City of Asheville Staff Report

City Council Meeting Date: July 28, 2026

Staff Resources: Amy Deyton, Public Works Director; Jes Foster, Sanitation Division Manager; and Carly Gillingham, Assistant City Attorney

Action Requested: Adoption of an ordinance amending Chapter 15, Solid Waste Management, of the Code of Ordinances, to include nuisance motor vehicles as litter and align the City's definition of litter with NC General Statute, effective upon adoption.

Background:

- Parking Services addresses abandoned vehicles in the public right of way (ROW).
- Development Services Department (DSD) addresses nuisance motor vehicles on public or private property via Chapter 10 of the City ordinances.
- Public Works Sanitation Division addresses litter, overgrown lots, and other sanitation issues on public and private property via Chapter 15 of the City ordinances.
- Under the current ordinance, when Sanitation is called to a property to address other sanitation issues and they encounter a noncompliant vehicle, they must report the vehicle to another department, instead of simply addressing it while they are already on site. This creates staff inefficiency and communication challenges with residents.
- Amending the Chapter 15 ordinance to allow the Sanitation Division to address the noncompliant vehicle simultaneously with the other noncompliant areas of the property will improve staff efficiency and streamline communication with residents.
- Amending the sanitation ordinance in this way will provide additional tools to encourage compliance and to mitigate public health and safety issues.
- This ordinance amendment will also align the City's definition of litter with the North Carolina General Statute definition of litter to include motor vehicles.
- A potential negative implication of ordinance modification is that neighborhood complaints may increase, creating tension between neighbors.

Vendor Outreach: N/A

Council Vision 2036 Focus Area(s):

- Clean, Healthy, and Safe Environment

Council Priority Recovery Area(s):

- Infrastructure & Environment

Committee(s): Planning, Economic Development, and Environment 7/21/2026. Vote: 3-0 to approve and move forward to City Council.

Fiscal Impact: The Public Works Sanitation budget supports general code enforcement costs. Limited funding is available for abatement related items. Sanitation will perform abatements within their existing budget. If costs exceed budget, abatement activities will need to be evaluated and, if prioritized, additional funding identified.

Suggested Motion:

- Motion to repeal ordinance Section 15-1 of Chapter 15 and replace it with a revised ordinance section to redefine the term 'Litter' and to add definitions of 'Motor vehicle or vehicle' and 'Nuisance motor vehicle', effective upon adoption.

Attachment(s):

- **Full Draft Ordinance with Repeal and Change (with changes highlighted)**
- **Short Draft Ordinance with Text Change only**
- **Changed ordinance text only**