

**Chapter 8**  
**GARBAGE AND TRASH**

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**ARTICLE I. IN GENERAL**

**Sec. 8-1. Definitions.**

For the purpose of this chapter, the following words and phrases, unless the context otherwise clearly requires, shall have the meanings respectively ascribed to them by this section, as follows:

*Bulk container* means a container of not less than one and a half (1 1/2) cubic yards, nor more than eight (8) cubic yards capacity, of tight construction, which is so constructed as to be emptied by a self-loading truck, which shall be placed at a location easily accessible to the truck which will serve the container.

*Construction waste or building waste* means any and all refuse or residue resulting from building construction, repairs or demolition, and shall include grading, grubbing, etc., in connection with any building or landscape work on any premises, commercial and residential, or from replacement of building equipment or appliances.

*Contractor* means one who contracts or performs work, services or provides space for rent and receives something of value therefor.

*Detachable container* means a container of not less than ten (10) cubic yards, nor more than forty (40) cubic yards which is used for collecting, storing and transporting building material, trade waste, hazardous waste, refuse and yard trimmings. Such container is picked up by a specially equipped truck for transporting such materials to the disposal site.

*Environmental inspector* means any public safety officer, inspection officer, litter control officer or other city employee as may be designated an environmental inspector by the city manager.

*Furniture* means any discarded wood, metal or upholstered furniture, mattresses, boxsprings or similar items.

*Garbage* means organic waste matter, both animal and vegetable, from houses, kitchens, restaurants, hotels, hospitals, etc., comprising chiefly waste food. Garbage does not include moisture that may be drained in the sewer.

*Green waste* means solid waste consisting solely of vegetative matter resulting from normal routine land clearing, maintenance and similar activities.

*Hazardous waste* means paint, poison, acids, caustics, explosives, chemicals, petroleum derivatives, hot ashes or coals or highly contaminated material, such as human or animal waste, medical wastes and hypodermic needles, which would constitute a danger to collection personnel or to anyone who may come in contact with such waste.

*Household* means a house or apartment.

*Householder* means one who occupies a house or apartment alone or as the head of a household.

*Junk* means items such as, but not limited to, dilapidated furniture, appliances, machinery, equipment, or other items which are either in a wholly or partially rusted, wrecked, dismantled, or inoperative condition. It does not include tires, vehicle parts, or building materials.

*Litter* means any quantity of discarded trash, junk, refuse or garbage not properly disposed of.

*Major appliances* means stoves, refrigerators, freezers, washing machines, hot-water heaters, etc. It does not include electronics such as computers, computer monitors, televisions and printers or any parts of any of these items.

*Property* means any real property within the city.

*Recycling bin* is defined as a city-provided receptacle for recyclable items such as newspaper, glass and plastic bottles which is made available by the city for use by households.

*Refuse* means cold ashes, cans, dirty rags, trash, house sweepings, paper materials, shavings, yard clippings, leaves, tree trimmings, bottles, and other similar materials.

*Roll cart* is defined as a city-provided receptacle for garbage that has wheels, is made available by the city for use by household or business.

*Trade waste* means waste material from industrial operations, commercial establishments, manufacturing, assembling, or processing operations.

*Trash* means old furniture, appliances, junk and similar items and shall exclude yard waste.

*Weeds* mean plants that are unwanted, useless or troublesome, that are injurious to people or to cultivated plants, or that are profusely growing and undesirable.

**Sec. 8-2. Rules and regulations promulgated pursuant to this chapter and the authority of the designee of the city manager or public works director.**

The city manager or the public works director may make rules and regulations to effectuate the provisions of this ordinance so far as said rules and regulations are not in conflict with this ordinance. Such rules and regulations promulgated by the city manager or the public works director shall have the force of this ordinance.

Whenever in this chapter the city manager or the public works director are vested with discretion to act in certain matters, under guidelines established for the proper exercise of such discretion, either may elect to act through a designee observing the same guidelines which would be applicable to the city manager or public works director.

**Sec. 8-3. Enforcement responsibility.**

The city manager shall empower specified employees of the city to be environmental inspectors and to enforce the provisions of this chapter. Environmental inspectors shall inspect alleged violations, issue warning notices of violations setting forth corrective measures required, perform reinspections to determine compliance, order abatement measures, initiate police or court action, testify if indicated, and shall perform such other duties as shall be required for the enforcement of the provisions of this chapter. Any citation for violation may be issued by an environmental inspector.

**Sec. 8-4. Determination of offending property.**

An environmental inspector of the city shall have the responsibility of making a systematic, street-by-street inspection of the city to determine compliance with this chapter. An environmental inspector shall promptly inspect and make required determination whenever a complaint is made by a citizen.

**Sec. 8-5. Entry upon private property for enforcement, removal or abatement authorized.**

The environmental inspectors of the city are hereby expressly authorized to go upon private property for the purpose of enforcing the provisions of this chapter. It shall be unlawful for any person to interfere with, hinder or refuse to allow any properly identified public official to enter upon private property for the purpose of enforcing the provisions of this chapter.

**Sec. 8-6. Accountability.**

An owner, occupant, tenant or other person in charge of any property will be held accountable for permitting or allowing any violations of this chapter, and will be held accountable for any violation or costs incurred by the city in taking corrective action, whether the failure of the action is occasioned by the owner, occupant, tenant or other person in charge of such property.

**Sec. 8-7. Notice of violation; procedure.**

Whenever an environmental inspector shall determine that a condition prohibited by this chapter exists, the environmental inspector shall issue a "first notice of code violation" by personal delivery, mail or posting on the property. Such notice shall include the property address, date, code violation, specified number of days to correct the condition and an approximate date a reinspection shall be made. Violations so noted which are not corrected in the specified time shall be subject to the following provisions:

- (1) A written notice shall be served upon such owner requiring compliance with the provisions of this chapter within a specified period of time unless the owner makes a request for administrative review as provided in section 8-8. Such notice shall be sufficient if served by any method permitted by Rule 4,

S.C. Rules of Civil Procedure for the service of civil process.

- (2) If the violation is of a nature which requires abatement, the notice given pursuant to paragraph (1) of this section shall be addressed to the property owner and shall contain an estimate of the approximate cost for the city to undertake the required work and shall notify the owner that the total cost to the property owner shall be actual costs plus fifty (50) percent surcharge for administrative expense.
- (3) If the addressee of such written notice fails or neglects to cause correction of the prohibited conditions within the period of time specified in such notice, then, and in that event, representatives of the city may enter upon any such lands and abate such condition by appropriate action. The cost of such action, plus the fifty (50) percent administrative surcharge, shall be billed to the owner of such property. In the event such billing shall remain unpaid for thirty (30) days after mailing the bill to owner, then such cost shall constitute a lien against such property, collectible in the same manner as taxes assessed upon such property.
- (4) The offenses described in section 8-10 herein are not subject to this section.

**Sec. 8-8. Administrative review.**

In the event the addressee disagrees with the determination of noncompliance with the provisions of this chapter, he may, within five (5) days of receipt of written notice provide the City Manager a written description of the particulars of disagreement and issues requiring review. A review panel shall consider such particulars. The panel shall be designated by the City Manager and be composed of three (3) of the following: the Public Works Director, Solid Waste Manager, City Building Official, and Director of Community Relations. The scope of review of the panel shall be limited to a review of facts bearing on whether the property is or is not in compliance with this chapter, and the panel shall not have the discretionary authority to waive or relax the standards set forth in this article. Within ten (10) days after receipt of the application for review, the panel shall cause to be served on the addressee a report of findings of compliance and noncompliance. In the event of a finding of noncompliance by the review panel, the report shall specify a number of days from receipt of report within which the

prohibited condition must be brought into compliance. Failure to bring such condition into compliance in the specified time shall result in abatement by the City as provided in section 8-7 and shall be subject to general penalties as described in section 8-9. The offenses described in section 8-10 are not subject to administrative review.

**Sec. 8-9. General penalties.**

Violation of any section of this chapter shall be punishable as provided in section 11-5. In addition to any fine for each offense under the provisions of this chapter, the court may also order restitution to the city for costs incurred in abating violation conditions. The court, in addition to any monetary fine, may impose litter-gathering labor or other such public services as the court may order and under supervision of the court. In lieu of any monetary fine, the court may order litter-gathering labor not to exceed one (1) hour for each five dollars (\$5.00) of fine imposed all as is set forth pursuant to state law.

**Sec. 8-10. Offenses subject to citation.**

The following described offenses shall be subject to citation and shall not be subject to administrative review or abatement as provided in sections 8-7 and 8-8. On conviction, the offender shall be subject to the general penalties of this Code. Such offenses are:

- (1) Failure to properly contain loose litter, trash or garbage so as to prevent scattering by weather or animals.
- (2) Placing garbage roll cart and/or recycling bins on street earlier than thirty (30) minutes prior to sunset on the day before scheduled collection. Failure to remove roll cart and/or recycling bins from the street by sunrise the day following scheduled collection day.
- (3) Use of city trash cans and receptacles for deposition of household or commercial waste.
- (4) Burning refuse, garbage or trash in bulk containers.
- (5) Setting garbage, trash or other material outside of bulk containers.
- (6) Placing tires, hazardous waste, large metal objects, major appliances or furniture inside bulk containers.

- (7) Defacing, removing, tipping over or disturbing garbage and trash receptacles, and bulk containers. Removing, tampering, picking through garbage or trash set out for collection.
- (8) Placing trash for pickup earlier than one day prior to the scheduled collection day.
- (9) Placing trash for pickup after 7:00 a.m. the scheduled day of pickup.
- (10) Placing trash, yard waste or roll cart so as to block the street or sidewalk.
- (11) Placing trash, yard waste or roll cart at a location other than at the roadside of the property from which it was generated unless otherwise authorized by City.
- (12) Raking leaves around the inlets to catch basins and storm drains.
- (13) Putting, placing or throwing garbage, yard waste, construction waste, litter, refuse or trash on a public street, public place, property of another person, corporation or agency.
- (14) Sweeping into or depositing in any gutter or street or public place the accumulation of litter or yard waste from buildings or lots. Failure to keep sidewalk and gutter in front of premises free of litter.
- (15) Failure to break down and securely fasten together cardboard boxes and other containers prior to collection.
- (16) Throwing litter from a vehicle while a driver or passenger.
- (17) Driving a truck or vehicle such that the contents are blown or deposited upon the street or other public place.
- (18) Driving or moving any vehicle, the wheels or tires of which carry or deposit in any street mud, dirt, litter or sticky substance.
- (19) Failure to cover and secure trucks or other vehicles in such a manner as to prevent littering, public or private property.

- (20) Placing garbage, refuse or trash or causing the discharge of sewage or organic filth in such a manner that transmission of infectious material to humans may result.
- (21) Sweeping or pushing litter or yard waste from buildings, property or sidewalks into streets, sidewalks or storm drains.
- (22) Failure to use trash cans provided to deposit waste in parking lots.
- (23) Throwing or depositing litter on private property.
- (24) Failure to separate yard waste from trash and into separate piles.
- (25) The owner, occupant, tenant or other person in charge of any property will be held accountable for permitting or allowing trash, yard waste, garbage or litter to remain on a street or sidewalk in violation of this chapter.
- (26) Failure to move contractor generated trash, refuse, litter or yard waste from the street after written or verbal notification.
- (27) Bringing waste material generated outside the city limits into the city for collection by city forces.

**Sec. 8-11. Reserved.**

## **ARTICLE II. GARBAGE AND TRASH COLLECTION**

**Sec. 8-12. Garbage containers required at businesses and residences.**

- (a) All single family residences and small apartments with less than six (6) units will be provided a roll-cart by the City for disposition. Each person occupying such premises shall be responsible for rolling the cart to the side of the street for collection by City forces, and shall be responsible for returning the cart after collection. This section shall not apply to persons covered by other sections of this chapter or who have bulk containers.
- (b) Loose litter, trash and combustible materials, whether at business or residential places, must be placed so that the

contents may not be blown about or otherwise unnecessarily scattered.

- (c) For collection, roll carts and recycling bins must be placed at the street side so they are easily accessible to the collectors during the designated time as herein provided.
- (d) For collection, roll carts and recycling bins shall be placed on the street no earlier than thirty (30) minutes prior to sunset on the day before scheduled collection. Roll carts shall be removed from street by sunrise on day following scheduled collection.
- (e) No city waste can, placed in the street by the city or by city authority, shall be used by residents or business concerns for the reception of trash or garbage originating on such premises. It being distinctly understood that such receptacles are placed for the use of pedestrians.

**Sec. 8-13. Receptacles and collection for commercial and other business establishments.**

Commercial and other business establishments shall be subject to the following requirements as to location and use of containers and receptacles:

- (1) Any commercial establishment, manufacturer, wholesale or retail business, hospital, clinic, church, school, apartment building or complex, or club may be required to use a bulk container individually or jointly, depending on quantity of refuse and garbage normally accumulated. The Solid Waste Manager shall determine the need for the size and number of any such containers, based on the quantity of refuse.
- (2) Any commercial establishment or retail business whose location, or volume of refuse and garbage does not, as determined by the Solid Waste Manager, justify economical and practical service by bulk containers, may be required to accept residential-type pickup service. Such service shall be subject to the requirements and provisions applicable to household garbage collection service as set forth in section 8-12.
- (3) Users of bulk containers shall construct an adequate pad on which to place the required container, located according to city specifications, and shall maintain adequate means for access thereto. Bulk containers shall not be placed on the sidewalk, grass plot, curb,

gutter or street, except that whenever business or commercial establishments have no accessible rear entrance or rear door. The city may, in such case, when the requirements of pedestrian and vehicular traffic will so permit, designate a specified size and type of bulk container or other container or receptacle and a specified location on the sidewalk, parkway or grass plot, curb, gutter or street where the same may be placed for use by such business or commercial establishment. Bulk containers will not be serviced if ready access is not available to the container for use by sanitation trucks. Bulk Waste trucks (front loaders) are one man operations. The operator will not leave the truck to remove items placed on or around the bulk container.

- (4) The frequency of pickups in any particular location shall be determined by the public works director on the basis of the needs of the establishment and proper economy to the city, with sufficient frequency to provide reasonably adequate service.
- (5) It shall be unlawful to burn garbage, refuse, trash or other material in bulk containers.
- (6) It shall be unlawful to set garbage, refuse, trash, or other material outside of bulk container. Such material shall not be collected by city forces.
- (7) It shall be unlawful to place discarded tires, hazardous waste, large metal objects, major appliances, furniture or such similar objects in or beside a bulk container. Any person, corporation or commercial establishment engaged in manufacturing, recapping, or assembling tires must arrange for removal from their premises of all discarded tires, as not city pickup service will be provided for such disposition.
- (8) Businesses shall purchase or rent containers from standard suppliers. Bulk containers shall be kept in proper operating condition by the user. The users thereof shall maintain such containers in sanitary condition and keep the lids closed at all times except when filling and emptying. Such containers which are damaged, destroyed or burned through abuse, neglect or improper use by the commercial and business establishment and apartment complexes, or other users, shall be replaced.

- (9) The city shall not be responsible for the removal of garbage or trash from any business or commercial establishment or apartment complex or other establishment required to obtain a bulk container due to volume of garbage or refuse, which fails to purchase or rent such bulk container for use as required herein.
- (10) The drain hole of bulk containers shall be fitted with a wire screen to prohibit rodents from entering.

**Sec. 8-14. Receptacles and collection for apartment buildings and complexes.**

Apartment buildings and complexes shall be subject to the following requirements as to receptacles for garbage or refuse:

- (1) All apartment buildings and groups of buildings consisting of six (6) or more apartment units in one (1) building or one (1) group of buildings are required to furnish and provide garbage containers of sufficient size so that all garbage from such buildings can be mechanically handled by one (1) weekly pickups. Where bulk containers are utilized, it shall be the joint responsibility of the person or agency responsible for the apartment building or complex, and the occupants thereof, to see that all garbage or refuse deriving therefrom is placed in the bulk container at its specified location as determined by the city, with due regard for loading conditions and convenience. Any failure to place such garbage or refuse in such bulk container, which results in littering the premises, shall be unlawful. Each day of failure to comply with this section shall constitute a separate offense.
- (2) Where apartment buildings and complexes with less than six (6) units are receiving garbage service, as in the case of a household, such service shall be subject to the requirements and provisions applicable to household garbage and refuse service as set forth in section 8-12.
- (3) Prior to the issuance of a building permit, all plans for apartment buildings, groups of apartment buildings or complexes consisting of six (6) or more units, will provide for bulk containers which may be picked up mechanically.

**Sec. 8-15. Disturbing, defacing, etc.**

- (a) No person, except the employees or agents of the city shall, within the city, remove, deface, tip over, handle or in any manner disturb any garbage can, roll-cart, recycling bin, bulk container or other such receptacle, or disturb the contents of the same, or in any way disturb any garbage, trash or other waste matter placed for removal, whether in a sanitary box or not, or dispose of the same in any manner whatsoever.
- (b) No person, other than those under the direction of the public works director, shall haul away, remove, plunder through, or in any way tamper with any garbage or refuse set out for collection, whether in roll carts, recycling bins, bulk container or bundled for refuse collection as provided for in this chapter, except by written consent of the public works director.

**Sec. 8-16. Collection of trash, yard waste and bundled or bulky items.**

Items of a bulky nature, which cannot be placed in roll carts for regular garbage and refuse collection as provided in section 8-12, will be collected by the city on a schedule determined by the public works director provided that the following provisions are met:

- (1) Household/property owners may place discarded furniture, junk, major appliances, and similar items of refuse on their premises nearest to the public street for collection, no earlier than one day prior to the scheduled collection day.
- (2) For collection by City forces, yard clippings, wood shavings, leaves, tree trimmings not exceeding six (6) feet in length and six (6) inches in diameter, and similar items shall be placed as the roadside without time restriction. Trash shall be separated from yard waste. The maximum the City will pick up without charge is a maximum load of thirty (30) cubic yards. Rocks, dirt, heavy metals, concrete, building waste, hazardous waste or other refuse from a contractor's employment shall not be included.
- (3) In those instances in which the property owner has more than thirty (30) cubic yards of debris, shrubbery and trees from work performed by the owner or person occupying the property, the City will remove the first truckload of cuttings without cost, but anything over

the first thirty (30) cubic yards may require an optional charge determined by the City Manager.

- (4) No limbs, trees, cuttings or other debris will be moved by the city as a result of work done by any contractor. It shall be unlawful to place at the curb for collection as the result of contract work any construction material, dirt, rocks, hazardous waste or any material resulting from construction, remodeling, demolition, contract landscape work. Such items shall be removed and disposed of in an appropriate manner by the contractor. The removal work shall become the responsibility of the owner of the property upon failure of the contractor to remove such debris and failure of property owner to properly identify the contractor or other person responsible for such removal work. In the event the owner, contractor, or other person performing such work shall not remove refuse of any sort, including tree limbs, shrubbery, building materials and other like refuse from the property, sidewalk, curb, or street within a one-week period of time from placement thereon, a written notification of such failure shall be mailed to the owner and/or tenant through the United States mail giving notification that the city may elect to remove, or contract to have same removed and proceed pursuant to section 8-7 and/or section 8-9 of this chapter.
- (5) Commercial establishments, apartment complexes and other users of self-loading bulk containers shall not place discarded furniture, junk, appliances, machinery, and other large objects in or beside bulk containers. These items will be picked up during normal trash collection at a central location in accordance to section 8-16, paragraph (1).
- (6) Any person supplying or installing major household or commercial appliances or carpeting in residences or commercial establishments in the city such as washing machines, stoves, hot water heaters and air conditioners, shall remove the old appliance, equipment or carpeting from the place of installation and dispose of same.
- (7) Trash and yard waste should be placed at roadside in such a way as to not block streets or sidewalks and shall be placed at the roadside of the property on which it was generated. Household and property owners will be liable for hazardous placement of any

refuse in front of their premises. Yard waste shall be separated from trash.

**Sec. 8-17. Leaf collection (during leaf season.**

Leaf season is typically November 1 through February 28. Leaves should be placed loose at the curb of the street for collection by City forces on the schedule determined by the Public Works Director, and placed on the roadside for collection by the City forces in the same manner as provided in Section 8-16 above. Leaves shall not be raked around the inlets to catch basin and storm drains. Leaves must be separated from debris and brush.

**Sec. 8-18. Duty of landlords, tenants, rental agents, and storekeepers.**

It shall be the duty of each landlord, tenant, rental agent or storekeeper to assure that all bulk containers, and the contents thereof, as provided for in this chapter, are available for pickup service by the city forces at such place and time as may be fixed by the city. No employee of the city shall assist in the performance of the duties of the landlords, tenants, rental agents and storekeepers, as set forth therein.

**Sec. 8-19. Solid waste service fees.**

- (a) Each non-taxpaying, nonprofit, eleemosynary institution shall pay a fee for the provision of solid waste services and the collection and disposal of refuse and garbage by the city which fee shall be set from time-to-time by the council. A schedule of such fees is on file in the city manager's office.
- (b) Each taxpaying property receiving commercial garbage service from the city shall pay to the city a commercial garbage landfill fee to cover the cost of garbage disposal which fee shall be set from time-to-time by the Council. A schedule of such fees is on file in the City Manager's office.

**Sec. 8-20. Sufficient containers required at loading docks.**

It shall be unlawful for any person or corporation maintaining a loading or unloading area to fail to provide refuse receptacles for loose debris, paper, packaging materials and other trash. Loading area shall be kept free of litter at all times. The number of containers necessary for each area shall be determined by the public works director.

**Secs. 8-21--8-30. Reserved.**

**ARTICLE III. COMMUNITY IMPROVEMENT AND LITTER CONTROL**

**Sec. 8-31. Placing of garbage, refuse, or litter on public or private property prohibited.**

It shall be unlawful for any person to put, place or throw any litter, garbage, refuse, trash or yard waste on any public street, alley or other public place in the city or upon the property of another person, corporation, or agency except in containers or areas lawfully provided therefore.

**Sec. 8-32. Unauthorized disposal.**

It shall be unlawful for any person to deposit household garbage or refuse in any litter receptacle maintained in a park, on a sidewalk, at any other location for control of litter by motorists and pedestrians, or at any other unauthorized disposal site.

**Sec. 8-33. Depositing in public places.**

- (a) No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the city except in public receptacles or in authorized private receptacles for collection.
- (b) No person shall throw or deposit litter in any park within the city except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided in this article.

**Sec. 8-34. Placing in receptacles to prevent scattering.**

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other private place or upon private property.

**Sec. 8-35. Sweeping into gutters.**

No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk and gutter in front of their premises free of litter.

**Sec. 8-36. Compressing and disposal of boxes, containers, etc. in commercial areas where City offers servicing.**

Cardboard boxes and other containers placed on the sidewalks, streets or alleys for the purpose of being collected by the solid waste division will be broken down and securely fastened together and deposited on sidewalks so as not to impede traffic or be blown onto the street. Large boxes will be used as containers to hold the smaller broken-down boxes and all loose packing materials so stored in the boxes so as to prevent the packing materials from being blown onto the sidewalk or street. No boxes, crates or other containers will be placed in any garbage receptacle in the City without being broken down, crushed or smashed into its own compact size.

**Sec. 8-37. Thrown by persons in vehicles.**

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city or upon private property.

**Sec. 8-38. Caused by truck loads.**

- (a) No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place. Nor shall any person drive or move any vehicle or truck within the city, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substance, litter or foreign matter of any kind. Provided, however, where circumstances are such that mud and dirt are necessarily or unavoidably deposited on the streets, it will be the duty and responsibility of the operator or owner of such vehicle involved to clean up and remove such mud and dirt from the public streets.

- (b) It shall be unlawful for any person, firm, corporation, institution or organization to transport any loose materials likely to fly out by truck or other vehicle within the city unless said material is covered and secured in such a manner as to prevent litter on public or private property. This section shall apply alike to the person or corporation in control of the operation of the vehicle.

**Sec. 8-39. Occupied private property.**

No person shall throw or deposit litter on any occupied private property within the city, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

**Sec. 8-40. Responsibility of owner of premises.**

The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, that this section shall not prohibit the storage of litter in authorized private receptacles for collection.

**Sec. 8-41. Restaurants and other business establishments.**

- (a) *Notice to remove.* The environmental inspector is hereby authorized and empowered to notify the owner of any restaurant or other business establishment, or the agent of such owner, to dispose of litter on such property in accordance with the provisions of this chapter when, upon investigation, it appears that litter is not being disposed of as required by the provisions of this chapter.
- (b) *Action upon noncompliance.* Upon the failure, neglect or refusal of any owner or agent so notified he/she will be issued a summons for violating state law.

**Sec. 8-42. Property to be kept clean.**

It shall be unlawful for any owner, agent, occupant, or lessee of property within the city to:

- (1) Deposit garbage in any but flyproof, rodentproof and watertight receptacles.

- (2) Place garbage, refuse or trash, or cause the discharge of sewage or any other organic filth into or upon any place, in such manner that transmission of infectious material to human beings may result therefrom.
- (3) Place outside of any building any discarded furniture, icebox, refrigerator, stove, water heater or other major appliances, machinery, equipment, mattress, building material, or any accumulation of trash and refuse which is not completely enclosed within a building, except as allowed in section 8-16 for trash collection by city forces.
- (4) Sweep or push litter from buildings, property or sidewalks into streets, sidewalks and storm drains. Sweepings shall be picked up and put into household or commercial receptacles.
- (5) Allow the accumulation of loose or trapped litter at such locations as fences, wall bases, grassy or planted areas, borders, embankments, or other similar collecting points. Owners, agents, occupants or lessees whose properties include a city right-of-way shall be responsible for keeping up to and including the curb and gutter or street line free of litter.

**Sec. 8-43. Parking lots to have containers; alternate procedures.**

- (a) *General requirements.* All parking lots and establishments with parking lots shall provide refuse receptacles distributed within the parking area at a rate of one (1) receptacle for every ten thousand (10,000) square feet of parking area or fraction thereof. Such receptacles shall be weighted or attached to the ground as necessary to prevent spillage. It shall be the responsibility of the owner or the manager of the parking lot to collect the refuse and trash deposited in such containers and store this material in an approved location for collection. It shall be the obligation of all persons using parking lot areas to use such refuse receptacles or containers as hereinabove provided for the purposes intended, and it shall be unlawful for any person or persons to dump, scatter, or throw upon such parking lot area any refuse, garbage or trash of any kind.
- (b) *Alternate procedures.* The owner or landlord of any parking area may present for approval an alternate plan for the abatement of trash and litter in the parking lot. The public works director shall be authorized to approve alternate

trash and litter abatement plans based on the following criteria:

- (1) The extent to whether the activities conducted on the premises are likely to generate accumulation of trash and litter in the parking lot.
- (2) Number and location of trash receptacles available for patrons and employees to dispose of trash before leaving the premises.
- (3) Whether the owner or landlord has in place or proposes a regular program for the collection and disposal of trash and litter that may be deposited on the parking lot by employees or patrons or by passing vehicles.

The public works director shall continuously review the effectiveness of alternate trash collection plans. If it appears that the alternate trash and litter abatement plan is not sufficient to effectively control the accumulation of trash and litter in the parking lot, the public works director shall require such modifications to the plan as may be necessary to abate the trash and litter problem.

**Sec. 8-44. Construction waste to be contained.**

It shall be unlawful for any construction and/or demolition contractor to fail to control loose debris, paper, building material waste, scrap building material, employee lunch/coffee break discards, and other trash produced by those working on a site. All such material shall be contained by the end of each working day and the site shall be kept in a reasonably clean and litter-free condition. The number and type of refuse receptacles, bulk containers, detachable containers, or other approved method of containing waste material shall be determined by the size of the job. Dirt, mud, construction materials, or other debris deposited upon any public or private property as a result of the construction or demolition shall be immediately removed by the contractor. Construction sites shall be kept orderly at all times.

**Sec. 8-45. Reserved.**

**ARTICLE IV. DUMPING AND LANDFILLING\***

**Sec. 8-46. Dumping and landfilling.**

- (a) *Certain materials prohibited.* It shall be unlawful for any person to dump, deposit or fill on any land in the city the following materials, which shall be dumped and deposited in a sanitary landfill certified by the South Carolina Department of Health and Environmental Control:
- (1) Putrescible waste, such as residential garbage, commercial food processing waste, etc.
  - (2) Discarded furniture, appliances, auto tires, vehicles, etc.
  - (3) Materials which create conditions allowing the harborage or breeding of vectors and rodents.
  - (4) Hazardous waste (solids or liquids).
- (b) *Permit required.* It shall be unlawful for any person to fill any land or dump any materials on any property in the city without first obtaining a permit from the building official. The applicant shall submit a plan showing the filling procedure which should include:
- (1) A grading plan of acceptable scale showing existing and proposed contours.
  - (2) A cross section thru the fill site showing depths of fill material and cover material.
  - (3) Provisions for control of stormwater runoff.
  - (4) Provisions for control of access by proper fencing and gating.
  - (5) Provision for onsite control of soil erosion and sedimentation.
  - (6) The plan shall be prepared by a registered professional engineer, land surveyor or landscape architect.
- (c) *Conditions generally.* All dumping or filling of land shall conform to the following conditions:
- (1) Inert materials, such as construction debris, lumber, trees, stumps, brush, rubble, etc., may be disposed of as follows:
    - a. The maximum depth of each layer of fill materials shall be six (6) feet.

- b. Each layer will be covered with dirt to a depth of not less than six (6) inches.
  - c. The final cover dirt shall be not less than two (2) feet.
  - d. All cover dirt shall be compacted to maintain the thicknesses in subsections (c)(1)c. and d. above.
  - e. All dumping and filling shall be made in such a manner that the surrounding community and environment will be protected from unreasonable noise, dirt and odors.
- (2) Dumping or filling over sanitary or storm sewers is prohibited without providing such protection to the pipes and system as is required and approved by the city engineer.
- (3) No natural surface drainage will be altered to such an extent that the adjacent or adjoining property owners will be adversely affected.
- (d) *Prohibited in floodplain.* Filling or dumping is prohibited at any place within the floodplain, as shown on the zoning maps of the city; provided, however, that upon written application and upon showing that such dumping or filling in the floodplain will have no adverse effect upon the public or surrounding property, the zoning board of adjustment and appeals may grant a special exception on conditions prescribed by it.
- (e) *Residential lots.* No permit shall be required for filling on a residential lot; provided that the following conditions are met:
- (1) No material shall be placed on a residential lot except clean, compactable dirt.
  - (2) In the event filling is done over a storm sewer or sanitary sewer, approval must first be obtained from the city engineer.
  - (3) No filling shall be permitted which will materially alter the natural surface drainage so as to adversely affect an adjoining landowner.
- (f) *Enforcement; compliance.* The building official shall have the responsibility for the enforcement of this section, and each property owner in the city shall be responsible for

complying with the terms of this section as it relates to his property.

- (g) *Appeals.* Any person aggrieved by a decision of the building official may appeal his decision to the building board of adjustment in the manner set forth in the Standard Building Code.