

2010

Environmental Ordinances

Gaston County, North Carolina



Sec. 7-3. Storage and disposal of Garbage and Trash

- Household Garbage must be stored in durable, rust resistant, nonabsorbent, water resistant, and easily cleaned containers with tight fitting lids and removed and properly disposed of at least every seven (7) days.
7-3 (b) – unlawfully, willfully failed to remove solid waste from property at least every seven days as required by Gaston County Solid Waste Ordinance 7-3 (b).
7-3 (c) – unlawfully, willfully openly stored household garbage in violation of Gaston county Solid Waste Ordinance 7-3 (C).
- Refuse shall be stored in a manner that will resist harborage to rodents and vector and will not create a fire hazard. Regulated refuse under this subsection includes, but is not limited to, lumber, boxes, barrels, bottles, cans, tires, paper, cardboard, rags, old furniture and appliances.
7-3 (d) - unlawfully, willfully openly stored refuse, (describe), in violation of Gaston County Solid Waste Ordinance 7-3 (d)
- Materials to be recycled such as cans, bottles, paper, cardboard, metal and rags should be stored in rodent-resistant, water resistant containers.
7-3 (e) – unlawfully, willfully openly stored recyclable materials in violation of Gaston County Solid Waste ordinance 7-3 (e).
- County Ordinance states that bulky waste may not be openly stored for a period of more than 2 weeks. Examples of Bulky waste are household appliances, furniture, automobiles, large auto parts, trees, branches, stumps, and other oversized wastes the large size precludes or complicates their handling by normal solid waste collection, processing or disposal methods.
7-3 (f) – unlawfully, willfully openly stored bulky waste, (describe), for a period of more than 2 weeks, in violation of Gaston County Solid Waste Ordinance 7-3 (f).
- No owner, occupant, tenant, or lessee of any building or dwelling may leave outside the building or dwelling, in a place accessible to

children, any abandoned or unattended icebox, refrigerator or other receptacle that has an airtight door without first removing the door, or securing the door via chain and/or lock. Gaston County Solid Waste Ordinance 7-3 (g).

For ALL the above violations, property owners, landlords, as well as tenants may be held responsible for these violations.

- County ordinance prohibits the open burning of any solid waste. Basically, if it doesn't grow on the property or is un-natural material, it cannot be burned. Also in the case of limbs and brush, you cannot haul these materials from other locations and burn them. They must be burned on the property they originate from.
7-3 (n) – unlawfully, willfully openly burn solid waste, (describe), in violation of Gaston County Solid Waste Ordinance 7-3 (n)
- Ordinance prohibits open dumping of Solid Waste. Basically a lesser version of the Littering Laws.
7-3 (o) – unlawfully, willfully openly dumped solid waste, (describe), in violation of Gaston county Solid Waste Ordinance 7-3 (o).
- County Ordinance requires that grass be maintained at a height of less than 12", if the tall grass is within 100 feet of any occupied residential or non residential structure and the property has been previously developed. Does not apply to properties that have never been developed or improved on.
7-8 (1) – unlawfully, willfully failed to maintain grass at a height of less than 12" in violation of the Gaston County Solid Waste Ordinance 7-8 (1)
- Ordinance prohibits the accumulation of stagnant water, which may cause inhabitation of mosquitoes. Does not apply to natural ponds, streams, rivers, etc. Most of the complaints will be on abandoned pools.
7-8 (4) – unlawfully, willfully allowed the accumulation of stagnant water which caused or threatened to cause the inhabitation by

mosquitoes, in violation of Gaston County Solid Waste Ordinance 7-8 (4)

All the above are Misdemeanor offenses. All Carry court costs and \$50 fine for the first violation and \$100 for a second violation. These fines may be paid off prior to court.

Removal and Disposition of Abandoned Motor Vehicles and Vehicles declared Nuisances

SEC. 11-40. Statement of purpose.

The abandonment of motor vehicles and the storage of junked motor vehicles on public or private property are hereby determined to be public nuisances and health/safety hazards, and the removal and disposal thereof is necessary and desirable to promote and enhance the appearance of the county. Nothing in this article is intended to authorize the county to require the removal or disposal of a junked motor vehicle kept or stored in a bona fide automobile graveyard or junkyard as defined by G.S. 136-143.

Sec. 11-42 Definitions.

For purposes of this article, certain words and terms are defined as follows:

Abandoned vehicle. An abandoned motor vehicle is one that is:

1. Left upon a street or highway in violation of a law or ordinance prohibiting parking;
2. Left on public grounds for longer than seven (7) days;
3. Left on property owned or operated by the county for longer than twenty-four (24) hours; or
4. Left on private property without the consent of the owner, occupant, or lessee thereof, for longer than two (2) hours.

Authorizing official. The supervisory employee of the police department designated to authorize the removal of vehicles under the provision of this article.

Junked Motor Vehicles. The term junked motor vehicle that does not display a current license plate and that:

1. Is partially dismantled or wrecked; or
2. Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
3. Is more than five (5) years old and appears to be worth less than one hundred dollars (\$100.00)

Nuisance vehicle. A junked motor vehicle on public or private property that is determined and declared by the authorizing official to be a health or safety hazard, a public nuisance, or unlawful, including a vehicle found to be:

1. A breeding ground or harbor for mosquitoes, other insects, rats or other pests; or
2. A point of heavy growth of weeds or other noxious vegetation over twelve (12) inches in height; or
3. A point of collection of pools or ponds of water; or
4. A point of concentration of quantities of gasoline, oil or other flammable or explosive materials as evidence by odor; or
5. One which has areas of confinement which cannot be operated from the inside, such as trunks, hoods, etc.; or
6. So situated or located that there is a danger of it falling or turning over; or
7. Any other vehicle specifically declared a health and safety hazard and a public nuisance by the county; or
8. So offensive to the sight as to damage the community, neighborhood or areas appearance, upon finding that such aesthetic regulation is necessary and desirable for the protection of property values, promotion of tourism,

indirect protection of health and safety, preservation of the character and integrity of the community, or promotion of the comfort, happiness, and emotional stability of area residents.

Sec. 11-43. Abandoned vehicle unlawful; removal authorized.

- (a) It shall be unlawful for the registered owner or person entitled to possession of a vehicle to cause or allow such vehicle to be abandoned as the term is defined herein.
- (b) Upon investigation, proper officials of the county may determine that a vehicle is an abandoned vehicle as defined above and order the vehicle removed.

Sec. 11-44. Nuisance vehicle unlawful; Removal authorized.

- (a) It shall be unlawful for the registered owner of a motor vehicle or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.
- (b) Upon investigation, proper officials of the police department may determine and declare that vehicle is a health or safety hazard and a nuisance vehicle as defined above, and order the vehicles removed.