

**ORDINANCE REGULATING THE ASSESSMENT &
COLLECTION OF SOLID WASTE USER FEES
IN CHOWAN COUNTY**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CHOWAN COUNTY:

Section 1.1: The cost of collection and disposal of solid waste in Chowan County shall be recovered from the citizens through the assessment and collection of a user fee.

Section 1.2: There shall be a monthly landfill user fee imposed to recover the cost of siting, opening and closing solid waste disposal sites, sorting, reduction and disposal of solid waste in Chowan County.

Section 1.3: There shall be a solid waste tipping fee imposed on selected large industrial accounts and commercial solid waste haulers. This fee shall be determined by the Perquimans-Chowan-Gates Landfill Commission.

Section 1.4: The total revenue derived from the landfill user fee and the solid waste tipping fees shall be said to recover the cost of solid waste disposal in Chowan County.

Section 1.5: Landfill user fees shall be included on the monthly utility bills now prepared by Chowan County and the Town of Edenton. In the case a household does not receive a utility bill from either the Town or the County, a special landfill user fee bill will be prepared and mailed on a quarterly basis.

Section 2.1: The landfill user fee shall be imposed by the Chowan County Tax Supervisor on:

Section 2.2: all residences including community facilities such as community building, churches, etc. in Chowan County;

Section 2.3: all businesses and other institutions within Chowan County which are not subject to the landfill tipping fee as described in Section 1.2.

Section 3.1: All billings shall be in accordance with the enclosed landfill user fee schedule. Any adjustments to the fee schedule shall appear in the official minutes of the Chowan County Board of Commissioners.

Section 4.1: The County Manager is authorized by this Ordinance to implement any and all administrative procedures for the application and administration of the provisions of this Ordinance as deemed appropriate and necessary.

Section 5.1: Perquimans-Chowan-Gates Landfill personnel shall have the authority to deny any vehicle the use of or access to county landfills or collections locations if any designated business or residence fail or refuse to pay the assessed tipping fee or landfill user fee. Further, any person failing or refusing to pay the fee described herein within the prescribed time may be denied further use of the county landfill and collections locations until such charges are paid.

Section 5.2: Any person found to have entered upon the Perquimans-Chowan-Gates Landfill after having been prohibited to do so by landfill personnel or other county personnel shall be in violation of this Ordinance, and their entry upon or use of either the landfill or the collections system for disposal of solid wastes, or any other waste shall constitute a violation of this Ordinance, and such violator may be charged with a misdemeanor and be subject to any penalties provided by in NC General Statutes Section 14-4.

Section 5.3: Chowan County may apply to the appropriate court for an injunction and abatement in order to require that any violator comply with the provisions of this Ordinance, and Chowan County shall have the power to collect any delinquent accounts under this Ordinance by any remedy provided by law for the collection and enforcement of private debts as provided by in NC General Statutes 153A-277.

SOLID WASTE USER FEE SCHEDULE

Residential

Town	County
\$84/occupied dwelling (1)	\$108/occupied dwelling (1)

Business

Town	County
\$84 - small commercial	\$108 - small commercial
\$480 - large commercial (3)	\$480 - large commercial
\$480 - institutional	\$480 - institutional

(1) any residential dwelling served by a public utility will be subject to the landfill user fee

(3) large commercial is any establishment presently served by at least one eight-yard container

This Ordinance shall have an effective date of October 1, 1991.

Adopted this day, September 9, 1991.

Nancy B. Morgan

Clerk

Amended June 15, 1992.

Amended June 21, 1993.

Amended June 18, 2002.