MONTREAT GENERAL ORDINANCE
CHAPTER G - HEALTH PROTECTION AND DISEASE PREVENTION

ARTICLE II: SOLID WASTE DISPOSAL AND REFUSE COLLECTION (Revised 2/13/2003); (Revised 10/14/2010); (Revised 5/10/2012)

Section 1. Requirements. Solid Waste, except recyclable items, must be kept in paper or plastic bags and placed in metal or rigid plastic containers of not over forty (40) gallon capacity with proper lids. All cans are to be marked with house number legible for easy viewing.

An adequate number of garbage cans shall be required for any building to fully hold all solid waste generated. (If additional solid waste is placed outside of cans and cans are full then owner does not have adequate cans.)

Secure garbage cans (as defined in Section 1 of this Article) may be placed at roadside only on the morning of scheduled pick-up and shall be removed from the street by the following morning. Property owners or occupants who leave Solid Waste for collection on any day other than the scheduled pick-up day must place such Solid Waste in a bear-proof container. All bear-proof containers located in Town right of way shall be approved by the Town Administrator and Code Administrator in accordance with the guidelines listed below:
1) Containers manufactured by vendors using metal construction are approved as bear-proof when firmly anchored to the ground or other permanent object.
2) Containers that are not constructed as described above may be granted conditional approval subject to the following conditions:

i. The construction of the container must be of a solid, sturdy material on all sides and hinged openings must have secure latches.

ii. Containers must be securely anchored to the ground or other permanent object in a manner that will prevent tipping.

iii. If conditional approval is given and the container is broken into by bears, the owner will be notified immediately by the Town. The owner shall have thirty (30) days to either remove or replace the container with an approved metal container.

3) The location of the container shall be of sufficient distance from traveled roadway to minimize traffic hazards.

4) The container shall be located within the property owner's projected lines. If this is not possible due to terrain or other obstacles, the owner shall obtain and Montreat General Ordinances Chapter G – Health Protection & Disease Prevention Article II: Solid Waste Disposal and Refuse Collection 68 provide to the Town a copy of written permission from another property owner to locate the container within that owner's projected property lines.

5) Property owners with containers meeting the above requirements must apply for and receive written permission from the Town Administrator and Code Administrator to locate the container on public rights-of-way. A site plan, survey or some other type of accurate graphic representation indicating the specific location of the proposed container shall be provided along with the completed form: Application to Locate a Bear-Proof Garbage Container in the Public Right-of Way. Since the containers are not considered structures, a Certificate of Zoning Compliance is not required.