

**CHAPTER G -- HEALTH AND DISEASE PROTECTION**

**ARTICLE I -- GENERAL REGULATIONS**

**Section 1 – Enforcement of this Chapter Under Supervision of Town Board**

The enforcement of this chapter shall be under the supervision of the Town Administrator who shall report to the Town Board.

**Section 2 – Unlawful to Hinder Health Officer or Assistants**

It shall be unlawful for any person to hinder, obstruct or delay the Pamlico County Health Department Director or any of his designated assistants in the lawful discharge of their duties.

**Section 3 – Right to Enter**

The Pamlico County Health Department Director or any of his designated assistants shall have the right to enter at any reasonable time any premises for the purpose of making the inspections or investigations as required by this Chapter.

**Section 4 – Property Kept Clean**

(a) Owners or Occupants of Premises Required to Keep the Same Clean

Every person owning or occupying any premises in the Town shall keep the premises free from noxious weeds, trash, and all other forms of animal or vegetable refuse which may be dangerous or prejudicial to the public health, or which may constitute a public nuisance. No owner or occupant of any premises shall bury therein any animal or vegetable matter which upon decaying may become dangerous or prejudicial to the public health, or may constitute a nuisance.

(b) Violators of Section (a)

If any person shall violate the provision of the proceeding section it shall be the duty of the Town Manager, or the Pamlico County Health Department Director or his designated assistants, to give notice to the owner or person in possession of such premises that within fifteen (15) days, or sooner from the date of such notice, all weeds, trash and other offensive animal or vegetable matter, be removed from said lot. Should any owner or occupant fail to comply with such notice, the Town Manager shall proceed to have said litter removed, and such owner or occupant shall be responsible to the Town for the cost thereof. Non-payment of the expense shall become a lien upon the property and shall be collected as unpaid taxes.

**Section 5 – Weeds and Lawn – Time for Cutting**

(1) Every owner or renter in possession of property within the corporate limits shall cut down, within four (4) inches of the ground, all weeds, grass or noxious growth from said property lot **at least once** during each of the months of May, June, July, August, and September of each year, and/or

within two weeks of the time the Town notifies the owner or renter of the property, that the weeds, grass, or noxious growth exceed twelve (12) inches in height and must be cut.

(2) Upon the request of any owner or renter of property, the Town may waive the requirements of this paragraph in whole or in part with respect to lots or portions of lots that are not readily visible from public streets or that do not border on public streets, or under such other circumstances as the Town Administrator may determine do not adversely affect the health, safety, and welfare of the surrounding area.

(a) **Persons Violating Section to be Notified**

Upon notification that a property is in violation of section 5(1), the property owner or renter shall be notified by certified mail that the tall vegetation must be cut within 2 weeks.

(b) **Non Compliance with Notification**

If after 2 weeks the property is still in violation, the Town shall proceed to have said vegetation cut, and the owner or renter in possession of such lot shall be responsible to the Town for the cost thereof. The costs required to be reimbursed to the Town by the owner or renter of property shall be in addition to the penalties provided for in section 6 of Article II of Chapter A of the Code of General Ordinances. Non-payment of the expense shall become a lien upon the property and shall be collected as unpaid taxes.

(c) **Annual Notice to Chronic Violators**

In accordance with §160A-200, the Town may notify a chronic violator of Section 5 – Weeds and Lawn that, if the violator's property is found to be in violation of the ordinance, the Town shall, without further notice in the calendar year in which notice is given, take action to remedy the violation and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The initial annual notice shall be served by registered or certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the Town took remedial action at least three times.

**Section 6 – Human Waste**

No person shall urinate or deposit any human waste of any kind on any street, lot or premises except in approved sanitary facilities.

**Section 7 – Stagnant Water**

No person or occupant of any property shall allow stagnant water to accumulate anywhere on their property. If said water is not drained in compliance with this Article, the Town Administrator shall give notice to the owner that within thirty (30) days, or sooner from the date of such notice, the water shall be drained.

Should any owner fail to comply with such notice, the Town Administrator shall proceed to have the property drained and the owner shall be responsible to the Town for the cost thereof.

**Section 8 – Sale of Food -- Eating Establishments**

All persons, firms, or corporations selling food of any kind or serving prepared meals shall comply with all requirements pertaining thereto of the North Carolina State Board of Health.

**Section 9 – Debris from New Construction**

All refuse, lumber and debris remaining both as result of the repair of any buildings, or of the erection and completion of any new buildings, shall be removed by the property owner within ten (10) days from the completion of the aforesaid work.

**ARTICLE II -- GARBAGE AND REFUSE COLLECTION**

**Section 1 – Definitions**

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

*Ashes* - Refuse resulting from the burning of wood, coal, coke, and other combustible material.

*Building rubbish* - Rubbish from the construction, remodeling, and repair operations on houses, commercial buildings, and other structures.

*Combustible refuse* - Refuse capable of incineration or burning, such as garbage, paper, rags, boxes, wood, and similar materials.

*Garbage* - Animal and vegetable refuse resulting from the handling, preparation, cooking and consumption of food, including a minimum amount of liquid necessarily incident thereto.

*Industrial waste* - Waste from factories, processing plants, and other manufacturing enterprises.

*Noncombustible refuse* - Refuse not capable of incineration or burning, such as ashes, tin cans, metals, mineral matter, crockery, glass and similar materials.

*Recyclables* - All cans, glass containers, paper, newspaper, magazines, plastic, and any other material that the Garbage Collection Agency determines to be recyclable.

*Regulations* - Regulations of the town administrator now or hereafter in effect, and whether promulgated under this chapter or other authority.

*Rubbish* - Refuse, exclusive of garbage and ashes, including but not limited to paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree, bush and hedge branches, cuttings and trimmings, yard trimmings, grass, leaves, tin cans, metals, mineral matter, glass, crockery, dirt, earth and dust.

*Waste* - Useless, unused, unwanted, or discarded materials resulting from natural community activities.

**Section 2 – Garbage Required to be Promptly Removed**

No garbage that has become decayed or that shall otherwise be a menace to health or cleanliness shall be allowed to remain in any dwelling house, hotel, boarding house, safe, restaurant, lunch stand, fruit stand, meat market, store or other building or on any premises a longer time than shall be reasonably necessary to remove and deposit the same in a can or cans as hereinafter provided in this Article.

**Section 3. - Garbage and Recycling Cans.**

The Town of Oriental will provide Garbage and Recycling Cans to residents of Oriental. Current rates for Garbage and Recycling can be found in Chapter S.

All garbage and recycling cans shall be placed in such a place that they can be conveniently reached by the garbage/recycling collector. No garbage or recycling can shall be stored, kept, or left on any street, alley, or public right-of-way for any purpose whatsoever. All garbage and recycling cans shall be kept reasonably clean.

**Section 4 – Wet Garbage**

All wet garbage shall have the liquid drained off and shall be wrapped in paper, or other combustible material before it is placed in the garbage can, thus preventing smell and the breeding of flies in summer, and freezing and adhesion to the can in the winter.

**Section 5 – Deposit of Garbage in Public Places and on Private Property**

No person or persons shall collect, handle, haul or transport, on any of the streets, alleys, public ways or places of the Town, any garbage except for transporting personal accumulations to the Pamlico County Transfer Station.

**Section 6 – Hours for Placing Can**

Garbage cans or similar containers containing garbage and trash for removal shall be placed on the premises from which the same are to be removed at or before 7:00 a.m. on the day scheduled for removal, but not earlier than twenty-four (24) hours before scheduled removal. Emptied cans must be returned to a safe place on the same day.

**Section 7 – Removal of Dead Animals**

Dead animals will be removed by the Town at any time, pending notification.

**Section 8 – Separation of Recyclables**

Recyclables shall be separated from garbage according to the direction of the Garbage Collection Agency and placed into separate containers.

**Section 9 – Collection of Recyclables**

All recyclables shall be placed in a separate container beside the garbage at or before 7:00 a.m. on the day scheduled for removal, but not earlier than twenty-four (24) hours before scheduled collection. Emptied containers must be returned to a safe place on the same day.