

*Code of Ordinances, Town of Woodland, North Carolina*

TITLE IV: PUBLIC WORKS

Chapter

40. STREETS AND SIDEWALKS

41. GARBAGE AND REFUSE COLLECTION AND DISPOSAL

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CHAPTER 40: STREETS AND SIDEWALKS

Section

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Statutory reference:

Establishment and control over municipal streets, see G.S. 160A-296

GENERAL PROVISIONS

**§ 40.01 BOARD APPROVAL OF NEW STREETS.**

Before any new street offered for dedication to the town is accepted as such, and officially recognized as a town-maintained street, the Board must give its approval, finding that the street complies with engineering standards set by the Board, and that the best interests of the town would be served by accepting the street as a town street.

EXCAVATION AND REPAIR

**§ 40.02 EXCAVATIONS; PERMIT REQUIRED**

No person shall make any excavation or opening or dig any ditch, trench, tunnel, or hole in, along, across, or under any street, sidewalk, or other public place for the purpose of laying or placing therein any pipe, wires, or poles or for any other purposes unless a written permit therefore has been issued by some officer of the town vested with proper authority, provided, that a permit shall not be required where the work is performed under a contract with the town, but in the event the work requires a sidewalk or street to be wholly or partially obstructed, the party performing the work shall notify the town at least two hours before obstructing the sidewalk or street, unless prevented by sudden emergency.

Penalty, see § 10.99

**§ 40.03 APPLICATION; FEES.**

All persons desiring a permit to make an opening in any street or sidewalk, as set forth in § 40.02, shall make written application therefore, which application shall show the location of the proposed opening, the purpose therefore and the approximate number of square yards of surface to be cut. A fee may be required by the Board for such permit.

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STREETS AND SIDEWALKS § 40.17

**§ 40.04 STREET REPAIR; AFTER EXCAVATION.**

When any part of any street, sidewalk, alley, or other public place of the municipality shall be torn or dug up for any purpose, the person making the excavation or opening shall have the duty of refilling the excavation or opening, and the refilling shall be done in accordance with the standards and specifications of the town.

Penalty, see § 10.99

**§ 40.05 EXCAVATIONS; LEAVING UNPROTECTED.**

It shall be unlawful for any person, firm, or corporation who obtains a permit under the sections of this Chapter to do any excavation of any kind which may create or cause a dangerous condition in or near any street, alley, sidewalk, or public place of the town without placing and maintaining proper guard rails three feet from the ground and signal lights or other warnings at, in or around the same, sufficient to warn the public of the excavation or work, and to protect all persons using reasonable care from injuries on account of the excavation or work.

Penalty, see § 10.99

**§ 40.06 STREETS NOT TO BE DAMAGED BY TRACTORS OR HARROWS.**

(A) It shall be unlawful for any person, firm, or corporation to drag, or run or cause to be dragged or run any harrow or other implement, engine, machine, or tool on any asphalt or other type of permanently paved street of the town which shall be likely in any way to injure or cut the surface thereof.

(B) Any person violating division (A) shall be liable to the town for the cost of repairing any and all damage caused.

Penalty, see § 10.99

Cross-reference:

Injury to public property generally prohibited, see § 85.03

Town property, see § 40.22

**§ 40.07 SIDEWALK CONSTRUCTION.**

No sidewalk of any description shall be built by any individual, firm, or corporation of any brick, wood, or other material without a written permit from the town.

Penalty, see § 10.99

**§ 40.08 HOUSE MOVING.**

No person shall move any house or building on or across the public streets or sidewalks without the written consent of the Board and the deposit of a good and sufficient bond to cover damage done to any street or sidewalk or to any property of any person.

Penalty, see § 10.99

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STREETS AND SIDEWALKS § 40.22

**§ 40.09 DAMAGE TO TOWN PROPERTY.**

No person shall injure, tamper with, remove, paint on, or deface any bridge, culvert, ditch and drain, sign, sign post, street light, traffic signal, bulletin board, or other town property on the streets and sidewalks or elsewhere except employees of the town in the performance of their duties.  
Penalty, see § 10.99

**§ 40.10 DRIVEWAYS: PERMIT REQUIRED.**

No person shall begin to construct, reconstruct, repair, alter, or grade any driveway on the public streets, unless a written permit therefore has been issued by the town.  
Penalty, see § 10.99

**§ 40.11 RIGHTS-OF-WAY OF TOWN STREETS.**

Any Streets made within the town limits of Woodland from this date (2/2/84), will have a 40 foot right-of-way.

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## CHAPTER 41: GARBAGE AND REFUSE COLLECTION AND DISPOSAL

### Section

- 41.01 Definitions
- 41.02 Approved containers
- 41.03 Burning or burying garbage
- 41.04 Accumulation of garbage and refuse prohibited
- 41.05 Collection schedule
- 41.06 Unlawful to displace containers
- 41.07 Special or bulk collections regulated

### Statutory reference:

Regulation of trash and garbage, see G.S. 160A-303.1

### § 41.01 DEFINITIONS.

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

"BROWN GOODS." Furniture (Beds, couches, chairs, tables, book cases, etc)

"BUILDING MATERIAL SCRAPS." Scrap building material from the construction, reconstruction, remodeling, or repair of a building, walkway, driveway, sign, and other structure, including but not limited to, excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber, or any other similar material used in construction or the containers or wrappings therefore.

"GARBAGE." All putrescible wastes, including animal and vegetable matter, animal offal and carcasses, and recognizable industrial byproducts but excluding sewage and human wastes.

"REFUSE." All nonputrescible wastes

"ROLL-OUT-CART." Means a 90-gallon container furnished by the garbage pick-up Contractor.

"SOLID WASTE." Garbage, refuse, rubbish, trash, and other discarded solid materials, including solid waste materials resulting from homes, businesses, industrial, commercial, and agricultural operations, and from community activities, but does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

"YARD WASTE." Tree limbs, leaves, shrubbery, weeds, plants, or grass.

"WHITE GOODS." Means any and all household or commercial machines or appliances.

### § 41.02 APPROVED CONTAINERS.

It shall be unlawful for any person to throw, place, or deposit any garbage or refuse of any kind on any public or private property except in approved containers or as otherwise provided in this chapter. Penalty, see § 10.99

### § 41.03 BURNING OR BURYING GARBAGE.

It shall be unlawful to burn or set fire to any garbage for the purpose of disposal. In addition, it

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## GARBAGE AND REFUSE COLLECTION AND DISPOSAL § 41.03

shall be unlawful to bury any refuse for the purpose of disposal unless a permit therefore has been granted by the Fire Chief.

Penalty, see § 10.99

Editorial Note: Extensive state regulations are in effect with respect to the open burning of trash and refuse; see Dept. of Environmental Management; Regulations Governing the Control of Air Pollution.

### § 41.04 ACCUMULATION OF GARBAGE AND REFUSE PROHIBITED.

All garbage and refuse shall be collected and placed in containers as required by this chapter, and it shall be unlawful for any person to permit garbage or refuse to accumulate or remain on any premises longer than is reasonably necessary to remove and deposit same in approved containers as required herein. Penalty, see § 10.99

### § 41.05 COLLECTION SCHEDULE.

Garbage and refuse will be collected by the collection agency according to a collection schedule maintained in the collection agency office. Such schedule may be periodically revised and amended by the collection agency.

### § 41.06 UNLAWFUL TO DISPLACE CONTAINERS.

It shall be unlawful for any person to damage, displace, or to otherwise interfere with garbage containers or their contents except the owner or on permission or at the request of the owner.

Penalty, see § 10.99

### § 41.07 SPECIAL OR BULK COLLECTIONS REGULATED.

(A) Tree limbs, shrubbery cuttings, leaves (that are placed in trash bags), and other yard waste will be collected by the Town of Woodland for a special charge determined by the size (volume) of the load.

(B) Any property owner desiring special bulk collections of other type materials (White Goods and Brown Goods) may request a special collection for which a special charge will be made. These special collections may be requested by contacting the Northampton County landfill provided that person making the request agrees to pay for the labor and equipment used at the rate specified by the County landfill.

(C) Material to be collected by special collections shall be placed in neat piles and so located that such refuse can be easily loaded on trucks for disposal.

Penalty, see § 10.99