

TITLE V: PUBLIC WORKS

Chapter

50. SOLID WASTE

51. WATER CONSERVATION

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CHAPTER 50: SOLID WASTE

Section

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§ 50.01 COLLECTION TO BE MADE UPON DESIGNATED ROUTES AND SCHEDULES.

(A) All residential customers will receive once per week curbside collection of garbage, yard waste (limbs, grass clippings, plant trimmings and the like), and trash.

(B) To ensure an equitable and timely collection of solid wastes all residential areas shall be placed into collection routes.

(1) Each route shall receive this collection service once per week.

(2) The day of service may change as routes increase or decrease in size, but not without notice.

(3) Each affected customer shall be notified, in advance, of any changes to their collection schedule.

(C) Each commercial customer (if applicable) shall be required to contract with a private solid waste contractor.

(D) Interruptions in service may occur in any of the normal collection schedules due to extreme weather conditions, holidays, equipment breakdowns or due to other unusual circumstances.

(E) In the case of holidays, each affected customer will be notified in advance of any schedule change.

(Ord. passed 9-7-1999)

§ 50.02 CONTAINER REQUIREMENTS; PLACEMENT OF CONTAINERS FOR COLLECTION.

(A) The town, or its contractor, shall provide one 90-gallon container on wheels to each residential customer, and commercial customer if applicable, for the purpose of garbage and trash collection.

(B) Yard waste, hazardous materials, tires and all other materials banned from landfill disposal shall be prohibited.

(C) All containers provided by the town, or its contractor, shall be kept on the private premises of the customer, property owner, resident or occupant.

(D) Every container required by this chapter shall be maintained in a sanitary condition and shall be cleaned (washing or otherwise) by the customer, property owner, resident or occupant.

(E) It shall be the responsibility of each customer of the town to place containers beside the street (behind the curb or edge of pavement) on or prior to their scheduled collection day.

(F) For those customers who are unable to physically move the container out to the street, either due to age, illness or other physical disabilities, the town, or its contractor, shall provide a pull out service to be performed by the collection personnel.

(1) These customers must contact the town, or its contractor, to request this special service.

(2) Each request shall be taken into consideration by the town, or its contractor, to determine the actual need of the customer making the request.

(G) Containers should be placed at curbside during the afternoon on the day before the scheduled collection day in order for trash to be picked up. Containers should be removed from the curbside on the day following the scheduled collection day.

(H) The garbage, trash and other household refuse shall be contained within the container provided by the town, or its contractor, with the lid closed at all times.

(I) The customer shall be allowed to place up to, but not to exceed, 3 medium-sized (less than 45 gallons) plastic bags for collection each week in addition to the 90-gallon container. These bags must be placed in close proximity to the 90-gallon container, but shall not be placed in the street, on the sidewalk or in the drainage ditch.

(J) Each customer shall be responsible for the care and custody of their container.

(1) It shall be the customer's responsibility to have replaced any container damaged or destroyed by improper use or neglect and shall care for the container as though it was their own.

(2) It shall be the responsibility of the town, or its contractor, to replace those containers which are damaged or destroyed as a result of neglect or improper handling by the town or its contractor.

(3) The town, or its contractor, shall also be responsible for replacing all old, broken-down containers.

(Ord. passed 9-7-1999)

§ 50.03 TRASH COLLECTION REQUIREMENTS.

(A) The town, or its contractor, shall collect trash along with scheduled garbage collection.

(1) For the purpose of this chapter, the following word shall be defined as follows unless the context clearly indicates or requires a different meaning.

TRASH. Household debris, construction materials, boxes (broken down) or other rubbish.

(2) The town, or its contractor, shall include the collection of this trash, in addition to what is contained within the 90-gallon container, once per week on the scheduled collection day.

(3) This additional trash must be containerized in medium-sized (less than 45-gallon) plastic bags or boxes (3 or less).

(4) Construction materials may be placed out in tied bundles (2 or less) in quantities equal to or less than 6 cubic feet for each bundle.

(5) The town, or its contractor, shall pick up household debris (90-gallon container) every Wednesday.

(6) Additional trash will be picked up on the north side of the railroad on Fridays and on the south side of the railroad on Thursdays.

(7) Mixing of yard wastes with trash shall be prohibited.

(a) If yard wastes (including but not limited to grass clippings, pine straw, leaves, soil, trees, limbs, shrubbery, shrubbery clippings and the like) are mixed with this additional trash the town, or its contractor, shall not collect the trash or yard waste.

(b) If mixed, the wastes shall be separated before collection will be permitted.

(8) Amounts in excess of the above referenced quantities will not be collected again until the next scheduled collection day.

(B) As a part of the town's monthly solid waste fee, the town, or its contractor, shall collect up to 2 dump truck loads of limbs per customer per week.

(1) Limbs must be no greater than 6 inches in diameter and no greater than 6 feet in length.

(2) Limbs greater than 6 inches but less than 10 inches in diameter shall be collected only if cut into lengths of 2 feet or less.

(3) Limbs shall be stacked neatly behind the curb and sidewalk with all sawed ends facing the street, not in the gutter or drainage ditch.

(C) Yard waste (including but not limited to leaves, grass clippings, pine straw, shrubbery, shrubbery clippings, other small natural waste materials and the like) shall be contained in plastic bags, boxes, or other plastic and/or metal containers no greater than 50 gallons each and shall be placed behind the curb and sidewalk for collection once per week, not in the gutter or drainage ditch. Collection of yard waste shall be included as part of the monthly solid waste fee.

(D) The town, or its contractor, shall not collect any construction materials left by a contractor. It shall be the sole responsibility of the contractor and/or owner to properly dispose of these waste materials.

(E) The town, or its contractor, shall not collect trees, stumps, limbs and general debris related to land-clearing operations. It shall be the sole responsibility of the contractor and/or owner to properly dispose of the materials.

(F) The town, or its contractor, shall collect tree cuttings related to the work completed by a tree care professional (tree surgeon, tree trimmer and the like) hired by a residential customer, but only if the cuttings comply with all requirements set forth in division (B) above.

(Ord. passed 9-7-1999)

§ 50.04 SPECIAL PICK-UPS.

(A) If a customer wishes to have additional waste materials (including but not limited to trash, limbs, furniture, household debris and the like) collected, they may request a special pick-up.

(1) This request must be placed with the Princeton town hall prior to collection, to authorize the pick up and assessment of a special collection fee.

(2) See § 50.08 for fee.

(B) The request must include a description of all materials and quantities to be collected.

(C) This special collection fee shall then be applied to the customer's monthly utility bill after collection.

(D) If the requester is not a resident of Princeton, but has residential property in town, the requester must also include a mailing address so that the collection fee may be invoiced to the requester for payment.

(Ord. passed 9-7-1999)

§ 50.05 DISPOSAL OF APPLIANCES (WHITE GOODS).

(A) The town, or its contractor, shall collect white goods (water heaters, stoves, ovens, refrigerators, washing machines, dryers and the like).

(B) Customers wishing to have white goods picked up must place a request with the Princeton town hall to schedule the pick up (including address and location, description of white goods and quantities), and to authorize the assessment of a collection fee for this additional service. See § 50.08 for fee.

(C) This fee shall then be applied to the customer's monthly utility bill after collection.

(D) If the requester is not a resident of Princeton, but has residential property in town, the requester must also include a mailing address so that the collection fee may be invoiced to the requester for payment.
(Ord. passed 9-7-1999)

§ 50.06 TIRE DISPOSAL.

(A) The town, or its contractor, shall collect tires upon request from residential customers only.

(1) There shall be an additional charge for this collection service.

(2) Customers wishing to request collection of tires shall contact the Princeton town hall to schedule the pick up (including address, location and quantity of tires) and to authorize the assessment of a collection fee for this additional service. See § 50.08 for fee.

(3) This fee shall then be applied to the customer's monthly utility bill after collection.

(B) All tires must be clean and free of dirt and other foreign matter prior to collection.

(C) The town, or its contractor, shall not collect or handle any tires known or suspected to have come from outside of the town limits.

(D) Tires shall not be collected by the town, or its contractor, from any commercial customers.

(E) Passenger and light truck tires shall be the only tires collected by the town or its contractor.

(F) The maximum number of tires to be collected from any 1 location per week shall be 8.

(G) Placement of tires in containers provided by the town, or its contractor, shall be prohibited.

(H) Any container found to have tires inside will not be emptied until the tires are removed by the customer and disposed of properly in accordance with this chapter.

(Ord. passed 9-7-1999)

§ 50.07 NONCONFORMING MATERIALS.

(A) Any materials that do not conform to the requirements set forth in § 50.03 shall not be allowed to remain along the streets of Princeton for more than 7 days.

(B) In the event that any materials that do not conform to the requirements of § 50.03 are allowed to remain along the streets of Princeton for more than 7 days, the town shall have the authority to collect the nonconforming materials and to assess a \$50 administrative fee plus the cost (including, but not limited to, manpower, equipment, vehicles, landfill fees and the like) to remove and properly dispose of the nonconforming materials.

(C) All administrative fees and charges assessed by the town for the collection of nonconforming materials shall be applied to the customer's monthly utility bill after collection of the materials and shall be in addition to any other charges that would normally be due under any other sections of this chapter.

(D) Prior to collection of nonconforming materials the town, or its contractor, shall cause a notice to be posted upon the premises of the customer notifying the customer that they are in violation of the town's solid waste chapter and that the town shall collect the materials pursuant to this section and assess a fine in the amount set forth herein in addition to any other applicable charges (disposal costs and the like) unless the nonconforming materials are removed prior to the expiration date documented on the notice.
(Ord. passed 9-7-1999)

§ 50.08 SOLID WASTE RATES.

The complete fee schedule of solid waste rates, copies of which are on file in the office of the Town Clerk, is adopted and incorporated as part of this code of ordinances as if set out a length herein.
(Ord. passed 9-7-1999)



CHAPTER 51: WATER CONSERVATION

Section

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§ 51.01 PURPOSE.

The purpose of this chapter is to declare the official phase of a water supply shortage, and to provide for the implementation of voluntary and mandatory water conservation measures throughout the service area of the Town of Princeton. The service area includes all connections served or supplied by the town. Because its water supply is provided solely by purchase from Johnston County, the town shall, at a minimum, adhere to the conservation measures currently in effect with Johnston County. However, this chapter will work in conjunction with Johnston County's water conservation measures to ensure efficient and effective water conservation.
(Ord. passed 4-5-2011)

§ 51.02 DEFINITIONS.

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

ADVISORY. Conditions exist that indicate the potential for water shortages.

ALERT. Any of the following:

(1) The raw water supply (streamflow) is consistently below seasonal averages. If the raw water supply continues to decline, the supply may not be adequate to meet normal needs; or

(2) Due to mechanical failure or limitations of the water treatment facilities (capacities), adequate water supplies cannot be maintained and the conditions may be sufficient to cause a water shortage.

CRISIS. Any of the following:

(1) The raw water level is below the level necessary to meet normal needs; or

(2) Due to mechanical failure or limitation of the water treatment facilities (capacities), a water shortage is subject to occur.

CUSTOMER. Any person or entity using water for any purpose from the town and for which a regular charge is made.

EMERGENCY. Any of the following:

(1) The raw water supply is below the level necessary to meet normal needs and serious water shortages exist; or

(2) Due to mechanical failure or limitation of water treatment facilities (capacities), a prolonged water shortage is subject to occur.

JCDPU. The Johnston County Department of Public Utilities.

WASTER OF WATER. Means, but is not limited to, the failure to repair a controllable leak of water due to defective plumbing.

WATER. Water available to the town service area through JCDPU.

WATER USE CLASS. Shall mean and be established as follows.

(1) *Class 1: Essential Water Uses.*

(a) *Domestic use.* Water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

(b) *Health care facilities.* Patient care and rehabilitation.

(c) *Public use.* Firefighting, health and public protection purposes, if specifically approved by health officials and/or the governing bodies of the health officials.

(2) *Class 2: Socially or Economically Important Uses of Water.*

(a) *Domestic use.*

1. All other uses other than those included in Class 1 and 3.

2. Home water use, including kitchen, bathroom, and laundry use.

(b) *Outdoor non-commercial water (public or private).*

1. Agricultural irrigation for the production of food and fiber or maintenance of livestock.

2. Water by commercial nurseries at a minimum level necessary to maintain stock, to the extent that sources other than the town are not available or feasible to use.

3. Watering of golf course greens.

4. Uses of water at a minimum rate necessary to implement re-vegetation following earthmoving, where the vegetation is required by an erosion and sedimentation control plan adopted pursuant to law or regulation, to the extent water sources other than the town are not available or feasible to use.

5. Water use by public gardens of national, state, or regional significance, where necessary to preserve specimens, to the extent water sources other than the town are not available or feasible to use.

(c) *Operating and filling swimming pools.*

1. Municipal pools; and

2. Health care facility pools used for patient care and rehabilitation.

(d) *Washing of motor vehicles.* Commercial car and truck washes, unrestricted hours of operation.

(e) *Commercial laundromats.* Unrestricted hours of operation.

(f) *Restaurants, clubs, and eating establishments.* Unrestricted hours of operation.

(3) *Class 3: Non-Essential Uses of Water.*

(a) *Ornamental purposes.* Fountains, reflecting pools, and artificial waterfalls.

(b) *Outdoor non-commercial watering (public or private).* Gardens, lawns, golf courses, park playing fields, and other recreational areas. Exceptions:

1. Agricultural irrigation for the production of food and fiber or maintenance of livestock;

2. Water used by commercial nurseries at a minimum level necessary to maintain stock, to the extent water sources other than the town are not available or feasible to use;

3. Use of water at a minimum necessary to implement re-vegetation following earthmoving, where the vegetation is required pursuant to an erosion and sedimentation control plan adopted pursuant to law or regulation, to the extent water sources other than the town are not available or feasible to use; and

4. Water use by public gardens of national, state, or regional significance where necessary to preserve specimens, to the extent water sources other than the town are not available or feasible to use.

(c) *Operating and filling swimming pools.* Exceptions:

1. Health care facility pools used for patient care and rehabilitation; and

2. Municipal pools.

(d) *Washing of motor vehicles.* Automobiles, trucks, boats, and trailers. Exceptions: Commercial car and truck washes.

(e) *Serving water in restaurants, clubs, and eating establishments.* Exception: Specific request by customer.

(f) *Fire hydrants.* Any purpose, including the use of sprinkler caps, testing of equipment, and Fire Department drills. Exceptions:

1. Firefighting;

2. Health protection purposes; and

3. Testing and drills by Fire Departments, if in the interest of public safety and the town.

(g) *Hydrant and sanitary sewer flushing.* Exception: As needed to ensure public safety.

(Ord. passed 4-5-2011)

§ 51.03 DECLARATION OF WATER SHORTAGE ADVISORY.

In the event JCDPU determines a potential shortage of water supply is indicated, such that adequate potable water supplies cannot be maintained, whether the shortage is caused by drought, mechanical failure, or limitations of the water treatment facilities, the town shall be empowered to declare a water shortage advisory. The Director of JCDPU shall monitor the supply and demands on the system on a daily basis. The Town Administrator shall call upon all customers of the town to employ voluntary water conservation measures to limit water use (especially Class 3 uses) and to eliminate waste of water.

(Ord. passed 4-5-2011)

§ 51.04 DECLARATION OF WATER SHORTAGE ALERT.

(A) In the event JCDPU determines the raw water supply is below the level necessary to meet

normal demands, and if the supply continues to decline such that there may not be sufficient water supply to meet normal demands and/or there are water treatment facility limitations that cannot provide adequate supplies of potable water, the town shall be empowered to declare a water shortage alert.

(B) The town shall continue to encourage voluntary water conservation measures as defined in the advisory declaration.

(C) The Town Administrator shall impose a ban on all Class 3 water uses for the duration of the shortage until the water shortage has ended as advised by the JCDPU.
(Ord. passed 4-5-2011)

§ 51.05 DECLARATION OF WATER SHORTAGE EMERGENCY.

In the event JCDPU determines the raw water supply is below the level necessary to meet normal demands, and serious shortages exist and/or there are water treatment facility limitations that cannot provide adequate supplies of potable water, the Town Administrator shall be empowered to declare a water shortage emergency. Class 1 Essential Uses may be targeted for voluntary conservation initiatives. Class 2 Socially and Economically Important Uses shall be banned, in addition to Class 3 Non-Essential Uses. These restrictions shall be enforced until the emergency is declared ended by the JCDPU.
(Ord. passed 4-5-2011)

§ 52.06 PUBLIC NOTIFICATION.

In the event of a water shortage advisory, alert, or emergency, the Town Administrator shall notify the system employees and residents that this plan and subsequent required response measures has been enacted. Notification will be delivered by the followings channels of communication:

(A) The notification and location for additional information shall be posted at the Town Hall for the dates and times included in the notification.

(B) The notification and response measures shall be posted in *The Princeton News Leader*. Response measures are identified in § 52.07.

(C) The notification, response measures, and time range shall be broadcast over the radio on station WTSB 1090 AM.

(D) Other local media sources will be utilized as available.
(Ord. passed 4-5-2011)

§ 51.07 MANDATORY WATER CONSERVATION.

(A) The Town Administrator is hereby authorized to impose mandatory water restrictions, as described below, on the usage of water obtained directly or indirectly from the water distribution system of the town by declaring a water distribution crisis. This declaration shall be based on written recommendations from the Director of JCDPU that conditions exist such that a water shortage is imminent.

(B) The Town Administrator may implement a water distribution crisis by signing a notice of declared water distribution crisis. The notice shall be in effect beginning with the date and time specified in the notice, and the restrictions imposed shall apply during the times specified in the notice.

(C) During a declared water distribution crisis, each of the following uses of water obtained directly or indirectly from the town water distribution system are prohibited:

(1) Watering of any grass, lawn, shrubbery, flowers, or other vegetation; provided,

however, any person or entity regularly engaged in the business of the sale of plants will be permitted, with approval from the town, to water plants grown for sale;

(2) Filling, refilling, or otherwise adding water to any swimming pool;

(3) Washing, rinsing, or cleaning any automobile, truck, van, motorcycle, or other motor vehicles or trailer; provided, however, that any person or entity engaged in business of washing vehicles will be permitted, with approval from the town, to continue this activity; and

(4) Washing, rinsing, or cleaning an exterior wall, floor, or paved areas.

(D) Declaration procedures:

(1) The Town Administrator may impose the restrictions in division (C) above at all times during such limited times as the Town Administrator and JCDPU determines to be appropriate. The restricted hours will be set forth in the notice of water distribution crisis.

(2) The Town Administrator may modify the times of restricted water use by signing an amended notice of a declaration of water distribution crisis.

(3) Restrictions on water use will be terminated by the Town Administrator signing a notice of termination of a declared water distribution crisis.

(4) All restrictions and/or terminated restrictions shall be posted in the Town Hall and/or other designated places required by law or the Town Board. All notices cannot be enforced or terminated for a period of 12 hours after posting.

(5) All notices shall state the time and date of posting.
(Ord. passed 4-5-2011)

§ 51.08 SHORTAGE WATER RATES.

(A) Upon the declaration of a water supply shortage as provided in §§ 51.03 through 51.06, the town shall have the authority to adopt shortage water rates designed to conserve water supplies.

(B) The rates may provide for:

(1) Increasing block rate: higher charges per unit for increasing usage;

(2) Uniform unit rates: uniform charges for water usage per unit of use;

(3) Excess demand surcharge: charges for use in excess of a specific level; and

(4) Good citizen rate: discounts for conserving water beyond specified levels.
(Ord. passed 4-5-2011)

§ 51.09 VARIANCE PROTOCOLS.

At times during a water crisis it may become necessary for water usage within a class addressed by the declaration. In this event, the following procedure shall be followed:

(A) Variance request forms will be available at the Town Hall during normal business hours.

(B) The request form shall be completed in full, describing the nature of the variance, the duration of water usage, and the approximate amount of water to be used during this activity.

(C) If a variance request form is submitted to the town during a water shortage alert, as defined in § 52.04 above, the Town Administrator shall have the authority to approve the request.

(D) If a variance request form is submitted to the town during a water shortage emergency, as defined in § 52.05 above, the Town Administrator shall have the authority to approve the request after consulting with JCDPU.

(E) Variances will be approved based on the importance of the usage as defined in Class 1.2 and 3 above in § 51.02
(Ord. passed 4-5-2011)

§ 52.10 RETURN TO NORMAL.

When water shortage conditions have abated and the situation is returning to normal, water conservation measures employed during each phase should be decreased in reverse order of implementation. Permanent measures directed toward long-term monitoring and conservation should be implemented or continued so that the community will be in a better position to prevent shortages and respond to recurring water shortage conditions.
(Ord. passed 4-5-2011)

§ 52.11 EFFECTIVENESS.

It is of critical importance that the effectiveness of this plan be monitored to ensure optimal impact on water conservation. Upon the issuance of a water shortage alert or water shortage emergency, the Town Administrator shall document the water usage by comparison of previous month billing from JCDPU to current billing during each month the water shortage is in effect. Fluctuations in the amount of water purchased from JCDPU, on the month to month comparison during the shortage, will determine whether this chapter is effective in saving water.
(Ord. passed 4-5-2011)

§ 52.12 REVISIONS TO THIS CHAPTER.

This chapter will be reviewed and revised as needed on an annual basis. Should this chapter need

to be revised and/or expanded to meet the needs of the town, a meeting will be held with the Town Board to approve changes. In the event that JCDPU makes a change in its rules, regulations or practices, this chapter shall be reviewed and modified to meet those changes at the next subsequent Board meeting.
(Ord. passed 4-5-2011)

§ 51.99 PENALTY.

(A) The direct or indirect use of water from the town distribution system in violation of this chapter is prohibited. Any water customer of the town distribution system, direct or indirect, that violates or permits the violation of these rules and regulations shall be subject to the following penalties:

- (1) First offense: \$100;
- (2) Second offense: \$200; and
- (3) Third and subsequent offenses: \$300.

(B) Each violation shall be added to the customer's water bill and paid in the same manner as current payments due to the town.

(C) Each day a violation occurs shall be considered a separate violation.

(D) The Town Administrator or its designee shall be responsible for enforcing any restrictions imposed by this chapter. If a violation is known to have occurred pursuant to this chapter, a written violation shall be affixed to the property where the violation occurred, and mailed to the customer of record and any other person known to the town who is responsible for the violation and its correction. The written notice shall describe the violation and order an immediate compliance with the restrictions, within a specified time as determined reasonable by the town under the circumstances.

(E) If a violation is not complied with, or if violation fees for previous violations are not paid, the town may restrict or terminate water service, subject to the following procedures.

(1) The town shall give the customer notice by mail or by a law enforcement officer that, due to reoccurring violations or failure to pay for previous violations, the water service will be restricted or terminated within a specific time. The customer will have the opportunity to appeal restriction or termination by requesting a hearing before the Water and Sewer Commissioner. The request for the hearing shall be made before the cut-off date. A prompt conference with the Water and Sewer Commissioner will be held.

(2) If a hearing is requested by the customer charged with the violation, he or she will be given the opportunity to be heard before service is restricted or terminated.

(3) After hearing evidence presented, the Water and Sewer Commissioner shall order the water service continued, restricted, or terminated. The customer may appeal the order of the Water and Sewer Commissioner to the Town Board. The Town Board shall make findings of fact and overrule or sustain the ruling of the Water and Sewer Commissioner.

(4) Any customer charged with the violation of this chapter may appeal the findings of the Water and Sewer Commissioner or Town Board to the North Carolina Court System.

(F) A fee of \$50 shall be paid for the reconnection of any water service restricted or terminated pursuant to division (E) above. In the event of multiple violations, the reconnection fee shall be \$100 for the second violation, and \$150 for each additional violation.

(Ord. passed 4-5-2011)

