

I, Kathryn Bishop, County Clerk, Camden County Board of County Commissioners, hereby certify the attached copy of the Official Code of Ordinances, Chapter 50, Solid Waste as unanimously amended and approved at a regularly scheduled Board of County Commissioners meeting held on December 13, 2011 to be effective January 1, 2012.

Chapter 50 SOLID WASTE

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**ARTICLE I.
RESIDENTIAL CURBSIDE COLLECTION**

Sec. 50-1. Purpose.

The purpose of this article is to establish a mandatory curbside collection service as a method for maintaining the cleanliness of Camden County. It includes, but is not limited to, the use of a curbside collection container, recycling container, and bulk item pickup. The fees established in this article are designed to operate the entire collection program. Each and every owner of a parcel of land with an occupied dwelling thereon shall be responsible for the payment of the aforesaid fee for each and every occupied dwelling as established in this article to include but not limited to rental property.

(Ord. of 2-17-2005)

Sec. 50-2. Deposit; collection fee imposed; and schedule of fees.

There shall be a household curbside collection fee imposed to recover the costs of operating the household solid waste and recycling collection system in Camden County. In addition to the aforesaid curbside collection fee, there shall be paid a mandatory initial deposit to be paid by each property owner upon establishment of the curbside collection service. For the purposes of this article, the property owner shall be the owner of the land upon which an occupied dwelling exists. The deposit fee shall be equal to half a year billing of the current year in which the owner makes the request for service. The deposit shall be refunded to the payee when the account is closed with no outstanding balances. Said deposit shall be utilized to satisfy outstanding balances. The household curbside collection fee shall be determined each year as recommended by the Camden County Solid Waste Authority and as approved by the Camden County Board of Commissioners. (Ord. of 2-17-2005)

A schedule of fees shall be assessed pursuant to the general fee schedule for any and all county services as established by the Board of Commissioners and as amended from time to time. This schedule may include a cart delivery fee, disconnection fee, reconnection fee, or other such fees as determined by the Board of Commissioners.

Sec. 50-3. Billing.

Billing for the household curbside collection fee shall be done by Camden

County. Bills shall be deemed past due and delinquent 30 days from the billing date. A late fee of 15 percent will be assessed against all delinquent accounts.(Ord. of 2-17-2005)

Sec. 50-4. Delinquent accounts.

The solid waste director or his designated appointee shall be authorized to sign a complaint against a violation of this article. The county administrator or his designee shall have the right to stop curbside collection service pending any circumstances that have violated this article.(Ord. of 2-17-2005)

Sec. 50-5. Burning prohibited.

Burning and disposal of household garbage on private or public land is strictly prohibited. No person shall set fire to or burn any household garbage on property within Camden County. No person shall dispose of or cause to be buried in any manner household garbage or other waste on property within Camden County. (Ord. of 2-17-2005)

Sec. 50-6. Businesses prohibited from using residential containers.

No business shall use any county collection containers that are intended solely for the use of the residents of Camden County paying the household curbside collection fee. All commercial garbage shall be disposed of in the proper manner and in a receptacle intended for and paid for by the commercial business. (Ord. of 2-17-2005)

Sec. 50-7. Establishment of collection procedures.

(a) [Guidelines.] The following guidelines shall be used by all Camden County residents in order to expedite the collection of solid waste within the county. Pickup of the collection containers shall be once a week unless changed by the county.

(1) Household collection. All garbage shall be placed and maintained in county approved containers as specified by the county's service provider. Household garbage shall consist of waste such as paper, dust and food, etc. that is normally produced in maintaining the inside of a home. Garbage should not contain any of the following types of materials: yard waste, industrial waste, hazardous waste, animals, building materials, ashes, or tires.

(2) Recycling. All residents are encouraged to participate in the county's recycling program. This program reduces the waste stream from the landfill as required by state law. The following items are currently collected by the county:

- a. Corrugated cardboard (flattened and no longer than two feet by three feet).
- b. Bottles and jars: This includes both plastic 1 and 2 and glass.
- c. Aluminum and metal cans.
- d. Newspaper, catalogs, magazines and brown bags.

(3) Yard waste. Yard trash such as limbs, leaves, clippings, etc. from the

resident's yard should be taken to the county wide yard waste site located on Old Still Road. There is no charge for individual residences for this service. Under no circumstances should any yard trash be placed into the household collection containers. Commercial businesses shall pay a tipping fee for depositing yard waste in county facilities to be determined by the Camden County Solid Waste Authority.

(4) Miscellaneous items. Discarded appliances and furniture may be placed at the designated place for normal household pickup free of charge to the resident. Residents must call county's service provider for pickup.

(b) [Containers.] Every resident shall have the county approved containers at the designated sight and time for proper pickup. In such cases as the resident may live on a private dirt road, the county and the service provider shall attempt to collect the containers. In the county's discretion it shall determine if the road is in "useable" condition. If the road is found not to be in "useable" condition, the resident may have to take the containers to the closest county maintained road.

(c) [Placement of containers.] Placement of containers will be done under one of the following conditions:

(1) New residence. A new resident must show certificate of occupancy as proof for new homes before a container will be delivered.

(2) Stolen container. Replaced free of charge if reported stolen to sheriff or police departments. A copy of the report must be sent to the curbside collection office for proper credit. If no report is given, a \$60.00 fee will be assessed to pay the county's portion to replace the container.

(3) Existing home. When a new resident moves into an existing home, the resident must call the curbside collection office for a new container and provide the required information before a container is issued.

(4) Existing dumpsters. There are a few dumpsters that have been grand fathered at the time the original curbside collection was established. No new dumpster service will be provided to a residential area.

(d) Holidays. Unless otherwise specified by the county's service provider, collections shall not be made on Christmas Day, Thanksgiving Day, and New Year's Day. (Ord. of 2-17-2005)

Sec. 50-8. Exemptions.

Exemptions from the curbside collection service may be developed from time to time within the authority of this article and adjusted by the Camden County Board of Commissioners. Any customer seeking an exemption shall submit an application, form to be determined (by the county), seeking an exemption; if the exemption is granted, it shall be effective as of the date of application.

(1) Indigent homeowners will receive an exemption for the full billing amount on a

yearly basis. This exemption is intended for persons that own the service property, are living at the residence, and can be verified as an indigent (or extremely low income) person by the county DFACS office.

(2) Residents of Cumberland Island and Little Cumberland Island are exempted from the curbside collection service requirements of this ordinance.

(3) Vacant Dwellings: Once a property owner has properly notified the county that the dwelling is vacant; and the County has determined that the service for that certain vacant dwelling is not required due to the vacancy; the curbside collection service and the fee so associated with said service may be discontinued. It shall be the responsibility of the property owner to notify the County that service is no longer required due to vacancy as envisioned by county policy in regard to notification. Once the notification of vacancy has been verified by the County the discontinuance of service date shall be the date of proper notification received by the County and fees after the date of notification shall not be assessed.

(Ord. of 2-17-2005)

Sec. 50-9. Nuisances designated.

It shall be unlawful for any person having an ownership or leasehold interest in property, having a contractual obligation to manage property, or occupying property, to create, commit, conduct, promote, facilitate, permit, fail to prevent, let happen, or to allow to remain any nuisance in or on such property. For the purpose of this article, the term nuisance is defined to mean any condition which tends to the immediate annoyance of the public in general, or is manifestly injurious to the public health, safety and welfare of the citizens of Camden County. A nuisance includes, but is not limited to, the keeping, depositing, or scattering on or over the property dead animals, stagnant water, decayed vegetables or fruits, filthy privies, unkempt stables, junk, trash, litter, or debris, or any dilapidated furniture, appliance, machinery, equipment, building material, junked motor vehicle, boat, or other item which is wrecked, junked, dismantled or inoperative condition, and which is not completely enclosed within a building or a dwelling, or anything having an offensive odor. (Ord. of 2-17-2005)

Sec. 50-10. Prohibitions; violations and penalties.

(a) It shall be the duty of the board of commissioners to enforce this article. The nonpayment of fees provided for in this article shall constitute a lien against the real and personal property of the person responsible for the payment of the fees. Should any person liable for the payment of the fees fail to pay the fees within 90 days of having been billed, the county is authorized and may issue an execution against such person and deliver the execution against such person and deliver the execution to the sheriff for levy and sale as provided by law. The execution shall also be recorded in the general execution docket in the clerk of superior court's office and a list of nonpays may be periodically advertised in the legal organ of the county. Further, the execution and/or fi.fa. may also be delivered to

the magistrate court of the county for any lawful avenue of debt collection to be followed for collection of the outstanding bill, including the process of continuing garnishment.

(b) No one shall dispose of solid waste on private or public lands and not within proper containers provided for the specific type of solid waste unless properly permitted to do so by the Environmental Protection Division (EPD) of the State Department of Natural Resources (DNR).

(c) Any person violating any provision of this article shall be subject to section 1-19. Jurisdiction shall be in the magistrate court of the county, and procedure for enforcement of such shall be as provided in O.C.G.A. § 15-10-1 et seq.

(d) Any haulers providing collection service in the county by way of containers of two or more cubic yards who does not pay the precollection assessment on or before the fifth day of the month will be subject to the loss of his license to do business in the county. (Ord. of 2-17-2005)

Sec. 50-11. Responsible enforcing agency; violations and penalties.

The Camden County Code Enforcement Officer shall investigate complaints or violations of any provisions of this article and determine if there has been a violation and initiate an attempt to obtain compliance with this article by the person in violation thereof. If compliance is not obtained by the person in violation of any provision of this article, the code enforcement officer shall be authorized to enforce the provision of the article by issuing citations. (Ord. of 2-17-2005)

Sec. 50-12. Authority of Board of County Commissioners to develop Rules and Regulations

The Board of Commissioners hereinafter "Board", shall have charge of the administration of this Chapter. The County Administrator is authorized with the approval of the Board of Commissioners and under the supervision of the County Attorney, to adopt and promulgate rules and regulations concerning the solid waste operation to include but not limited to: Curbside Residential Collections, Solid Waste User Fees and Litter Control as envisioned by Chapter 50 titled Solid Waste of the Camden County Official Code and Ordinances. Such rules and regulations shall have the force of law but shall not be contrary to anything stated in Chapter 50 titled Solid Waste of the Camden County Official Code and Ordinances but shall be supplementary.

Sec. 50-13. Penalties

Any person violating any provision of this ordinance, upon conviction, shall be punished pursuant to Section 1-19 of the Camden County Official Code and Ordinances. Original jurisdiction for any violation of this ordinance is in the Magistrate Court of Camden County.

Sec. 50-14. Definitions

Occupied Dwelling Unit: Any structure which is a dwelling or occupied living space where a person or persons reside, this shall include but not limited to a dwelling that is suitable or commonly used for residential purposes by a single-family or family group, and includes all single-family residences, including modular homes and mobile homes, and includes each apartment (duplexes, triplexes, multiplexes), townhouses, condominiums or cooperative unit of a multifamily structure that is deemed occupied.

Rental Property: That certain OCCUPIED DWELLING UNIT rented or leased by a property owner to another individual, with or without a written lease agreement, thereby creating a landlord/tenant relationship, irrespective of the actual payment of money or services to the owner for use of the property interest.

Sec. 50-15 -- 50-30. Reserved.

ARTICLE II. SOLID WASTE USER FEES

Sec. 50-31. Authorized.

The costs of collection and disposal of household solid waste in unincorporated Camden County shall be recovered from the citizens of the county in the form of a solid waste collection and disposal fee and all others by means of solid waste tipping fees. (Ord. of 7-18-1996, § 7-101)

Sec. 50-32. Collection and disposal fee imposed.

(a) There shall be a solid waste collection and disposal fee imposed to recover the costs of operating the household waste collection system in unincorporated Camden County.

Sec. 50-33. Tipping fee.

(a) Purpose. There shall be a solid waste tipping fee imposed to recover the costs of siting, engineering, construction, operation, closure, post-closure testing and maintenance, and supervision of sorting, reduction and solid waste disposal facilities at the solid waste management facilities operated by the county.

(b) Payment.

(1) There shall be a solid waste tipping fee imposed upon all users of the county solid waste management facilities in accord with the schedule of fees and charges on file in the office of the county clerk.

(2) Payment of the solid waste tipping fee will be either by cash, check or may be charged pending existing preapproved credit.

(3) All solid waste haulers with delinquent accounts, and those establishing new accounts, shall be required to post a deposit bond, or other suitable surety in order to assure payment of tipping fees. This surety shall be equivalent to a month's solid waste tipping fee for the various types of waste taken to the county solid waste management facilities by the vendor.

(4) Invoices shall be sent monthly by the solid waste department to all of the solid waste tipping fee account holders, and shall be deemed past due and delinquent 30 days after receipt of such invoices. A late charge of 1.5 percent will be assessed against all delinquent amounts. (Ord. of 7-18-1996, § 7-101(2), (3))

Sec. 50-34. Amount of fees.

The amount to be charged as solid waste collection fees and solid waste tipping fees shall be established and adjusted as necessary by the board of Commissioners and shall appear in the official minutes of the board meeting at which the charges are adopted by resolution. At that time they shall constitute a fee schedule and become attached to the ordinance from which this article is derived. (Ord. of 7-18-1996, § 7-101(4))

Sec. 50-35. Use of revenue.

(a) The revenue derived from the solid waste collection and disposal fees shall be set to cover the costs of solid waste collection, disposal and recycling for residences in the unincorporated areas of the county.

(b) Solid waste tipping fees shall be set to cover the full costs of disposal in the county. All costs of siting, design, engineering, construction and operation of the county solid waste management facilities, and closing and properly maintaining and testing the county's solid waste management facilities, shall be paid from these fees. (Ord. of 7-18-1996, § 7-101(5))

Sec. 50-36. Exemptions.

(a) Certain categories of exemptions from the solid waste collection and disposal fee may be developed and implemented within the authority of this article for the unincorporated areas of the county.

(b) These categories may also include exemptions granted as a result of house and mobile home values falling below a minimum amount, or the inability of the owner to financially afford the fees for the unincorporated areas of the county.

(c) These exemption categories shall be established and adjusted as necessary by the board of commissioners, shall appear in the official minutes of the board meeting at which the charges were adjusted, and shall appear on an exemption schedule attached to the ordinance from which this article is derived. (Ord. of 7-18-1996, § 7-102)

Sec. 50-37. Prohibitions; violations.

(a) Anyone who has not paid the solid waste collection and disposal fee to the county shall not use the county collection and disposal services for disposal of solid waste or any other use.

(b) No one shall dispose of solid waste on private or public lands and not within proper containers provided for the specific type of solid waste unless properly permitted to do so by the environmental protection division of the state department of natural resources.

(c) No business shall use county collection facilities that are intended solely for the use of the residents in the unincorporated areas paying the solid waste collection and disposal fee.

(d) Any person violating any provision of this article shall be subject to section 1-19. Jurisdiction shall be in the magistrate court of the county, and procedure for enforcement of such shall be as provided in O.C.G.A. § 15-10-1 et seq.

(e) Any haulers providing collection service in the county by way of containers of two or more cubic yards who does not pay the precollection assessment on or before the fifth day of the month due will be subject to the loss of his license to do business in the county. (Ord. of 7-18-1996, § 7-104)

Secs. 50-38--50-70. Reserved.

ARTICLE III. LITTER CONTROL*

*** Cross References:** *Covering of vehicle loads, § 58-4.*

State Law References: *Litter Control Law, O.C.G.A. § 16-7-40.*

Sec. 50-71. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Litter means all discarded sand, gravel, slag, brickbats, rubbish, waste material, tin cans, refuse, garbage, trash, debris, dead animals or other discarded materials of every kind and description.

Public or private property means the right-of-way of any road or highway; any body of water or watercourse or their shores; any park, playground, building, refuge, or conservation or recreation area; and any vacant areas, commercial, industrial, residential or farm properties, timberlands or forests.

Cross References: *Definitions generally, § 1-2.*

Sec. 50-72. Penalty for violation.

Any person convicted of a violation of a provision of this article shall be punished as provided in section 1-19.

Sec. 50-73. Dumping or depositing of litter.

(a) It shall be unlawful for any person to dump, deposit, throw or leave, or to cause or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property in this county, or any waters in this county, unless the litter is placed into a litter receptacle or container installed or placed on such property and specifically designated for the use of the general public, or the property is designated by the state or by any of its agencies or by the county for the disposal of litter and the person is authorized by the proper public authority to use such property. The provisions of this subsection shall not be read or construed to prohibit the owner or renter of any private property, or any person acting with the consent of such owner or renter, from dumping, depositing, placing, throwing or leaving litter upon such property or in any private receptacle or container maintained by the owner or renter of such private property for the sole and exclusive use of the household or business of such owner or renter.

(b) It shall be unlawful for any person to dump, deposit, throw or leave, or to cause or permit the dumping, depositing, placing, throwing or leaving of litter on any private property in this county, in any litter receptacle or any waters in this county unless the person is the owner or tenant in lawful possession of such property or such person has first obtained the consent of the owner or tenant in such lawful possession.

Sec. 50-74. Prima facie evidence; rebuttable presumption.

(a) Whenever litter is thrown, deposited, dropped or dumped from any motor vehicle, boat, airplane, or other conveyance in violation of section 50-73, it shall be prima facie evidence that the operator of the conveyance has violated section 50-73.

(b) Except as provided in subsection (a) of this section, whenever any litter which is dumped, deposited, thrown or left on public or private property in violation of section 50-73 is discovered to contain any articles, including but not limited to letters, bills, publications or other writings that display the name of a person in such a manner as to indicate that the articles belong or belonged to such person, it shall be a rebuttable presumption that such person has violated section 50-73.

Sec. 50-75. Duties of business owners, occupants.

(a) Generally. The owner or occupant of any store or other place of business located within the county shall exercise reasonable diligence at all times to keep his premises clean of wastepaper, wrapping paper, paper napkins, cartons, package containers, and other used or waste materials thrown or left on those premises by his customers, and to take reasonable measures to prevent them from drifting or blowing to adjoining premises.

(b) Receptacles. Receptacles of sufficient size and number shall be placed on the premises accessible to the customers of the business where the articles of waste generated at such business may be disposed of.

(c) Signs. Each business establishment shall place upon its premises in a conspicuous place in close proximity to the receptacle required by subsection (b) of this section a sign which shall, in essence, convey to its customers a request that they use such receptacle for the disposal of waste material.

Sec. 50-76. Duty of customers.

It shall be unlawful for any customer going upon the premises of another to, in any manner, dispose of wastepaper, wrapping paper, paper napkins, cartons, package containers and other used or waste materials except in receptacles provided for such purpose.

To be effective on January 1, 2012

By: *David L. Rainer*
David L. Rainer, Chairman

Attest: *Kathryn A. Bishop*
County Clerk, Katie Bishop

