

**JAMES ISLAND PUBLIC SERVICE DISTRICT
RESOLUTION NO. XXXX**

A RESOLUTION MANAGING SOLID WASTE

WHEREAS, the James Island Public Service District (JIPSD) Commission is a South Carolina special purpose district created, pursuant to Act No. 498 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1961, as amended (the "**Enabling Act**"), for the purpose of providing fire, sewer and sanitation services within its service boundaries (the "**District Service Area**");

WHEREAS, the Enabling Act provides the District Commission with the power to construct, operate, maintain and enlarge its system of garbage disposal as the District Commission shall from time to time deem necessary to protect the health of those living in the District Service Area;

WHEREAS, the District Commission adopts this Resolution to regulate the generation, storage, source separation, collection, transportation, disposal and recycling of solid waste generated within the JIPSD's boundaries; and

WHEREAS, the findings contained in this Resolution are approved and confirmed in all respects; and

WHEREAS, should conflicts arrive between this and any preceding ordinances or resolutions, this Resolution shall prevail with respect to the conflicting sections; and

NOW, THEREFORE, BE IT ORDERED AND RESOLVED by the James Island Public Service District Commission, in a meeting duly assembled this TBD;

Section 1. **Effective Date.** This Resolution shall become effective on TBD.

Chair, JIPSD Commission

(SEAL)

Secretary, JIPSD Commission

First Reading: TBD

Second Reading: TBD

James Island Public Service District

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I. General

In an effort to protect the public health and safety of our residents, the James Island Public Service District (JIPSD) serves in a cooperative effort with the County of Charleston by collecting solid waste materials that cannot be recycled and transporting them to various landfills as directed by Charleston County. The JIPSD is committed to preserving the environment by promoting the reduction, recycling, and reuse of solid waste materials while complying with the South Carolina Solid Waste Policy and Management Act of 1991 and its amendments.

It shall be the duty of the owner, agent, occupant, or lessee of any real property within JIPSD's service boundaries to keep the exterior of such real property and any adjacent sidewalk area up to the public right of way free of litter and unsightly growth. This requirement applies not only to removal of loose litter, but to materials that already are, or become, trapped at such locations as fences and wall bases, grassy and planted areas, borders, embankments, and other lodging points.

II. Definitions

The following words and terms when used in this resolution shall have the meanings respectively ascribed to them in this section:

Bulk consists of bulky wastes, including furniture, mattresses, and large nonmetal items except as provided herein.

Contractor and builder refuse consists of construction debris, including but not limited to bricks, lumber, mortar, plaster, roofing material, gutterings or shavings, stones, and dirt.

Garbage consists of all perishable refuse and household rubbish that cannot be recycled.

Hazardous waste consists of materials containing environmental contaminants as defined by the South Carolina Department of Health and Environmental Control.

Solid waste consists of all refuse including bulk, yard debris, garbage, and white goods.

Unsightly Growth consists of unsightly, unhealthy, and/or unsanitary growth of grass, bushes, shrubs, trees, weeds, vines, and leaves.

White goods consist of bulk metal objects, including but not limited to refrigerators, stoves, washing machines, dryers, water heaters and window air conditioners.

Yard debris consists of leaves, grass, pinecones & needles, bushes, vines, trees, branches, stumps, and natural wood (not processed lumber).

III. Collection and Disposal

Residential Property

In order to insure the JIPSD is able to successfully carry out its responsibility to provide solid waste collection services, the following regulations apply:

- A. All residences in JIPSD's service area shall only use JIPSD issued rolling carts for the disposal of garbage. Maximum of three (3) per household or dwelling unit. Properties requiring more than three (3) 96-gallons rolling carts will be required to contract for private collection services. No loose bags shall be placed outside the JIPSD container. All refuse must be bagged and inside the container for proper and safe collection.
- B. The JIPSD will provide one rolling cart to each resident on each property located within the JIPSD's service area. The first rolling cart provided by JIPSD remains the property of the JIPSD. A second rolling cart may be purchased from JIPSD at cost. A third cart may be purchased from JIPSD for a fee of \$165.00 billed annually to the customer account for the cost of the rolling cart and expenses associated with additional garbage volume collection. Additional rolling carts may be purchased by calling 843-795-9060. Purchased rolling carts are the property of the purchaser.
- C. Rolling carts should be placed in the right-of way in front of the customer's property, as close to a curb or edge of the pavement as possible, properly separated from other solid waste materials by 6:00 am on the scheduled collection day. The JIPSD is not responsible for the pickup of refuse not placed by the prescribed time.
- D. **Solid Waste** materials should be kept separate and placed in clear areas where mechanical loading devices are free from low hanging branches or power lines and away from mailboxes, poles, fire hydrants, etc. Customers should avoid placing materials on top of water or gas meters, sprinkler heads or close to any object or material that may be damaged by loading devices. Materials which are mixed together shall not be collected by the JIPSD and it will be the responsibility of the owner or resident to separate these materials at the curb. JIPSD is not responsible for damage caused by the collection of debris placed inappropriately.
- E. All human and animal waste should be disposed of through the sanitary sewage system or a septic tank. Diapers, incontinence products, and animal excreta, shall be placed in a sealed separate bag before being placed inside another bag containing household garbage.
- F. **Bulk**, including white goods, shall be picked up only if all doors and refrigerants (if applicable) have been removed.
- G. **Yard debris** should not be mixed with other solid waste material. Leaves, grass, pine cones, pine straw and loose vegetation must be disposed of in brown paper bags and placed at the curb. Residents are responsible for providing the necessary bags. Loose leaves, grass, pine cones and pine straw placed at the curb in piles will not be collected. Bags of dirt, rocks, or used mulch cannot be collected. Logs should be cut to no longer than four feet in length and not exceed 8' inches in diameter.
- H. **Logs, limbs, brush and stumps** shall be placed in a separate pile at the curb and must not exceed limits outlined in the Solid Waste Services Collection Procedures. Contact the Solid Waste Services Department at (843)762-5260 before removing trees or placing large stumps curbside for pickup.

- I. No materials generated by contractors or landscapers shall be collected by the JIPSD.
- J. Electronics will not be collected but can be disposed of at a recycling center. See Charleston County's website at <http://www.charlestoncounty.org/departments/environmental-management/index.php> for manned recycling centers.
- K. Builder refuse which is generated exclusively by an owner or resident shall be collected by the JIPSD when the volume of the said material does not exceed limits outlined in the Solid Waste Services Collection Procedures.
- L. No waste identified by the South Carolina Department of Health and Environmental Control as hazardous waste shall be collected by the JIPSD. For proper disposal of hazardous waste, go to their website at <https://scdhec.gov/environment/land-management/hazardous-waste>.
- M. No tires or automotive parts shall be collected by the JIPSD. Disposal of same shall be the responsibility of the owner, commercial establishment, individual, or individual in possession of the same. See Charleston County's website for manned recycling centers.
- N. The JIPSD will not collect or transport lead-acid batteries. All customers are encouraged to deliver used lead-acid batteries to battery wholesalers and retailers who are required by law to accept them.
- O. Boats, including, without limitation, boat motors and accessories, are not accepted for disposal. Proper disposal is the responsibility of the owner.

Commercial property

It shall be the responsibility of an establishment, institution, or business to make appropriate arrangements for collection and disposal of all bulk items except as herein provided and to transport such items to a state permitted landfill site. Maximum of three (3) rolling carts per commercial property.

IV. Contractor or builder refuse collection and removal

The JIPSD shall not collect refuse, bricks, lumber, mortar, plaster, roofing, guttering, shavings, tree debris and all other like material which is generated by a contractor or builder on behalf of an owner or resident, or by an owner or resident except as hereinafter provided. The same shall be removed by the contractor or builder, or owner or resident of the premises having hired the contractor or builder, each being jointly and severally responsible for such removal. This section shall apply to all residential and/or commercial construction, renovation, or demolition projects.

It shall be the duty and responsibility of the owner, agent, or contractor to have on the site adequate containers for the disposal of construction debris or wastes and to make appropriate arrangements for collection and disposal, or, if transported by himself, for final disposition at a state permitted landfill site.

V. Notices, liens.

Residents within the JIPSD who willfully fail or refuse to comply with this resolution, after written notice, shall be subject to civil penalties established by the 1961 Enabling Act No. 498 Section 9, JIPSD ordinances and resolutions, and state and federal regulations as amended from time-to-time.

The District Manager is hereby empowered to issue administrative regulations empowering specified employees of the JIPSD to issue notices to any person if there is probable cause to believe he has violated this resolution. Notices so issued shall be personally delivered to the alleged violator or sent by certified mail if he cannot be found, and shall direct the alleged violator to take such corrective action as may be necessary. Failure to comply may result in discontinuation of services.

Nothing herein shall prevent the JIPSD from taking such other action as may be necessary and lawful to protect the public health, safety, or welfare when emergency conditions arise, and nothing herein shall be construed to prevent the establishment of administrative procedures concerning the issuance of courtesy notices in an effort to encourage voluntary compliance with the terms and provisions of this resolution.

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