



RESOLUTION TITLE: TO AMEND THE GASTON COUNTY CODE OF ORDINANCES, CHAPTER 7 – GARBAGE AND TRASH, SECTION 7-3 – STORAGE AND DISPOSAL – TO CREATE SUBSECTION TO PROHIBIT ANYONE FROM LEAVING LOOSE YARD WASTE ON PUBLIC ROADS OR ANY OTHER PUBLIC PLACES OF TRAVEL (SECOND READING)

WHEREAS, Chapter 7 of the Gaston County Code of Ordinances concerns the disposal of waste; and,

WHEREAS, there is currently no provision in the Code of Ordinances that deals directly with the disposal of yard waste; and,

WHEREAS, Gaston County wishes to modify this subsection to prohibit the disposal of loose yard waste on public roads or any other public places of travel.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby modifies Chapter 7, Section 7-3 of the Gaston County Code of Ordinances and creates Subsection (s) as follows:

- (s) No person shall place, discard, dispose, leave, or dump any yard waste upon any street, highway, median strip, alley, or other public places of travel located within the ordinance making jurisdiction of Gaston County, unless such yard waste is placed in a designated location or container for removal by a specific garbage or trash service collector, or unless such yard waste is deposited in an approved landfill site.

Violations of this Section:

First time offenders will be given a written warning and twenty-four hours to remove the violation. If the violation is not removed in this time, Gaston County will remove said violation and charge the owner of the property for the actual cost of removal plus a \$500.00 civil penalty. Failure to pay the removal cost and penalty will result in the cost and penalty being collected as back taxes against the property.

Repeat violations on the same property will be removed by Gaston County without notice to the owner, cost of the removal, and a civil penalty of \$1,000.00 will be charged to the property owner. Failure to pay the removal cost and penalty will result in the cost and penalty being collected as back taxes against said property.

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	AFrale	BHovis	KJohnson	TKeigher	TPhillips	RWorley	Vote
2021-016	01/26/2021	CB	AF	A	A	A	A	A	AB	A	U

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Written notice may be given via personal service to the property owner; if unable to give notice via personal service, letters sent to the property owners' last known address that are not returned will be considered as service. If letters are mailed via US postal service, the twenty-four hour violation period will start three (3) business days after the letter has been mailed.

The property owner/s will be the owner of record via Gaston County Tax office records as of the date of the violation.

This Ordinance amendment shall be effective immediately upon its adoption.

Adopted the 26th day of January, 2021.




Tom Keigher, Chairman
Gaston County Board of Commissioners

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above, as filed with the Clerk to the Board, is a true and accurate copy of the ordinance amendment entitled *To Amend the Gaston County Code of Ordinances, Chapter 7 – Garbage and Trash, Section 7-3 – Storage and Disposal – To Create Subsection to Prohibit Anyone from Leaving Loose Yard Waste on Public Roads or Any Other Public Places of Travel (Second Reading)*, as adopted by the Board of Commissioners on January 26, 2021 and to be set forth in the Gaston County Code of Ordinances upon adoption.





Donna S. Buff, Clerk to the Board



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

County Attorney

Board Action

File #: 20-525

Commissioner Brown - County Attorney - To Amend the Gaston County Code of Ordinances, Chapter 7 - Garbage and Trash, Section 7-3 - Storage and Disposal - to Create Subsection (s) - to Prohibit Anyone From Leaving Loose Yard Waste on Public Roads or any Other Public Places of Travel (Second Reading)

STAFF CONTACT

Jonathan Sink - County Attorney - 704-866-3400

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The attached Resolution would add a prohibition against depositing or leaving loose yard waste on any public road or other public places of travel.

DATE OF INTRODUCTION (First Reading): 12/29/2020

POLICY IMPACT

Modifies Chapter 7, Section 7-3 of the Gaston County Code of Ordinances and creates Subsection (s).

ATTACHMENTS

Resolution

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2021-016	01/26/2021	CB	AF	A	A	A	A	A	AB	A	U

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS