

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 985\*  
Second Edition Engrossed 5/15/91  
Committee Substitute Favorable 6/13/91

Short Title: Require City Garbage Service.

(Public)

Sponsors:

Referred to:

April 19, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION  
3 IN ANY SOLID WASTE COLLECTION SERVICES PROVIDED BY THE CITY.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 160A-192 is repealed.

6 Sec. 2. G.S. 160A-317 reads as rewritten:

7 "**§ 160A-317. Power to require ~~connections.~~ connections to water or sewer service**  
8 **and to use solid waste collection services.**

9 (a) Connections. – A city may require ~~the owners~~ an owner of improved property  
10 located within the city limits and upon or within a reasonable distance of any water line  
11 or sewer collection line owned or leased and operated by the city to connect ~~his~~ the  
12 owner's premises with the water or sewer line or both, and may fix charges for the  
13 connections. In lieu of requiring connection under this ~~section~~ subsection and in order to  
14 avoid hardship, the city may require payment of a periodic availability charge, not to  
15 exceed the minimum periodic service charge for properties ~~which~~ that are connected.

16 (b) Solid Waste. – A city may require an owner of improved property to do any  
17 of the following:

18 (1) Place solid waste in specified places or receptacles for the convenience  
19 of city collection and disposal.

20 (2) Separate materials from solid waste before the solid waste is collected.

21 (3) Participate in a recycling program approved by the Council.

1           (4) Participate in any solid waste collection service provided by the city or by  
2           a person who has a contract with the city if the owner or occupant of  
3           the property has not otherwise contracted for the collection of solid  
4           waste from the property.

5           A city may impose a fee on those who are required to participate in a solid waste  
6           collection service under subdivision (4). The fee imposed must be the same amount as a  
7           fee that is imposed on those who choose to participate in the service."

8           Sec. 3. This act is effective upon ratification.