salvage anything whatsoever from the sanitary landfill or other solid waste handling facilities owned or operated by the county unless written permission has been granted from the County landfill supervisor or his representative.

SECTION X. LIABILITY

Lenoir County, as a public service provides a sanitary landfill and rural drop-off sites which may be used by private citizens under conditions set forth in this ordinance. While the county offers this convenience, the county or its employees shall not be responsible for damage to private property nor personal injury which may occur on these solid waste facilities.

SECTION XI. FEES

The Solid Waste Department, Finance Officer, and the Tax Department are hereby authorized to collect such fees as may be established from time to time in compliance with the laws and regulations of the State of North Carolina by the action of the Lenoir County Board of Commissioners.

The Finance Officer is hereby empowered to grant monthly charge account privileges to persons, firms, corporations and institutions who apply and in the opinion of the Finance Officer demonstrate an acceptable credit history. The Finance Officer is authorized to suspend credit privileges to anyone whose account is past due and to use any means available under the law to collect delinquent accounts. The Finance Officer is empowered to charge interest in the amount of 1 1/2% per month on any past due accounts.

In case the landfill scale is inoperable for any reason, fees shall be based on the capacity of the vehicle at the following weights:

1. Uncompacted waste 200 lbs./cubic yard
2. Compacted waste 600 lbs./cubic yard

The Solid Waste Department may waive disposal fees on properly separated recyclables or materials which may be used to benefit the county. These materials include but are not limited to:

1. Any recyclable items which are collected and marketed by the county
2. Dirt
3. Concrete
4. Gravel
5. Any items which may be utilized by the county in the opinion of the landfill supervisor.

XII. ENFORCEMENT, PENALTIES AND REMEDIES

1. Employees of the solid waste department are hereby empowered to issue warning citations upon the observance of a violation of this ordinance. It is the intent of this ordinance that each person be responsible for the proper management of his own waste and is responsible for all acts involving vehicles and equipment owned by him. The owner of a vehicle shall be responsible for dumping, littering and other violations in which his vehicle is used. The addressee of first class mail shall be responsible for the proper management of the paper associated with that mail when it becomes waste. The Solid Waste Department is further empowered to allow persons to perform cleanup work in a quantity and at a time satisfactory to the department in lieu of prosecution and/or civil penalties for his/her violations. If violators of this ordinance refuse to take corrective action within the time specified in the warning, evidence will be given to the county sheriff department so a citation can be issued.

2. The following steps will be taken to insure that violators of this ordinance are given time to complete clean up or take corrective action:

A. Littering - A verbal request will be made to the violator; If clean up has not been completed within 24 hours, a written warning will be issued; If clean up has not been accomplished within 36 hours after receipt of warning the violator will be issued a citation.

B. Scavenging, Illegal dumping at county facilities, Failure to secure or cover loads while being transported to disposal facilities, and other violations of this ordinance.
- Violators will receive a verbal request to stop or take corrective action to rectify the violation. If action is not taken a warning will be offered, followed by a citation if offender refuses to respond. (There are no time constraints)

C. Blatant violators of this ordinance will be issued a citation without any warnings.

3. Minimum civil penalties for violation of this ordinance shall be the following:

A. Scavenging:	First Offense	\$25.00
	Second Offense	\$50.00
	Subsequent Offenses	\$100.00

B. Illegal dumping including dumping prohibited materials or quantities of materials in the solid waste receptacles or landfill, dumping in unapproved areas, placing recyclables in inappropriate containers or garbage in recycling containers:

First Offense	\$100.00
Second Offense	\$200.00
Subsequent Offenses	\$400.00

C. Failure to properly secure solid waste while being transported to county waste facilities or to separate items contained in section IV paragraph C to facilitate recycling:

First Offense	\$100.00
Second Offense	\$200.00
Subsequent Offenses	\$400.00

D. Violation of any other provision of this ordinance or the N.C. Division of Solid and Hazardous Waste Management rules:

First Offense	\$100.00
Second Offense	\$200.00
Subsequent Offenses	\$400.00

E. Littering: First Offense	\$100.00
Second Offense	\$200.00
Subsequent Offense	\$400.00

4. Notwithstanding the penalties described in No. 3 above, the county may seek restitution for damages or extra expense caused by the violation of this ordinance in any court having jurisdiction.
5. In addition to or in lieu of the civil penalties described herein, violations of this ordinance may be prosecuted as misdemeanors in accordance with the general statutes of North Carolina. In the case of criminal violations, each day a violation occurs or continues to occur shall be a separate offense.

XIII. SEVERABILITY

If any provision or clause of these regulations with application thereof to any person or circumstances, is held invalid, such holding shall not invalidate any other provisions or clauses of these regulations and the same remain in full force and effect.

XIV. EFFECTIVE DATE

These rules and regulations shall be in full force and effect from and after the 1st day of OCTOBER, 19 23.

Lenoir County Board of Commissioners

Signed By GEORGE GRAHAM
Chairman