

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

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**HOUSE BILL 730  
Committee Substitute Favorable 4/30/19  
Committee Substitute #2 Favorable 5/1/19  
Fourth Edition Engrossed 5/2/19**

Short Title: Trash Collection/Multifamily Residential.

(Public)

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Sponsors:

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Referred to:

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April 15, 2019

A BILL TO BE ENTITLED

AN ACT REQUIRING THAT DOORSTEP REFUSE AND RECYCLING COLLECTION CONTAINERS BE ALLOWED IN EXIT ACCESS CORRIDORS OF CERTAIN APARTMENT OCCUPANCIES UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

**SECTION 1.** Definitions. – As used in this act, "Council" means the Building Code Council, "Code" means the 2018 North Carolina Fire Prevention Code (NCFPC) as adopted by the Council, and "exit obstruction and waste accumulation provisions" means sections 1031.2 (Reliability), 1031.3 (Obstructions), 304.1 (Waste accumulation prohibited), and 304.2 (Storage) of the Code.

**SECTION 2.** New Code amendment. – Until the effective date of the Code amendment that the Council is required to adopt pursuant to Section 4 of this act, the Council and local governments enforcing the Code shall follow the provisions of Section 3 of this act with respect to exit obstruction and waste accumulation.

**SECTION 3.** Implementation. – Notwithstanding any provision of the Code to the contrary, code enforcement authorities with jurisdiction over apartment occupancies shall permit doorstep refuse and recycling collection containers which stand upright on their own and do not leak liquids when standing upright in exit access corridors as follows:

- (1) With respect to apartment occupancies with enclosed corridors, when all of the following conditions exist:
  - a. The maximum doorstep refuse and recycling collection container size does not exceed 13 gallons and the number of containers does not exceed one refuse and one recycling collection container for a total of two containers per apartment occupancy.
  - b. Waste in a doorstep refuse and recycling collection container is not placed in the exit access corridors for single periods exceeding five hours.
  - c. Doorstep refuse and recycling collection containers do not occupy the exit access corridors for single periods exceeding 12 hours.
  - d. Doorstep refuse and recycling collection containers do not reduce the means of egress width below that required under sections 1005 and 1020.2 of the Code.
  - e. Management staff of the apartment occupancy have written policies and procedures in place and enforce them to ensure compliance with



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- 1 this subdivision, and, upon request, provide a copy of such policies  
2 and procedures to the code enforcement authority having jurisdiction.
- 3 (2) In apartment occupancies with open-air corridors or balconies served by  
4 exterior exit stairs, when all of the following conditions exist:
- 5 a. The maximum doorstep refuse and recycling collection container size  
6 does not exceed 27 gallons and the number of containers does not  
7 exceed one refuse and one recycling collection container for a total of  
8 two containers per apartment occupancy.
- 9 b. Waste in a doorstep refuse and recycling collection container is not  
10 placed in the exit access corridors for single periods exceeding five  
11 hours.
- 12 c. Doorstep refuse and recycling collection containers do not reduce the  
13 means of egress width below that required under sections 1005 and  
14 1020.2 of the Code.
- 15 d. Management staff of the apartment occupancy have written policies  
16 and procedures in place and enforce them to ensure compliance with  
17 this subdivision, and, upon request, provide a copy of such policies  
18 and procedures to the code enforcement authority having jurisdiction.
- 19 (3) The code enforcement authority having jurisdiction may approve alternative  
20 containers and storage arrangements that are demonstrated to provide an  
21 equivalent level of safety to that provided under subdivisions (1) and (2) of  
22 this section.
- 23 (4) To provide a transition period for compliance with the requirements of this  
24 section, code enforcement authorities having jurisdiction shall allow  
25 apartment occupancies a phase in period until December 31, 2020, to comply  
26 with this subsection.
- 27 (5) The use of doorstep refuse and recycling collection containers in apartment  
28 occupancies with exit access corridors or open-air corridors with balconies  
29 served by exterior exit stairs is revocable by the fire code enforcement official  
30 having jurisdiction for violations of sub-subdivisions (1)e. and (2)d. of Section  
31 3 of this act.

32 **SECTION 4.** Rule-making authority. – Notwithstanding G.S. 150B-19(4), the  
33 Council shall revise the exit obstruction and waste accumulation provisions of the NCFPC in a  
34 manner substantively identical to the provisions of Section 3 of this act.

35 **SECTION 5.** Sunset. – Section 3 of this act expires on the date that permanent rules  
36 adopted pursuant to Section 4 of this act become effective. The Council may adopt temporary  
37 rules to implement this act.

38 **SECTION 6.** Effective date. – This act becomes effective July 1, 2019.