

Ordinance #2021-6

**ORDINANCE AMENDING CHAPTER 26, SECTION 6 OF THE CITY CODE
ENTITLED "COLLECTION FROM RESIDENTIAL PREMISES"**

BE IT ORDAINED, by the Mayor and Winston-Salem City Council as follows:

"Section 1. Section 26-6 is hereby amended as follows:

Sec. 26-6. - Collection from residential premises.

- (a) *Generally.* Except for those residences that are exempted from curbside collection, garbage and household trash, as defined in subsection 26-1(4)f. and 26-1(4)g., shall be collected curbside. Such collections shall be limited to a maximum of three 96-gallon refuse receptacles or a total capacity of 288 gallons per collection. The city will provide one 96-gallon container free to each single-family household that is not exempt from the curbside collection program. Additional carts may be provided for a collection cost of \$40.00 per cart, per year, or any part thereof.
- (b) *Excess household trash accumulation (curbside collection).* No additional bags may be placed outside the cart for collection. All garbage must be bagged using heavy-duty plastic bags and be completely contained within the cart, with the lid closed.
- (c) Residents may place the container at the curb no earlier than 5:00 p.m. on the day before the resident's normally scheduled collection day. Carts should be placed out no later than 6:00 a.m. on the normal day of collection. All carts should be removed from the curb by 8:00 a.m. the day after collection, unless collected on a Friday. Friday collection carts must be removed by 8:00 a.m. Monday, unless the schedule is changed. Exceptions will be made during schedule changes due to emergencies or holidays.
- (d) *Leaves.* Accumulations of loose leaves placed along and behind the curblane shall be collected by the city vacuum leaf loading equipment from the period November 1 through January 15 of each leaf collection season. During this period, leaves shall not be mixed with other waste material, shall not be placed in the travelway of the street, and may only be containerized as set out in subsection 26-3(f).
- (e) *[Exemptions.]* Exemptions from the curbside collection requirements of this ordinance [Ordinance No. 4695] will be granted to households whose residents certify, in writing, using a city-approved form, that, due to physical impairment or other type of limitation (subject to verification by a medical professional), neither the resident ~~y~~ nor anyone residing at their address ~~in home~~ can take their roll-out cart to the curb. Exempted households will be required to promptly report address changes and recertify that they qualify for this exemption every three years. It will be a violation of the city ordinance to provide false information for the purpose of obtaining an exemption from the curbside collection requirement of this ordinance. ~~to falsely represent that there is no one in the household who can take the garbage to the curb.~~ If it comes to the attention of the city determines that an individual who ~~has requested~~ is exempted ~~ion~~ from the curbside collection ~~policy~~ requirement of this ordinance, has misrepresented the circumstances which make them eligible for the exemption, or if their

circumstances have changed, and they are no longer eligible for the exemption, the city will revoke the exemption.

- (f) *Sunken garbage and trash receptacles.* These receptacles will not be collected by the city any longer. Residents with exemptions from curbside collection may not use sunken garbage and trash receptacles under the exemption policy. Only containers compatible with city equipment may be used for collection.
- (g) *Building materials.* Waste of this type originating from private property preliminary to, during or subsequent to the construction of new buildings, alterations or additions to existing buildings, of whatever type, or from demolition of existing structures, shall not be collected by the city. Such material shall be removed by the owner of the property or the contractor performing the work.
- (h) *Bulky household waste (large appliances, furniture, etc.).* Trash of this type shall not be collected by the city, except during the annual city-wide bulky item collection.
 - (1) It shall be unlawful to place large bulky household trash items such as stoves, refrigerators, water heaters, building materials, mattresses, bed springs, furniture or any other collectable trash material improperly prepared for collection on public property.
 - (2) A civil penalty of not less than \$50.00 and not more than \$500.00 will be assessed to violators of this subsection by the assistant city manager/public works, and notification of such assessment shall be given to the violator within five business days after discovery of the violation by the city. The amount assessed will be dependent upon a number of factors, including but not limited to the type of trash discarded, the volume of waste discarded, violation history, the reason for the violation and civil penalties previously imposed. If the city removes the trash, the cost of removal, as set forth in subsection 26-5(d)(1) in addition to the civil penalty imposed shall be assessed to the violator.
- (i) *Historic districts.* The provisions of this ordinance which mandate curbside collection shall not apply to historic districts.
- ~~(j) *Bulk container collection.* Except as provided in subsection 26-3(d), condominium, townhouse and cluster home developments in the following residential density categories shall have the option of using bulk containers or refuse receptacles:-~~
 - ~~(1) *Low density* Less than five units per acre.~~
 - ~~(2) *Moderate density* Five to eight units per acre.~~
- (kj) *Yard trash mobile roll-out containers.* These containers, as defined in subsection 26-1(3)e., shall be placed at the curblane for collection. No more than three yard trash containers will be collected at each residence.
 - (1) No regularly scheduled collections shall be made by the city from vacant lots for any accumulations of garbage, trash, bulky items, junk, non-regulation brush or yard trash. Any accumulation of solid waste is the responsibility of the property owner as provided in this Code.
- (kk) *Recycling roll-out mobile containers.* These containers, as defined in 26-1(g), shall be placed at the curblane for collection.

(Code 1975, § 9-4; Ord. No. 4251, § 1, 5-19-97; Ord. No. 4284, §§ 2, 5, 5-18-98; Ord. of 1-6-03, § 1; Ord. No. 4460, § 1, 6-17-03; Ord. No. 4498, 6-22-04; Ord. No. 4507, 10-18-04; Ord. No. 4512, § 1, 12-6-04; Ord. No. 4576, § I, 2-19-07; Ord. No. 4651, 4-20-09; Ord. No. 4695, § 1, 6-21-10; Ord. No. 4796, § III, 6-17-13)

Section 2. This ordinance shall become effective upon adoption.