



# HOUSE BILL 730: Trash Collection/Multifamily Residential.

2019-2020 General Assembly

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<b>Committee:</b>		<b>Date:</b>	May 2, 2019
<b>Introduced by:</b>	Reps. Szoka, Corbin, Howard, Richardson	<b>Prepared by:</b>	Jeremy Ray
<b>Analysis of:</b>	Third Edition		Staff Attorney

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**OVERVIEW:** House Bill 730 would require that certain doorstep refuse and recycling collection containers be allowed in exit access corridors of certain apartment occupancies when certain conditions are met.

**CURRENT LAW:** The 2018 North Carolina Fire Prevention Code (NCFPC) as adopted by the Building Code Council (Council), regulates the placement of door step refuse and recycling containers in exit access corridors in apartment occupancies. These provisions are found in Chapter 3 (General Requirements) and Chapter 10 (Means of Egress) of the NCFPC.<sup>1</sup>

**BILL ANALYSIS:** House Bill 730 would authorize the placement of certain doorstep refuse and recycling collection containers which stand upright on their own and do not leak liquids when standing upright in exit corridors and require the Council through rulemaking to make substantively identical changes to the NCFPC consistent with the implementation of this requirement, when all of the following conditions exist:

- Maximum container size of 13 gallons (apartment occupancies with enclosed corridors); or 27 gallons (apartment occupancies with open-air corridors or balconies served by exterior exit stairs); not to exceed one refuse container and one recycling container total.
- Waste is not placed in the exit corridor for single periods exceeding five hours.
- Containers do not occupy the exit access corridors for single periods exceeding 12 hours.
- Placement of such containers maintain certain egress widths required by the NCFC.
- Management staff have written policies and procedures in place and enforce them to ensure compliance with the requirements and provide a copy to code enforcement authorities having jurisdiction.

Code enforcement authorities having jurisdiction would be given authority to approve alternative containers and storage arrangements that are demonstrated to provide an equivalent level of safety as the conditions set forth above, and would be required to allow apartment occupancies a phase in period until December 31, 2020 to comply with the new requirements.

**EFFECTIVE DATE:** This act would become effective July 1, 2019. Section 3 would expire when permanent rules adopted pursuant to Section 4 of this act become effective.

<sup>1</sup>Under section 1031.2 (Reliability) of Chapter 10 (Means of Egress) of the NCFPC, "[r]equired *exit accesses, exits and exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency where the building area served by the *means of egress* is occupied."(emphasis in original).

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