

## **MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE**

WHEREAS, the Board of Commissioners of Mecklenburg County adopted an ordinance entitled "Mecklenburg County Solid Waste Fee Ordinance" effective July 1, 1989; and

WHEREAS, the Board of Commissioners of Mecklenburg County now desires to amend and restate said Ordinance; now, therefore,

BE IT ORDAINED by the Board of Commissioners of Mecklenburg County, North Carolina, that:

1. The "Mecklenburg County Solid Waste Fee Ordinance" is hereby amended and restated to read as follows:

### **Section 1. Definitions**

**“Approved Yard Waste Product Hauling Partners”:** Shall mean firms or individuals approved by the Director to haul yard waste or other products for delivery purposes.

**“Bulky Waste”:** non-putrescible municipal solid waste that is generally too large to be accepted by the regular waste collection. Bulky waste items may include discarded furniture (couches, recliners, tables, mattresses, dressers), and other similar items delivered to Mecklenburg County Facilities.

**“Business Recycling Partners”:** Shall mean those businesses located in Mecklenburg County who host recycling dumpsters and receive collection of Recyclable Material in partnership with the County. Eligibility qualifications shall include that these businesses have successfully demonstrated to the County that they are exempt from the Mecklenburg County Ordinance to Require the Source Separation of Designated Materials from the Municipal Solid Waste Stream for the Purpose of Participation in a Recycling Program established by the County and payment of any established fees.

**“Construction and Demolition Waste” (C&D):** shall mean Solid Waste resulting primarily from construction, remodeling, repair, or demolition operations from buildings, pavements, or other structures; inert debris.

**“Convenience Center”:** Shall mean any County Facility designated by the Director that is open to the public where Yard Waste, Solid Waste and/or Recyclable Materials are collected either at no charge or for fees posted herein.

**“County”:** Mecklenburg County, North Carolina; a political subdivision of the State of North Carolina.

**“County Facility”, “Mecklenburg County Facility”:** As used in this Ordinance, shall mean any Solid Waste disposal, acceptance or processing facility owned, operated, licensed by or under contractual agreements with the County, including, but not limited to the Speedway Landfill.

**“Director”:** The Director of the Mecklenburg County Solid Waste Division of LUESA, or designee. In Sections herein that require specific approval, such requests shall be made in writing to the Director.

**“Hazardous Waste”:** shall mean (a) waste which is defined, characterized or designated as hazardous by the United States Environmental Protection Agency or appropriate State agency by or pursuant to federal or State law, (b) waste which is regulated as hazardous waste under federal or State law, or (c) waste which any County Facility, in its reasonable discretion, determines has the potential for causing safety, health or environmental damage, including but not limited to infectious waste.

**“Household Hazardous Waste”:** Waste generated by individuals on the premise of a temporary or a permanent residence and composed primarily of materials found in waste generated by residents in their homes that may be considered as hazardous if placed into a landfill or otherwise co-mingled with other Waste. Items such as fertilizer, weed killers, fluorescent light bulbs, acids, and other similar products shall fall into this category of products.

**“Household Waste”:** Residential Solid Waste generated from non-commercial residential activities excludes any and all hazardous waste materials.

**“Household Waste Convenience Centers”:** See “Convenience Center” above.

**“Kitchen Trash”:** Shall be that component of Municipal Solid Waste associated with residential waste generation, generally delivered in plastic trash bags and shall be consistent with the material definition of Municipal Solid Waste (MSW) found herein, but limited to residential sources.

**“Municipal Partners”:** Shall mean Mecklenburg County municipalities having Interlocal Agreements with Mecklenburg County for Solid Waste Management.

**“Municipal Solid Waste (MSW)”:** means any solid waste resulting from the operation of residential, commercial, industrial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service. Municipal solid waste does not include hazardous waste, sludge, industrial waste managed in a solid waste management facility owned and operated by the generator of the industrial waste for management of that waste, or solid waste from mining or agricultural operations.

**“Non-County Residents”:** Persons who reside outside of Mecklenburg County.

**“Non-County Resident Availability Fee”:** An annual fee established per vehicle for residences located outside of Mecklenburg County, payable on a July 1-June 30th basis, that will enable the Non-County Residents to dispose of Solid Waste at a County Facility for the discounted rate, as set forth in this Ordinance, at County Household Waste Convenience Centers. Payment of this fee shall remain valid for one Fiscal Year Period. It may not be transferred, and it shall not entitle the owner to any other privileges other than those provided in this Fee Ordinance.

**“Non-Residential Waste”:** Waste other than household waste, acceptable under the provisions of the North Carolina Solid Waste Management Rules, 10 NCAC 10G. Non-Residential Wastes include such wastes as demolition or construction material, shingles, pallets, commercial and industrial wastes, split tires, rubble, and special handling wastes.

**“Recyclable Material”:** shall mean those materials, which are separated or removed from Solid Waste or MSW for purposes of use or reuse, which are acceptable to the Director.

**“Residential Discount”:** A reduction in fee for disposal of Solid Waste in specified categories for those persons using a County Facility that are residents located in Mecklenburg County (and therefore have been charged the County’s Residential Solid Waste Fee), and those Non-County Residents who have paid the annual Non-County Resident Availability Fee. Such discounts shall not be available to any person delivering any materials in a commercial vehicle, a vehicle licensed to any business, LLC, or corporate entity or any person paying with a credit card registered to a business, LLC, or corporation.

**“Residential Solid Waste Availability Fee”:** The availability fee created by the County’s Residential Solid Waste Fee Ordinance, the amount of which is set in the County’s annual Budget Ordinance, which fee is levied annually on all residences located in the County.

**“Residential Solid Waste”:** shall mean Solid Waste generated at dwelling units (including single family structures, multi-family structures, mobile homes, and all other structures used as residential dwellings). Solid Waste from hotels, motels, inns, tourist camps and all other places that are required to collect a room occupancy tax under the Mecklenburg County Ordinance imposing a room occupancy tax is not Residential Waste.

**“Special Waste”:** shall mean any Solid Waste or Recycled Material, or related products delivered to or generated at any County Facilities, that requires special or exceptional handling from an operational or equipment standpoint. It includes all Solid Waste, the disposal of which is defined as special waste by the State of North Carolina Department of Environmental Quality, Division of Solid Waste

**“Solid Waste” or “Waste”:** Waste that is defined, either by Regulation or Statute, by the State of North Carolina as Solid Waste.

**“White Goods”:** Discarded appliances, which include but are not limited to inoperative and discarded refrigerators, ranges, water heaters, freezers and other similar domestic and commercial large appliances.

**“Yard Waste”:** Materials such as brush, grass clippings, limbs, leaves, and untreated and unpainted wooden pallets, which are defined as Yard Waste by the State of North Carolina.

## **Section 2. Requirement to Pay Fees**

Except as otherwise provided herein, it shall be unlawful for any vehicle carrying Municipal Solid Waste, Yard Waste or any materials, to enter and to use any County Facility except upon the payment of the fees as set forth in this Ordinance.

The Non-County Resident Availability Fee is established at **\$110** per vehicle and shall require the person using this category to display the appropriate decal or sticker on the vehicle’s windshield. Such stickers shall not be swapped between vehicles. Each sticker is for one vehicle only. If a sticker becomes lost or stolen, written proof shall be provided to the Director who may issue a replacement at no charge. Beginning January 1 of any calendar year the Non-County Resident Availability Fee shall be set at half of the annual rate.

Any customer using a Convenience Center who does not cease use and exit the Convenience Center at the time of closing for the day may be charged an additional fee of \$50 for each 15-minute period after closing of the Center, and under no circumstances shall that person remain on-site unloading for more than one hour after closing.

## **Section 3. Speedway Landfill Fee Schedule**

Solid Waste that is (i) controlled by contract by Mecklenburg County through interlocal agreements, waste collection agreements, or is Residential Waste generated in the Mecklenburg County Designated Geographic Area, (ii) of a nature that can readily be handled at the Speedway Landfill in accordance with standard operating procedures and practices, and (iii) **does not include:** (a) Hazardous Waste, (b) Construction and Demolition Waste, (c) Special Waste, (d) Yard Waste, (e) Recyclable Material actually removed from the waste stream, or (f) Household Hazardous Waste collected through household hazardous waste programs. Therefore, acceptable Solid Waste will be accepted at the Speedway Landfill upon payment of the following fees:

- (a) When the scales/weighing systems are in operation, fees shall be computed as follows for vehicles transporting Solid Waste from Mecklenburg County:

<u>Vehicle Type</u>	<u>Charge</u>
All eligible entities	<b>\$41.25</b> per ton

- (b) When the scales/weighing systems are NOT in operation, fees shall be computed

on a cubic yard basis determined by the average density of the materials. 1,000 pounds per cubic yard shall be used for Municipal Solid Waste, unless otherwise demonstrated in writing to the Director.

(c) Commercial companies operating under contract for a Municipal Partner are eligible for the disposal fees herein and shall notify the Director who they are operating for.

(d) Commercial companies operating in Mecklenburg County's Unincorporated areas are also eligible for the disposal fees listed in the Sections herein but must be registered with Mecklenburg County and in good standing with all applicable standards of this Ordinance specifically including recycling all curbside recycling commodities specified by Mecklenburg County. Such companies operating in Unincorporated areas of Mecklenburg County shall submit upon written request of the Director;

- A listing of customers served including street name and address;
- A statement of services offered to customers, including rates of service;
- A statement of what recycling items are accepted by the collection company.
- Information on how to contact the Collection company.

(e) Any Commercial company that fails to comply with items in Section 3 (d) herein, may be denied access to Mecklenburg County disposal or processing centers and use of negotiated disposal or processing fees at any facility including the Speedway Landfill.

#### **Section 4. Tire Fee Schedule**

(a) Tires – Tires that are not eligible for NC State reimbursement shall be accepted and charged on the following basis:

Description	Requirements	Fee
Automotive and Light Truck Tires <b>NOT on rims</b> at Full-Service Acceptance Locations.	<b><u>Tires must be from Mecklenburg County.</u></b> Tires must be smaller than 20" bead diameter. Max 15 tires unless prior approval granted.	Up to 5 tires accepted at no charge. Each tire over 5; \$2.50 per tire.
Automotive and Light Truck Tires <b>ON Rims</b> at Full-Service Acceptance Locations	<b><u>Tires must be from Mecklenburg County.</u></b> Tires must be smaller than 20" bead diameter. Max 15 tires unless prior approval granted.	\$3.50 each

Automotive and Light Truck Tires <b>NOT on rims</b> at Full-Service Acceptance Locations	<b>Tires from outside of Mecklenburg County or Non-Residential.</b> Tires must be smaller than 20” bead diameter. Max 15 tires unless prior approval granted.	\$4.50 each
Automotive and Light Truck Tires <b>ON rims</b> at Full-Service Acceptance Locations	<b>Tires from outside of Mecklenburg County or Non-Residential.</b> Tires must be smaller than 20” bead diameter. Max 15 tires unless prior approval granted.	\$5.50 each
Truck Tires and other small off road tires delivered to Full- Service Locations <b>NOT on rims</b> . This DOES NOT include larger tractor tires or earthmoving equipment tires.	<b>Any Area:</b> 20” to 26” bead diameter. Larger tires may not be accepted unless prior approval is given, and customer pays the full price of such disposal as established by the County’s Tire Processing Company. Max 15 tires unless prior approval granted.	\$7.00 each
Automotive and Truck Tires <b>NOT on Rims</b> . Accepted only at the Metal and Tire Facility.	Delivered under the NC State Tire Program and have accompanying Certificate Required by the State and meet eligibility requirements. Tires must be from Mecklenburg County.	No Charge
Solid Tires from construction/commercial or agricultural machinery or other sources.	Not Accepted	Not Accepted
Dirty Tire Fee	Tires that are coated in mud/dirt or other contaminants may be assessed a separate fee	\$10/ton add fee

- (b) There will be a \$ 7.00 per tire charge for tires commingled in Solid Waste delivered to the Foxhole (Rt. 521) Landfill. The Tire Charge Fee shall be waived if the person who delivers the tire agrees to promptly remove those tires (which they delivered) from the disposal area.

- (c) Scrap tires will be accepted only at scrap tire collection areas, as designated by the Director.
- (d) Daily Limits or Per Load Limits may be set on the number of tires received at the Tire and Metals Facility by the Director, so that the facility may balance tires in vs. tires out.

## **Section 5. Yard Waste Fee Schedule**

Yard Waste will be accepted at the County Convenience Center's upon payment of a fee. The following fees shall be charged depending upon the origin of the material and the amount of material delivered:

- (a.) In some material categories, there may be limits on the quantity or types of materials eligible for the Residential Discount. The Residential Discount shall not apply to any contractors or commercial entities that use any County Facility, nor any material delivered in a commercial vehicle, payment with a commercial credit card, or vehicle providing services for hire.
- (b.) All facilities that have scales shall weigh incoming vehicles that are larger than a standard pick-up truck. Flat fees may be used for expedience of processing customers; however, any customer may request a weigh-in; weigh-out for exact calculations; minimum fees shall apply.

### **(c.) Yard Waste Fee Schedule (Table Below).**

**Yard Fee Waste Schedule**

<u>Vehicle Type</u>	<u>Charge</u>	<u>Charge with Residential Discount Applied Includes Out of County Stickers</u>
(1) Automobiles, vans w/ side windows all seats in, sedans and station wagons & SUV/Crossovers & pickup trucks. Vehicles with less than Five - 32 Gallon Plastic Bags; 6 – Kraft Paper Bags	\$8.00	No Charge

<p>(2)</p> <ul style="list-style-type: none"> <li>• Vans (No Side Windows)</li> <li>• Pickup Trucks (without built-up sides) &amp; loads up to 2' high of brush &amp; limbs.</li> <li>• Trailers equal to or less than 10' in length with a load less than 2' high.</li> <li>• No logs over 8" in diameter this category.</li> <li>• Loaded Pickup with loaded Trailer Equals 2 units.</li> </ul>	<p>\$16.00/per unit</p>	<p>\$8.00/per unit</p>
<p>(3)</p> <ul style="list-style-type: none"> <li>• Pickup Trucks with load greater than 2' high.</li> <li>• Trailers greater than 10' in length or with a load greater than 2' high.</li> <li>• Logs over 8" in diameter</li> <li>• No logs greater than 24" in diameter at Convenience Centers. Max limit 48" at 521 Landfill and Compost Central.</li> </ul>	<p>\$5.45 per cubic yard measured when scales not functional.</p> <ul style="list-style-type: none"> <li>• <b>Loads may be weighed in and out to determine fee.</b></li> </ul>	<p>\$3.50 per cubic yard measured <b>when scales not functional.</b></p> <ul style="list-style-type: none"> <li>• <b>Loads may be weighed in and out to determine fee.</b></li> </ul>
<p>(4) Standard Yard Waste Exceeding capacities herein - all vehicle types weighed.</p>	<p>\$40.00/ton or \$16.00 load minimum</p>	<p>\$40.00/ton or \$8.00 load minimum</p>
<p>(5) Vehicles hauling ONLY pre-chipped wood materials-NO LOGS</p>	<p>\$20.00/ton \$20.00 minimum fee</p>	<p>N/A</p>
<p>(6) Vehicles with up-to Five - 32 Gallon Plastic Bags; Or Six – Kraft Paper Bags</p>	<p><b>\$8.00</b> Loads weighing 400 pounds or less.</p>	<p><b>No Charge</b> Loads weighing 400 pounds or less.</p>



(7) Bagged Yard Waste (*Fee may be adjusted by the Director for any increased processing or de-bagging costs that occur).	\$45.00/ton	\$45.00/ton
(8) Vehicles using the scales to determine a weight and then not using the facility for disposal shall pay a \$10 charge.	////////////////////////////////////	

## **Section 6. White Goods Fee Schedule**

1. Residential White Goods generated within Mecklenburg County will be accepted for processing from **residential sources** at designated County Convenience Center's at no charge.
2. White Goods from Non-Residential entities that contain Freon shall be charged \$10 per unit for Freon removal.
3. Residential White Goods from outside of Mecklenburg County shall be charged a processing fee of \$10 per unit, unless the residential customer has paid the appropriate Non-County Resident Availability Fee and the vehicle displays the corresponding sticker.
4. County may reject any loads if greater than system capacity to process such loads.

## **Section 7. Solid Waste and Non-County Resident Availability Fees**

1. Solid Waste from residences located outside of Mecklenburg County may be accepted at Mecklenburg County Waste Convenience Centers upon payment of the Non-County Resident Availability Fee provided that the disposal of such Waste in County Facilities is not inconsistent with provisions contained in any solid waste management plan adopted by the local government within whose jurisdiction the Waste was generated, that the materials are acceptable to the County and the Director deems that satisfactory capacity is available.

2. After receipt of a Non-County Resident Availability Fee, the County shall issue the Non-County Resident one (1) pass (sticker or decal) to be affixed to a single vehicle, registered to the Non-County Resident, which must be displayed upon entry to any Mecklenburg County Convenience Center to be eligible for a Residential Discount. Non-County Residents that have paid the annual fee shall be eligible for other discounted fees provided for herein, and County facility availability equal to Mecklenburg County residents. Non-County Residential Decals shall not be affixed on any commercial vehicle, and Mecklenburg County shall not honor use for any such decal that has been applied to a commercial, business, or for hire entity.

3. Non-County Resident Availability fees are also required if Non-County Residents utilize Recycling or Household Hazardous Waste Services (HHW) at Mecklenburg County facilities. In lieu of paying the annual Non-County Resident Availability Fee, a single-use payment according to the schedules herein, may be levied upon any Non-County Resident. Such payment would be applicable for each separate load of Waste, Recyclables or HHW. No business or commercial or institutional wastes will be accepted under this Section for Waste. Any Non-Residential vehicle shall be deemed to be hauling non-household waste and subject to the other provisions of this Ordinance.

4. Non-County Residents using Mecklenburg County Convenience Centers shall pay all fees described herein.

- a. Non-County Residents must purchase and use a Non-County Resident Availability Decal for delivery of Recycling Materials, unless otherwise designated by the Director.
- b. When/if Non-County Residential decals are lost, the customer may notify the Director in writing (email is allowed) stating the circumstance and request a replacement decal. Only one incident per year, per customer will be allowed. Director may deny replacement requests unless appropriate fees are paid.

## **Section 8. Convenience Center Bulky Waste, MSW Bags & Construction and Demolition Waste Fee Schedule**

Bulky Waste, MSW & Construction and Demolition Waste may be accepted at the County's Full-Service Convenience Centers upon payment of the following fees:

- (a.) In some material categories, there may be limits on the quantity or types of

materials eligible for the Residential Discount. The Residential Discount shall not apply to any Non-Residential customer, Institution, Houses of Worship, Contractors or Commercial Entities that use any County Facility, nor any material delivered in a Non-Residential vehicle, or vehicle with commercial ownership or commercial advertising; payment with a commercial credit card; or vehicle providing services for hire.

- (b.) All facilities that have scales shall weigh incoming vehicles that are larger than a standard pick-up truck, including trailers over 10 feet in service capacity. Flat fees may be used for expedience of processing customers; however, any customer may request a weigh-in; weigh-out for exact calculations, however minimum fees shall apply.

#### **Bulky, MSW, Recycling & C&D Materials - Fee Schedule**

<u><b>Vehicle Type &amp; Material Description</b></u>	<u><b>Standard Charge</b></u>	<u><b>Mecklenburg County Residential Discount Charge</b></u>
<p>(1) a.) Automobiles, vans w/ side windows all seats in, sedans and station wagons, &amp; SUV/Crossovers.</p> <p>One Bulky or C&amp;D Item such as a toilet or One Mattress/bx Spring Less than 5-32 gal Trash Bags</p>	<p><u>Non-residential/Non-Meck County</u></p> <p>Residential: No Out-of-County Sticker Recycling or HHW fee per visit.</p> <p>\$10.00/unit</p> <p>*excludes TV's</p>	<p>No Charge</p>
<p>b) Any Vehicles with the following:</p> <p>Couch, or sofa, or Lay-Z Boy type chair, or 2 mattress/box springs combo, or equivalent sized materials, equivalent size based on <b>more</b> than (2) 96 gal trash cans (except where other prices are noted herein).</p>	<p><u>Non-residential/Non-Meck County</u></p> <p>2 to 5 Bulky Items \$ 18.00/unit 2 to 5 C&amp;D Items \$ 18.00/unit</p> <p>Loads weighing less than 400 pounds this category.</p>	<p><b>No Charge</b>, unless; More than one visit/day = \$15.00 subsequent visits.</p> <p>More than one couch, chair, mattress/box spring bulky = \$15.00/load (Flat Fee)</p> <p>*Flat Fee Limit = pickup truck or 10 ft. trailer. Larger loads weighed. Only Applicable to Mecklenburg County residents or patrons who have paid the Annual Non-County Fee.</p>

<p>(2)</p> <ul style="list-style-type: none"> <li>Vans No Side Windows or seats removed/down. Any commercial van that may have ladder racks or commercial use.</li> <li>Pickup Trucks (without built-up sides) &amp; loads less than 2' high,</li> <li>Single Axle Trailers 8' or less in length with a load <u>equal to or less than 2' high.</u></li> <li><b>All units this category less than 3 yd<sup>3</sup> each.</b></li> </ul> <p>Loaded Pickup or Vehicle with a Loaded Trailer Equals 2 units</p>	<p><u>Bulky Waste:</u> \$30.00/per unit</p> <p><u>Construction Demolition Debris:</u> \$45.00/per unit</p> <ul style="list-style-type: none"> <li>Loads may be weighed in and out to determine fee.</li> </ul>	<p><u>Bulky Waste:</u> \$15.00/per unit</p> <p><u>Construction Demolition Debris:</u> \$25.00/per unit</p> <ul style="list-style-type: none"> <li>Loads may be weighed in and out to determine fee.</li> </ul>
<p>(3)</p> <ul style="list-style-type: none"> <li>Pickup Trucks (with built-up sides) and load greater than 2' high.</li> <li>Trailers greater than 8' in length, and any trailer with more than one axle, and/or with a load greater than 2' high.</li> <li>No double-axle trailers</li> </ul>	<ul style="list-style-type: none"> <li>Loads may be weighed in and out to determine fee.</li> </ul> <p>Maximum delivery this category is 14 yd<sup>3</sup></p>	<ul style="list-style-type: none"> <li>Loads should be weighed in and out to determine fee.</li> </ul> <p>Maximum delivery this category is 14 yd<sup>3</sup></p>
<p>(4) All vehicle types weighed</p>	<p>\$62.00/ton or \$35.00 load minimum</p>	<p>\$62.00/ton or Bulk Waste \$20.00 load min. C&amp;D Materials \$25.00 min.</p>
<p>(5) Not Used</p>		

(5) Vehicles with Household Trash/Kitchen Trash		
1-5 32-gal bags	\$12	<b>No Charge*</b>
6-15 32-gal bags	\$15	\$12
16-20 32 gal bags	\$18	\$15
Greater than 20 bags \$40.00/ton		*Limit One (1) visit per day. Excess charged at Fee shown above.
(6) Vehicles using the scales to determine a weight and then not using the facility for disposal shall pay a \$10 charge.		

No vehicle with a payload quantity of greater than 3 cubic yards will be accepted at the Convenience Centers for flat-fee charges, unless Supervisor approval is given. Loads larger than 3 cubic yards should be weighed in/out. Maximum capacity of loads is set at 14 cubic yards for Convenience Centers, unless Supervisor approval is given. If vehicle/trailer combination will not fit onto the scale, they must use a Convenience Center that will accommodate the load length. U-Haul type trucks used in moving may be exempted from the size criteria but shall be weighed in and out.

Convenience Centers may limit any vehicle that has a mechanism to cause the body to raise and dump loads. These vehicles may be directed to use the Foxhole Landfill.

Vehicles loaded with loads greater than these capacity limitations shall either utilize the Foxhole (Rt. 521) Landfill and be weighed or be pre-approved to use the Convenience Center by the Director and charged the approved rate at the Convenience Center. Pre-approval shall be in the form of a written request to the Director, and the vehicle must display an Entry Decal, as described in Section 18 herein.

## **Section 9. Construction and Demolition Waste & Transfer Fee Schedule**

Construction and Demolition Waste (C&D) and other permitted Solid Waste will be accepted at the County Facilities upon payment of the following fees:

- (a) When the scales/weighing systems are in operation, fees for Construction and Demolition Waste shall be computed as follows:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All commercial vehicles	\$62.00 per ton/or \$35.00 per load minimum
(2) Smaller vehicle types	Shall use the schedule established in Section 8 above or be weighed
(3) Vehicles using the scales to determine a weight and then not using the facility for disposal shall pay a \$10 charge.	

- (b) When the scales/weighing systems are NOT in operation, fees shall be computed on a cubic yard basis determined by the average density of the materials. 845 pounds per cubic yard shall be used for Construction and Demolition Waste, unless otherwise demonstrated in writing to the Director.
- (c) All persons using the Foxhole Landfill who exit their vehicle on the landfill working-face area shall wear high visibility shirts or vests. The landfill will have vests available for those that do not have such items and the price for each shall be \$7. An added fee of \$125/load may be added for non-compliance to any person failing to wear high visibility yellow or orange exterior clothing while on the landfill working-face.

**“Clean Concrete”** may be accepted at the County’s landfill on US 521 upon payment of the following fees:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$9.50 per ton

**“Clean loads of Shingles”** may be accepted at the County’s landfill on US 521 when processing capacity allows and upon payment of the following fees:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$35.00 per ton

**“Clean loads of Drywall & Clean loads of Dimensional Lumber”** may be accepted at the County’s Full-Service Centers when processing capacity allows and upon payment of the following fees:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$35.00 per ton

**“Loads of Mattresses and Box Springs”** may be accepted at the County’s landfill on US 521 when processing capacity allows and upon payment of the following fees:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$110.00 per ton

**“Material Transfer Fee”** may be applied to materials that are deposited at any County Transfer Station that require hauling to another location for processing/disposal. This fee shall be additive to other fees specified herein.

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$18.00 per ton

## **Section 10. Fees for Sale of Yard Waste Products**

Yard Waste products may be purchased at the County's Yard Waste management facilities upon payment of the following fees, when the following types of products are available:

<b><u>Product</u></b>	<b><u>Charge</u></b>
• Brush Mulch (1-29 cubic yards)	\$9.34/yd <sup>3</sup>
• Brush Mulch (30-99 cubic yards)	\$7.46/yd <sup>3</sup>
• Brush Mulch (100+ cubic yards)	\$6.00/yd <sup>3</sup>
• Leaf Waste Mulch (1- 99 cubic yards)	\$4.00/yd <sup>3</sup>
• Leaf Waste Mulch (100+ cubic yards)	\$3.00/yd <sup>3</sup>
• Fill Dirt (1-29 cubic yards)	\$10.00/yd <sup>3</sup>
• Fill Dirt (30-99 cubic yards)	\$8.00/yd <sup>3</sup>
• Fill Dirt (100+ cubic yards)	\$6.00/yd <sup>3</sup>
• Screened Nugget Mulch	\$13.50/yd <sup>3</sup>
• Nugget Waste Mulch	\$9.34/yd <sup>3</sup>
• Select Hardwood Mulch (1-29 cubic yards)	\$13.99/yd <sup>3</sup>
• Select Hardwood Mulch (30-99 cubic yards)	\$12.13/yd <sup>3</sup>
• Select Hardwood Mulch (100+ cubic yards)	\$9.34/yd <sup>3</sup>
• Pallet Mulch (1-29 cubic yards)	\$10.00/yd <sup>3</sup>
• Pallet Mulch (30-99 cubic yards)	\$8.00/yd <sup>3</sup>
• Pallet Mulch (100+ cubic yards)	\$6.00/yd <sup>3</sup>
• Dyed or Colored Mulch (<15 cubic yards)	\$26.00/yd <sup>3</sup>
• Dyed or Colored Mulch (16-95 cubic yards)	\$23.00/yd <sup>3</sup>
• Dyed or Colored Mulch (>96 cubic yards)	\$18.00/yd <sup>3</sup>
• Compost (1-29 cubic yards)	\$18.65/yd <sup>3</sup>
• Compost (30-99 cubic yards)	\$18.00/yd <sup>3</sup>
• Compost (100-499 cubic yards)	\$16.50/yd <sup>3</sup>
• Compost (500-1000 cubic yards)	\$14.00/yd <sup>3</sup>
• Compost (1001-2500 cubic yards)	\$12.50/yd <sup>3</sup>
• Compost (2501-4999 cubic yards)	\$10.50/yd <sup>3</sup>
• Compost (5000 - 8000) cubic yards)	\$see below
• Compost amounts greater than 5K Yards are eligible for a Contract and a negotiated fee	Negotiated Fee
• Unscreened Compost (1-29 cubic yards)	\$10.50/yd <sup>3</sup>
• Unscreened Compost (30+) cubic yards)	\$10.50/yd <sup>3</sup>
• Top Soil – Compost Mixed with Dirt	\$28.00/ yd <sup>3</sup>
• Dump truck Delivery Charge (within 25 miles)	\$115.00/load
• Dump truck Delivery Charge (>25 miles < 40 miles)	\$125.00/load

- Tractor Trailer Charge (within 25 miles) \$175.00/load
- Tractor Trailer Charge (>25 miles < 40 miles) \$280.00/load
- Tractor Trailer Delivery Charge (> 40 miles <120 miles) \$350.00/load
  
- Bag Compost 1.0 cu.ft. (1 to 50 bags) \$3. 65/bag
- Bag Compost 1.0 cu.ft. (>50 bags) \$3.40/bag
  
- Bag Landscape Mix \$5.50/bag
- Bag Potting Mix \$5.00/bag
- Bag Potting Mix w/fertilizer \$5.50/bag
- Bag Annual Perennial Mix \$3.75/bag
- Bag Perma Soil \$5.50/bag
- Bag Mulch (1.5 cu. ft.) \$2.50/bag
- Screened Drywall \$5.00/ton

- (a) Municipal Partners of Mecklenburg County and Approved Yard Waste Product Hauling Partners shall be charged fees in the 100 yd<sup>3</sup> price category for products offered for sale unless approved by the Director.
- (b) During times of upset conditions of excess yard waste products, the Director may declare an Overstock Situation and allow free or reduced rate distribution of products in this Section herein.
- (c) County employees may receive 1 cu.yd. of any of the bulk materials of Brush/Select Mulch, Compost or Unscreened Compost at no cost once per month after showing a valid County ID. Bagged materials and dyed mulch not included.

## **Section 11. Televisions, Monitors and Electronic Waste**

- (a.) Televisions and Cathode Ray Tube (CRT) monitors may be accepted from Mecklenburg County residents and Municipal Partner vehicles at Mecklenburg County Household Waste Convenience Centers at no charge, provided that, County residents shall be limited to no more than two (2) televisions or CRT monitors per visit per day, and no more than six (6) televisions or CRT monitors per twelve month period.
- (d) Non-County Residents, and any Non-Residential Customers, which shall include schools, houses of worship or any institution, shall pay a \$35 fee for each television or CRT monitor, unless otherwise be modified by the Director in writing. The Director may allow reuse of any discarded television, monitor or electronic device at no cost to either Mecklenburg County or the party accepting or reusing the device.

## **Section 12. Processing Recycled or Non-Recycled Materials**

- (a) The Director may allow Non-Mecklenburg County jurisdictions and commercial entities from applicable service coverage areas to use any County Material Recovery Facility (MRF) in order to process Recycled Materials that meet the acceptance criteria of the MRF.
- (b) The rate established for single-stream recycled material acceptance, processing and marketing of said materials shall be \$124 per ton.



- (c) Vendors that deliver unacceptable materials to any Mecklenburg County Facility may be levied an additional fee of \$250 for each delivery of such unacceptable materials. Vendors that violate acceptance criteria more than three times in a one-year period will have to submit a written correction plan that demonstrates their ability to deliver the correct materials.
- (d) The Director may suspend deliveries by any entity to any Mecklenburg County Facility based on the entity's inability to meet delivery/acceptance requirements.
- (e) The Director may suspend deliveries by any entity if payment has not been received in accordance with financial obligations.
- (f) Recyclable materials that are pre-sorted or separated are eligible for a reduced processing rates that will range between \$50 per ton and \$124 per ton, based upon material type and purity as determined in writing by the Director.

### **Section 13. Special Handling**

- (a.) At County Facilities, the Director may increase or decrease the fees for Special Wastes, or any Wastes that require special handling, including the products listed in Section 2 through 12 herein, based on operational conditions, market changes or any other conditions deemed appropriate in lieu of those set forth in this Ordinance as necessary to remove materials from inventory or to adequately compensate the County for any special handling, processing, removal or disposal.
- (b.) Business Recycling Partners participating in an approved program by the County shall pay an annual fee of \$1,200 (\$100/monthly prorated) for weekly collection to participate in such program. Program participation may be limited due to staff/equipment availability. This fee may be pro-rated by months of service. Participants in this program must abide by a separate service agreement.
  - 1. Businesses that choose to use County operated Recycling Centers for recycling purposes shall annually purchase a sticker that allows use of such Centers pursuant to the Center's availability. The Annual Recycling Use Fee shall be \$125, and prorated to half of this amount at January 1.
  - 2. Any entity that collects curbside recycling in containers (up to 96 gal. in size) from any non-residential source shall pay an annual fee of \$54.50 for each container to the County for the processing of the recyclables if those recyclables are processed by County systems. Collection entity shall notify the Director of location of such containers and place a fee-paid sticker issued by the County on the top of the can.

### **Section 14. Uncovered/Unsecured Loads**

All of the fees in this Ordinance may be increased by 50% for any vehicle that enters County Waste Facilities with an uncovered or unsecured load.

### **Section 15. Failure to Weigh Out**

Mecklenburg County will use 50% of the inbound weight (total vehicle weight recorded by the scale system) of any vehicle to determine the weight of a discharged load, when any

person using a County Facility fails to weigh-out after discharging their respective materials.

The vehicle has until the Facility closing time on the date of entry to return to the Facility to obtain an empty-weight and weigh out.

### **Section 16. Credit Application**

The Director, or designee, is authorized to accept, review, and approve applications for credit by users of County Facilities, and to provide for periodic billing to frequent users. This shall also include the authority to establish the time periods within which periodic billing must be paid and the authority to apply a 1-1/2% monthly penalty delinquency charge. The Director may waive delinquency charges upon a written request and valid reasoning, generally not more than once annually for any specific organization. Fees for use of the Speedway Landfill shall be billed and collected by the operator of that Landfill unless otherwise provided in the contract between the County and the operator of the Speedway Landfill.

The Director may accept approved surety mechanisms, such as bonds, or pre-payment to ensure payment for use of County Disposal Facilities.

### **Section 17. Decals**

If an owner or agent of the owner seeks to have a vehicle use County Facilities and does not intend to pay at the time of use, then the vehicle must have an annual or temporary decal issued by the County. A unique, pre-numbered decal will be the method by which the County recognizes customers to be billed for the use of a County owned or operated solid waste facility.

The Director is authorized to charge a \$40.00 fee for each annual decal needed for invoicing each vehicle and a \$10.00 weekly fee for temporary decals. Vehicles owned and registered to municipal entities with signed agreements with Mecklenburg County shall be exempt from annual decal fees. Temporary decals will be issued only as a temporary replacement for existing annual decals for the following reasons: 1) Existing "current" vehicle is under repair or 2) Current decal vehicle has been disposed of and has not been permanently replaced. Temporary decals/authorization can only be used for a max of 8 weeks. The annual decal must be affixed to the driver's side of the vehicle. The temporary decal must be displayed by the driver to the Fee Collection staff at the solid waste facility. Decals must be kept legible and clean. The County will replace faded or worn decals at no cost. All entities using the Mecklenburg County Tire and Metal Facility shall have an annual decal for each vehicle using the facility and pay the applicable fee prior to using or disposing of tires.

- (a) Non-County Residents who pay a Non-Resident Availability Fee will be issued one entry decal to be used with one vehicle. Such entry decal shall be good for one Fiscal Year period and may be pro-rated for half-cost only after January 1 of each Fiscal Year.
- (b) Mecklenburg County staff may issue other decals or stickers to readily identify vehicles or trailer sizes. These decals or stickers will be issued at no charge but must be displayed on vehicles to use County Facilities after issuance.
- (c) Non-residential entities using County Facilities for waste disposal purposes must register with the Solid Waste Management Program prior to use, and may be issued tags, stickers,

or decals that are unique to the equipment or vehicles that are being used to dispose of waste materials. After issuance, the decals, tags, or stickers shall be displayed on vehicles using County Facilities.

**Section 18. Authority to Refuse Use of Mecklenburg County Solid Waste Disposal Facilities**

Mecklenburg County personnel, and their agents, shall have the authority to deny service to any person or entity the use of County Solid Waste Facilities in the following circumstances:

- (a) The vehicle does not have the decal identified in this Ordinance;
- (b) The operator of the vehicle refuses to pay the fee required by the fee schedule identified in this Ordinance; or,
- (c) Any person failing or refusing to pay the fees described herein for County Facilities within the times prescribed by the County in the periodic (monthly) billing, may be denied further use of the Facilities for any purpose until such time as all outstanding charges are paid; or,
- (d) The Waste requires special handling and because of operational considerations the County Facility is unable to handle such material at the time the hauler presents it for disposal/processing; or,
- (e) The load or any part of the load was generated outside the described geographic area covered by the County Facility's solid waste permit; or,
- (f) The Solid Waste is not acceptable under the provisions of any solid waste disposal regulations, not inconsistent herewith, adopted by the County Manager and Director; or,
- (g) The Waste is not acceptable to the owner and/or operator of a facility licensed by, or under contractual agreement with, Mecklenburg County; or,
- (h) Any person who fails to follow the rules and regulations of the County Facility and/or causes a safety issue that endangers the well-being of employees or other customers; or,
- (i) Any person who threatens a County employee, utters racially charged phrases or causes any situation whereby the Police or Security are called to the scene to resolve; or,
- (j) Reinstatement requests to use County Facilities shall be made in writing to the Director, Mecklenburg County Solid Waste Management, 2145 Suttle Avenue, Charlotte, NC 28208. If the Director denies further entry, any further appeal will be made in writing to the Waste Management Advisory Board to the same address above.

## **Section 19. Violation of Ordinance**

(a) It shall be unlawful for any person to dispose of any materials in any County Facility covered by the provisions of this Ordinance which the County Facility is prohibited from accepting or disposing of by any applicable federal, State or local law, statute, regulation or ordinance.

(b) It shall be unlawful for any person to dispose of any materials in any County Facility covered by the provisions of this Ordinance without paying the fee required by this Ordinance.

(c) It shall be unlawful for any person to misrepresent the origin or place of collection of any Waste presented for disposal or processing. Misrepresentation will be grounds to bar use of the facility unless appropriate fees are paid. Misrepresentation shall have an additional fee of \$250 additive to any disposal fees.

(d) It shall be unlawful for any person or commercial entity to collect Municipal Solid Waste in Mecklenburg County without registering with Mecklenburg County Solid Waste, paying appropriate registration fees and having their collection vehicles inspected. Any entity operating in Mecklenburg County's Unincorporated Areas shall notify the Director of the areas and streets where they are collecting Residential Waste in Mecklenburg County and receive a Certificate to Operate from Mecklenburg County Solid Waste for each vehicle.

## **Section 20. Solid Waste Capacity**

1. The Director shall evaluate the system capacity for solid waste disposal and processing needs for Mecklenburg County on an on-going basis.
2. The Director shall initiate and manage necessary contracts and staffing to ensure that sufficient capacity exists for Solid Waste disposal and recycling processing needs.

## **Section 21. Enforcement**

1. In addition to the County's authority to deny any use of County Facility as provided for in Section 17 above, the County may, at its discretion, take any one or more of the following courses of action to remedy any violation of this Ordinance.

(a) Charge the violator criminally with violation of this Ordinance. Violation of the ordinance is a misdemeanor, and the violator shall, upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00), or shall be imprisoned for not more than thirty (30) days, for each offense; or

(b) The Director may apply to the appropriate court for an injunction and order of abatement in order to require that any violator comply with the provisions of this Ordinance; or

(c) The County shall have the power to collect delinquent accounts by any remedy

provided by law for collection and enforcing private debts as provided for in North Carolina General Statute 153A-277(b).

(d) Any person disposing of unacceptable materials at any Solid Waste Facility may be charged an additional service fee for the cost of the County or its agents removing or properly disposing of such items or products equal to the cost of such service.

2. It is hereby declared to be the intention of the Board of Commissioners that the sections, paragraphs, sentences, clauses and phrases for this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining phrases, clauses, sentences, paragraphs, or section of this Ordinance, since the same would have been enacted by the Board of Commissioners without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

3. This amended and restated Ordinance shall be effective July 1, 2025.

Adopted this \_\_\_\_\_ day of June 2025.



By the Mecklenburg County Board of County Commissioners.

\_\_\_\_\_  
Mark Jerrell, Chairman

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