

**ORDINANCE 4436**

**AN ORDINANCE OF THE CITY OF HARTSVILLE, SOUTH CAROLINA TO AMEND BY REPEALING AND REPLACING CHAPTER 70 “SOLID WASTE” ARTICLE II “CONTAINERS” SEC 70-34 “PLACEMENT OF YARD DEBRIS’ AND CHAPTER 70 “SOLID WASTE ARTICLE III “COLLECTION” SECTIONS 70-64 “TREE LIMBS, CUTTINGS, SHRUBBERY AND YARD DEBRIS AND SECTION 70-68 DISPOSITION OF FALLEN LEAVES OF THE CITY’S CODE OF ORDINANCE.**

**WHEREAS**, the City of Hartsville, South Carolina (the “City”) a municipal corporation of the State of South Carolina, located in Darlington County, South Carolina, and as such possesses all general powers granted to municipal corporations; and

**WHEREAS**, the City provides residential sanitation waste services to its residents to include the collection of yard debris generated at each residence; and

**WHEREAS**, City Council of the City of Hartsville, the governing body for the City (the “*Council*”) has determined to repeal and replace sections of its Code of Ordinances related to the City’s Yard Debris Collection Program.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the City of Hartsville that:

1. The Code of the City of Hartsville Chapter 70 “Solid Waste” Article II “Containers” Sec 70-34 “Placement Of Yard Debris’ and Chapter 70 “Solid Waste” Article III “Collection” Sections 70-64 “Tree Limbs, Cuttings, Shrubbery and Yard Debris and Section 70-68 Disposition of Fallen Leaves of the City’s Code Of Ordinances are hereby repealed.
2. The Code of the City of Hartsville Chapter 70 “Solid Waste” Article II “Containers” Sec 70-34 “Placement Of Yard Debris’ and Chapter 70 “Solid Waste” Article III “Collection” Sections 70-64 “Tree Limbs, Cuttings, Shrubbery and Yard Debris and Section 70-68 Disposition of Fallen Leaves are hereby amended by replacing these sections as set out in the attached.

**ORDAINED IN MEETING DULY ADVERTISED AND ASSEMBLED** on the \_\_\_\_ day of \_\_\_\_\_ 2022 and upon final reading shall become effective January 1, 2023.

\_\_\_\_\_  
Casey Hancock, Mayor

ATTEST: \_\_\_\_\_  
Sherron L. Skipper, City Clerk

First Reading: May 10, 2022  
Public Hearing:  
Final Reading:

**Sec. 70-34. - Placement of yard debris. (Strike throughs to be removed and highlighted to be added).**

- (a) Yard debris is to be placed at the resident's or business' front property line for collection by city personnel and equipment. Materials should not be placed in/on any storm drain, gutter, street, or sidewalk.
- (b) The city should not collect tree and shrubbery trimmings resulting from work performed by commercial landscaping, tree service(s), contractors, or workers, or resulting from contracted land clearing work. However, usual lawn or garden care by ~~the commonly referred to "hired man"~~ hired help, that generates normal household quantities of lawn and yard trimmings shall be collected at curbside by city crews.
- (c) Random raking, blowing or scattering of yard waste and clippings and parking lot debris onto a sidewalk and/or into a street is prohibited. Such action shall be considered littering and is subject to all related fines and penalties.

(Ord. No. 3032, 12-12-2006)

**Sec. 70-64. - Tree limbs, cuttings, shrubbery and yard debris.**

Tree limbs, cuttings, shrubbery, etc., except as otherwise provided in this article, will be collected by the city, provided that the following conditions are met:

- (a) All loose debris such as leaves, grass clippings, pine straw, etc. shall be enclosed in disposable bags or a city provided container for collection. Roll carts specifically identified for the use of loose debris can be obtained from the public services department upon request. Yard debris roll carts and bags will be collected weekly
- (b) All yard debris to include leaves; grass clippings, brush and limbs must be separated from all other waste. No debris or waste will be picked up by city employees unless waste is properly separated
- (c) ~~Rocks, dirt, stumps, heavy metal or construction material will not be picked up and must be disposed of by the property owner or occupant.~~
- (d) Such limbs, cuttings, shrubbery, etc., are not to exceed three inches in diameter and six feet in length and shall be placed at the front property line for pickup as scheduling allows. Limbs, cuttings, and shrubbery will be collected bi-weekly, opposite of recycling weeks. Loose branches exceeding the length and diameter stated in this section will not be picked up and must be disposed of by the property owner or occupant.
- (e) No more than five cubic yards of yard waste shall be placed by the property line for removal. Yard debris shall be placed as neatly as possible. ~~Leaves, grass clippings, pine straw, and similar yard debris shall be separated from tree branches to permit collection by various equipment methods.~~ Note: For purpose of interpreting this ordinance, a cubic yard of material shall be considered the size of an average four-burner kitchen stove.
- (f) ~~No material, refuse, tree limbs, shrubbery, etc., other than normal household quantities specified under [70-34\(a\)](#), which is the result of a contract or contractor's service, including nursery or landscaping, businesses or employees of owners of apartment complexes, or rental agents, shall be collected by the city public service division, and must be removed by the contractor or employee performing the work. Contractors or other persons performing construction, landscape or tree work, building or remodeling work on premises within the city will be responsible for removing and disposing of all refuse deriving therefrom. Such work shall~~

become the responsibility of the owner of the property upon failure of a contractor or other person responsible for such removal work, to meet the stipulations herein

- (g) Trees, tree limbs, shrubbery and other debris collected from a vacant lot or as a result of clearing of a vacant lot will not be collected by the city and is to be removed by the landowner or his designated representative.
- (h) Furniture, including but not limited to, box springs, mattresses, recliners, tables, dressers, etc. will be collected bi-weekly, opposite of recycling weeks. Furniture should be separated from all other waste. Furniture should not be put out for collection earlier than 48 hours before designated collection day.
- (i) The City will not collect furniture, including but not limited to, box springs, mattresses, recliners, tables, dressers, etc., from apartment complexes or businesses, or from the result of an eviction of a tenant by a landlord. These items will be picked up by previously scheduled special pick up only. Special pick-ups must be scheduled with the public services department. Special pick ups shall be assessed a fee, which will be added to the party's monthly utility bill. Special pick up fees are approved by council from time to time and on file in the city clerk's office.
- (j) White goods such as washers, dryers, freezers, etc., and other metal items shall not be set out for regular pick up. These items will be picked up by previously scheduled special pick up only. Special pick-ups must be scheduled with the public services department. Special pick ups shall be assessed a fee, which will be added to the party's monthly utility bill. Special pick up fees are approved by council from time to time and on file in the city clerk's office.
- ~~(k) No person shall place yard debris, or other materials, in any location or manner that will cause a traffic hazard.~~
- (l) No material, refuse, tree limbs, shrubbery, etc., other than normal household quantities specified under 70-34(a), which is the result of a contract or contractor's service, including nursery or landscaping, businesses or employees of owners of apartment complexes, or rental agents, shall be collected by the city public service division, and must be removed by the contractor or employee performing the work. Contractors or other persons performing construction, landscape or tree work, building or remodeling work on premises within the city will be responsible for removing and disposing of all refuse deriving therefrom. Such work shall become the responsibility of the owner of the property upon failure of a contractor or other person responsible for such removal work, to meet the stipulations herein
- ~~(m) No more than five cubic yards of yard waste shall be placed by the property line for removal. Yard debris shall be placed as neatly as possible. Leaves, grass clippings, pine straw, and similar yard debris shall be separated from tree branches to permit collection by various equipment methods. Note: For purpose of interpreting this ordinance, a cubic yard of material shall be considered the size of an average four-burner kitchen stove.~~
- (n) Rocks, dirt, stumps, heavy metal or construction material will not be picked up and must be disposed of by the property owner or occupant.
- (o) No person shall place yard debris, or other materials, in any location or manner that will cause a traffic hazard.
- ~~(p) Furniture, including but not limited to, box springs, mattresses, chairs and tables, white goods such as washers, dryers, freezers, etc., and other metal items shall not be set out for regular pick up. These items will be picked up by previously scheduled special pick up only. Special pick-ups must be scheduled with the public service department. Special pick ups shall be assessed a fee,~~

~~which will be added to the party's monthly utility bill. Special pick up fees are approved by council from time to time and on file in the city clerk's office.~~

- (q) If prohibited materials, mixed yard debris, garbage, or yard debris in excess of five cubic yards are placed at the property line, tenants, or homeowners, will be notified to remove the material within 48 hours. Failure to do so will result in mandatory removal of the material by city personnel. Personnel and equipment costs will be billed at the rates set forth in the prohibited materials removal fee schedule as approved by council from time to time and on file in the city clerk's office. These charges shall be added to the party's monthly utility bill. Failure to pay these charges will result in termination of water service, or other appropriate legal action.
- (r) Should a tenant, homeowner, or contractor fail to remove materials with subsequent mandatory removal by the city on two occasions, fees for the third or subsequent mandatory pick ups will be 1.5 times the prohibited materials removal fee schedule.

(Ord. No. 3032, 12-12-2006)

**Sec. 70-68. - Disposition of fallen leaves.**

- (a) Fallen leaves within the city shall be disposed of by two methods:
  - a. By the owner or resident assuming full responsibility for removal and transport to an appropriate and authorized place.
  - b. **Leaves shall be enclosed in disposable bags or a city provided container for collection.** Placing the leaves at the front property line for collection by city personnel and equipment. Leaves must be separated from other types of yard debris such as limbs and shrubbery, as well as garbage, litter, etc.
- (b) Owners and occupants are encouraged to keep the grounds of homes and establishments neat in appearance. Accordingly, self-initiative in removing excessive quantities of fallen leaves to a recycling convenience center or other authorized area throughout the year is in the best interest of the city and its residents. The high labor cost for year round employment of personnel to pick up leaves is prohibitive. Therefore, the city, homeowners, and occupants must work together to keep the fallen leaves under control.
- (c) It shall be unlawful for owners and occupants to place leaves for city pickup in locations other than the front property line of the property. Such placement should not interfere with drainage, vehicular or pedestrian traffic.

(Ord. No. 3032, 12-12-2006)