

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 134

Short Title: Counties/Private Recyclers' Report.

(Public)

Sponsors: Representatives Grimmer, Hackney, Michaux, DeVane, Ligon; and Bowman.

Referred to: Environment.

February 21, 1991

A BILL TO BE ENTITLED

AN ACT AUTHORIZING A COUNTY TO ENACT AN ORDINANCE REQUIRING PRIVATE RECYCLERS TO SUBMIT A REPORT TO THE COUNTY ON THE RECYCLABLE MATERIALS SUBJECT TO THE GOAL SET FORTH IN G.S. 103A-309.04 THAT ARE BEING RECOVERED BY THE RECYCLER WITHIN THE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-136(a) reads as rewritten:

"(a) A county may by ordinance regulate the storage, collection, transportation, use, disposal, and other disposition of solid wastes. Such an ordinance may:

- (1) Regulate the activities of persons, firms, and corporations, both public and private.
- (2) Require each person wishing to commercially collect or dispose of solid wastes to secure a license from the county and prohibit any person from commercially collecting or disposing of solid wastes without a license. A fee may be charged for a license.
- (3) Grant a franchise to one or more persons for the exclusive right to commercially collect or dispose of solid wastes within all or a defined portion of the county and prohibit any other person from commercially collecting or disposing of solid wastes in that area. The board of commissioners may set the terms of any franchise, except that no franchise may be granted for a period exceeding seven years, nor may any franchise by its terms impair the authority of the board of commissioners to regulate fees as authorized by this section.

- 1 (4) Regulate the fees, if any, that may be charged by licensed or
2 franchised persons for collecting or disposing of solid wastes.
3 (5) Require the source separation of materials from solid waste prior to
4 collection of the solid waste for disposal.
5 (6) Require participation in a recycling program which has been approved
6 by the board of commissioners.
7 (7) Require private recyclers to submit a periodic report to the county on
8 the recyclable materials subject to the recycling goal set forth in G.S.
9 130A-309.04 that the recycler is recovering in the county.
10 ~~(7)~~(8) Include any other proper matter."
11 Sec. 2. This act is effective upon ratification.