

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

ORDINANCE NO: 20-25

AN ORDINANCE TO REPEAL AND REPLACE THE GEORGETOWN COUNTY SOLID WASTE USER FEE ORDINANCE IN ITS ENTIRETY; THIS ORDINANCE SHALL BE KNOWN AS THE GEORGETOWN COUNTY SOLID WASTE ORDINANCE

WHEREAS, the current Georgetown County Solid Waste User Fee Ordinance has been in effect since 2004; and

WHEREAS, Georgetown County Public Works proposes to amend the terms and update the ordinance to reflect "on the ground" realities thereby resulting in a more efficient process; and

WHEREAS, a proposal to increase the solid waste user fee for solid waste, construction and demolition debris to reflect real world costs is also included herein; and

WHEREAS, Georgetown County Council, based on advice from the Public Works department and data supporting the changes herein, agrees this newly revised ordinance is necessary and warranted.

NOW, THEREFORE, the language herein is ordained and approved by Georgetown County Council and shall have lawful force and effect, as follows:

ARTICLE II. - SOLID WASTE

Sec. 8-21. - Definitions.

Acceptable solid waste. Solid waste which is acceptable at the county landfill or county recycling center. Acceptable waste at the county landfill shall include, garbage, refuse, and other municipal solid waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, and which is not otherwise defined herein as unacceptable waste.

Acceptable waste at the recycling centers. Shall include, garbage, refuse, and other municipal solid waste generated from residences in Georgetown County.

Commercial hauler. Used interchangeably with ["private hauler" and "industrial hauler"].

Construction and demolition debris. Solid waste generated as a result of construction, demolition, remodeling and repair projects, excluding asbestos or other special waste. Items accepted are listed on Appendix I of SCDHEC R 61-107-11 Construction and Demolition Debris Landfill Regulation, excluding land clearing and debris yard waste.

Household. A residence and associated occupants, which are citizens of Georgetown County, being located within the corporate boundaries of Georgetown County.

Homeowner. One who utilizes the landfill or county recycling center for his/her own use to dispose of household residential waste or yard waste generated from the home in which the homeowner resides.

Household residential waste. The accumulation of solid waste including unrecovered recyclable materials, generated by single-family or multifamily residential facilities that are charged the annual household fees.

Industrial hauler. A hauler serving industry and/or business exclusively.

Land clearing debris. Debris including soils, roots, stumps and limbs larger than eight (8) [inches] in diameter or greater than six (6) feet in length.

Noncommercial Organization. Entities organized under the laws of the State of South Carolina such as, but not limited to, churches and non-profit groups who do not engage in commercial activities for profit.

Noncommercial vehicle. An automobile, pickup truck and/or an 8'x5'x3' trailer used to haul household residential waste by a homeowner for noncommercial uses exclusively, in volumes less than one-half-ton.

Private hauler. A collector who hauls yard waste, household residential, business, industrial and/or commercial refuse as a commercial enterprise.

Unacceptable waste. Any amount of hazardous waste, radioactive, or infectious waste that is regulated by law; unacceptable waste is not authorized at the landfill or county recycling centers.

Yard waste. Solid waste consisting solely of vegetative matter resulting from landscaping maintenance including, leaves, brush, grass, small limbs less than eight (8) inches in diameter and less than six (6) feet in length.

Sec. 8-22. - Recycling Centers.

- A. Centers are for use of county households for the disposal of household waste only.
- B. Acceptable solid waste at recycling centers, as defined above, generated within Georgetown County by Georgetown County residents are allowed for deposit at the recycling centers if they are transported by individual residents in a pickup truck, automobile, or by means of a utility style trailer no larger than 8'x5'x3'.
 1. Only one (1) load per household, regardless of the method of transfer, is allowed each day.
 2. Yard waste bagged in plastic bags is not acceptable solid waste
- C. Only four (4) passenger vehicle tires per household, per month are allowed.
- D. Center operators are authorized to ask for proof of residency, such as but not limited to a driver's license or automobile registration, to verify center users are Georgetown County residents.
- E. Unauthorized deposits of refuse or debris at recycling centers is unauthorized and shall be considered littering prompting law enforcement.
- F. All solid waste shall be placed in appropriate receptacles at the centers, as directed by the center attendant.
- G. Loitering is prohibited at the centers.
- H. Scavenging is prohibited at the centers.

1. If commercial users are discovered utilizing a recycling center then they will be billed in accordance with the rate schedule contained herein.

J. Recycling attendants have the authority to refuse service to an attempted commercial use.

Sec. 8-23. – Roll-Off Containers.

A. Roll-off container Use

Roll-off container usage may be requested for special projects. Container authorization and use shall be in accordance with internal regulations as approved by the County Administrator.

Sec. 8-24. - Fees.

A. *Fees.* There shall be prescribed fees set by this Ordinance for all debris treated, processed, or disposed at the solid waste management complex.

B. *Exemptions.* The following materials that are generated within Georgetown County by Georgetown County households are exempt from tipping fee charges at the solid waste complex:

1. Recyclables processed at the materials recovery facility.
 2. Household residential waste and construction and demolition waste generated and transported by individual homeowners to the solid waste management complex in a noncommercial vehicle at a maximum of two (2) loads per day.
 3. Tires, with sufficient proof that the South Carolina Tire Fee was paid. Without proof, individual homeowners can bring up to four (4) tires per month per person.
 4. Clean soil or soil-like material that may be used for daily cover, determined on a case-by-case basis.
 5. Litter and animals collected from along the roadside.
 6. Yard waste and limbs less than eight (8) inches in diameter and less than six (6) feet in length that are transported by individual homeowners in noncommercial vehicles with a two-load per day maximum limit.
 7. Non-commercial organizations may apply for a discretionary fee waiver in accordance with internal regulations; waiver is subject to approval by the County Administrator.
- C. *Fees for debris.* The following materials will be charged their respective rates:
1. Eighty dollars (\$80.00) per ton for all waste classified as "special waste" by South Carolina Department of Health and Environmental Control and acceptable to the county as described in the Analysis Plan for Special Waste, May 1993, amended July 1996 and August 2002. All special wastes must be pre-approved for disposal. Wastes included, but not limited to, are
 - i. Asbestos, with a minimum charge of \$40.00 per ton
 - ii. Sludge, unless otherwise agreed to in separate agreement.
 - iii. creosote treated lumber,
 - iv. wastes from industrial sources,

- v. car crushing fluff,
 - vi. Spill debris,
 - vii. Large animal carcasses (e.g., horses, cows, etc)
 - viii. Small animal mortality (greater than 10)
2. Eighty dollars (\$80.00) per ton for all waste that require special handling, such as dismantling, demolition, oversize loading/unloading, or burial, by landfill staff.
 3. One hundred (\$100.00) per ton for all tires without sufficient proof that the South Carolina Tire Fee was paid.
 4. Forty-five dollars (\$45.00) per ton for solid waste disposed in the Subtitle D Landfill. This includes, but is not limited to:
 - i. Commercial waste.
 - ii. Manufacturing waste.
 5. Forty-five dollars (\$45.00) per ton for land clearing debris and construction and demolition debris. This includes, but not limited to:
 - i. Land clearing debris including the soils, roots, stumps and limbs larger than eight (8) inches in diameters and greater than six (6) feet in length.
 - ii. Residential, commercial and industrial construction and demolition debris.
 - iii. Bulk waste.
 - iv. Non-metallic boat hulls — unloaded by hauler
 1. All engine components, fuel, and oil must be removed prior to disposal
 2. Eighty dollars (\$80.00) per ton if landfill staff unload the boat for the hauler.
 6. Twenty dollars (\$20.00) per ton for clean beneficial waste. This includes:
 - i. Concrete broken up into less than one-foot pieces.
 - ii. Brick, block and stone.
 - iii. Yard waste and limbs less than eight (8) inches in diameter and less than six (6) feet in length transported by commercial haulers
 - iv. Shingles, with no lumber or paper.
 7. Thirty-five dollars (\$35.00) per ton for commercial scrap metal.
- D. Other Fees**
1. An annual household fee of forty-four (\$44.00) per residential unit is established.
 - i. The household fee provides for disposal of solid waste at the Solid Waste Facility transported by private haulers for homeowners in lieu of tipping fees.

- ii. The annual household fee shall not apply to the residential property of owners who qualify for an exemption of all property taxes under S.C. Code 1976, § 12-37-220.
2. A special handling fee of one hundred dollars (\$100.00) a ton will be charged to all commercial haulers who misrepresent load content and/or dump a load in an inappropriate site on the landfill property. This includes, but is not limited to
 - a. Solid waste containing banned items such as, electronics or whole tires
 - b. Any recyclables (residential or commercial) rejected at the Materials Recovery Facility due to contamination
 - c. Contaminated beneficial wastes
3. Yard waste mixed with other debris, or bagged in plastic will not be accepted at the solid waste complex. Violators will be charged a special handling fee of one hundred fifty dollars (\$150.00) per occurrence.
4. Non single-family residential customers [or nonresidential customers] shall be charged an annual fee of forty-four dollars (\$44.00) per roll-out container services not more than twice per week. The fee shall be proportionally greater for a container or containers that are serviced more frequently than twice per week. Georgetown County may adjust the fee for any nonresidential property which changes the number of "roll-out" containers or the number of pick-ups per week during the year.

Sec. 8-25. - Late fees.

- A. All landfill statements will be dated the first day of the month following the ticket date and will be mailed by the fifth business day of each month. For accounts to remain current and active, receipt of payment is required by the last business day of the current statement date.
 1. If payment is not received by the last business day of the month, the account becomes 30 days overdue and a twenty-five dollar (\$25.00) late fee plus a one and one half (1.5) percent interest fee will be imposed on the account. Account holders will not be allowed to access additional credit and they will have to make immediate payment to utilize the landfill.
 2. When an account has charges sixty days (60) past due, customers will be denied use of the landfill. Accounts will be charged an additional twenty-five dollar (\$25.00) late fee, a one and one half (1.5) percent interest fee, and a resumption fee of one hundred dollars (\$100.00).
 3. If an account is suspended, all past due amounts, including late fees, interest fees, and the resumption fee must be paid in full before the account is unsuspended; and the customer is allowed to utilize the Solid Waste Facility.

Sec. 8-26. – Credentialed Haulers.

All commercial haulers wishing to dispose of solid waste at the Georgetown County Landfill must be credentialed by purchasing a ten dollar (\$10.00) decal annually from the county. This decal is per truck, trailer or vehicle and denotes that haulers have agreed to submit route and/or schedule information for the County area serviced. Routes and schedules should be updated as changes occur.

Sec. 8-27. – Enforcement and Regulation.

The Georgetown County Environmental Services Division is hereby authorized to enforce this ordinance.

An established internal regulations manual shall be utilized by the Environmental Services Division to regulate the day-to-day activities of the recycling centers and landfills. This regulation manual shall be subject to amendment, when determined necessary by staff, subject to the approval of the County Administrator.


The operator of the landfill is hereby given authority to determine the following:

- i. Any requirement or charges for special handling of any load.
- ii. Other determinations not specifically covered as the need arises.

Sec. 8-28. - Penalties.

Disposal of any materials generated outside of Georgetown County is not allowed without prior approval by the County Administrator. Any individual depositing waste contrary to the terms outlined in this Ordinance shall be subject to imprisonment for a term of not more than thirty (30) days or fined up to two hundred dollars (\$200.00) for each misdemeanor offense. Further, any violations giving rise to littering or destruction of public property will result in notification of the crime to the Sheriff of Georgetown County.

DONE, RATIFIED, ORDAINED, AND ADOPTED THIS 23rd DAY OF JUNE, 2020.

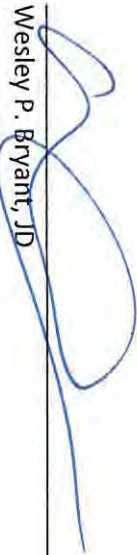


John Thomas, Chairman
Georgetown County Council

(SEAL)
Attest:


Theresa E. Floyd
Clerk to Council

This Ordinance No. 20-25 has been reviewed by me and is hereby approved as to form and legality.



Wesley P. Bryant, JD

First Reading:

May 26, 2020

Second Reading:

June 9, 2020

Third Reading:

June 23, 2020