



## Sanitation Ordinance Q&A

At the March Town Council meeting, the Council passed changes to the Town's Solid Waste Disposal and Refuse Collection Ordinance, commonly known as the "Sanitation Ordinance." The Sanitation Ordinance is part of the Town's General Code of Ordinances and addresses how solid waste, recyclables, leaves and brush, bulk items and white goods, the Convenience Center, and enforcement are handled in Montreat.

Although many portions of the Sanitation Ordinance were largely unchanged, there were significant changes made in other areas. These changes were made primarily to address and control the Town's experience with bears getting into trash and creating public health and safety hazards. We must stop inadvertently feeding the bears, and thereby endangering ourselves and others with our trash. A copy of the revised Sanitation Ordinance is available by [CLICKING HERE](#).

This Q&A was prepared to fully inform Montreaters and visitors of the changes and responsibilities of homeowners, renters and guests. For any other questions, please contact Town staff at 828/669-8002 or email to [info@townofmontreat.org](mailto:info@townofmontreat.org).

Q&As are organized by several subjects, including Bear Resistant Containers and Systems, Solid Waste and Recyclables, Convenience Center, General including Enforcement.

### **Bear Resistant Containers and Systems**

#### **Q: What are the major things that will affect me in the revised Sanitation Ordinance?**

A: The biggest issue is the way residents will need to handle their solid waste and recyclables disposal. The Town will continue to pick up trash on Mondays, but all containers holding trash must be bear resistant. Any portable containers that are carried/wheeled out to the curb and/or permanent curbside refuse bins must be bear resistant. The Sanitation Ordinance refers to them as BRCs (Bear Resistant Containers) and BRC Systems.

#### **Q: How will it be determined if they are bear resistant?**

A: Most portable containers indicate if they are certified bear resistant or not. Permanent curbside bins are not as easily recognized as bear resistant. Some systems specifically made as refuse containment systems will say if they are BRC or not. Others will have to be evaluated by Town staff to determine their status.

**Q: I usually roll my Tupperware can from the garage out to the curb just before Drew and the sanitation pickup team come, so it's not there long. Can't I still do that?**

A: Not with the new rules. No matter how long the container is out, it must be bear resistant. Marauding bears have super sensitive olfactory systems and can detect food sources and garbage from over a mile away. This would be heightened if everyone else had bear resistant containers and you didn't!

**Q: I keep my trash and recyclables in my locked garage, then take them to the Convenience Center. The can is never at the curbside. Do I still have to buy a BRC?**

A: No, you do not need to buy a BRC as long as your non-bear resistant can stays in the locked garage.

**Q: Sometimes I have more trash than my container can hold, so I put the extra trash bags on top of the can. That's OK still, isn't it?**

A: No, all solid waste and recycle bags must fit into the bear resistant container or permanent BRC system. If you have extra bags, the Convenience Center is still available for disposal of your additional solid waste and recyclables.

**Q: Where do I get these BRCs and BRC systems?**

A: The Town will be providing a list of BRCs and BRC systems for you to review and purchase your own.

**Q: Will I be required to have both a BRC and a BRC permanent system?**

A: Not necessarily. You can roll your BRC out to the curb on pickup day and as long as all your solid waste and recyclables are inside your BRC, that is all you need. If you prefer to have a BRC system, you will not need to purchase a bear resistant container as long as you place all your solid waste and recyclables into the BRC system and nothing else is on the curb awaiting pickup.

**Q: What do I do with my old cans that are not usable anymore?**

A: The Town will publish a procedure to dispose of containers that are no longer legal.

**Q: My neighbor has a construction job box that she uses for a permanent BRC system. Is that OK?**

A: It depends. There are several important factors to making a box truly bear resistant. Some of those factors include:

- The thickness of the metal or other material of the box. The thicker and sturdier the better. Bears can peel back metal sheeting like a can opener.
- Anchoring the box into a concrete pad or several thick (4x4 at least) posts that are sunk several feet into cement

- A dependable locking system that cannot be thwarted by bears. Double locks are best.

**Q: I use one of those green 55 gallon drums to put my trash bags in. Is that considered bear resistant?**

A: Again, it depends. The lids on the early versions of those cans were not reinforced and bears continue to bend up the edges or break the tops completely. New versions are well reinforced. No matter what, the cans must be fastened to a post that is cemented at least 2' into the ground.

**Q: I have a bear resistant container/BRC system. Will it be grandfathered/approved?**

A: If it is in good working order and prevents bears from getting to refuse, probably so. Email Town staff at [trash@townofmontreat.org](mailto:trash@townofmontreat.org) and request an inspection of your BRC/BRC system.

**Q: When does all this go into effect?**

A: The new revised Sanitation Ordinance went into effect when it was adopted at the March 2026 meeting. However, the requirement to have bear resistant containers/systems will not be enforced until October 1, 2026 to give everyone time to get prepared.

**Q: How much do these bear resistant containers cost?**

A: It varies depending upon the size and ruggedness of the container. A large 64 gallon can that is made of a durable, thick material with wheels and a locking lid is around \$300-\$350.

**Q: How much are BRC permanent systems?**

A: A construction job box is also in the \$300+ range. But alterations need to be made, including installation, locks, etc. Other systems that are made specifically for permanent curbside installation start at under \$1,000 and go up to several thousand dollars. The key to containers and permanent systems is to insure they are durable. That is why we suggest looking for something that is certified bear resistant.

**Q: I'm on a fixed income and don't see how I can afford new trash cans to meet these rules. What do I do?**

A: We certainly understand how this could be a burden. That is why we are giving everyone 6 months to get ready for the BRC requirement to go into effect. Additionally, we are contacting manufacturers to see if we can get a "Town" discount.

**Q: Why are you doing this, making so many changes?**

A: As mentioned earlier, it is a matter of public health and safety. There are more bears in Montreat than ever before and we have been inadvertently feeding them with our trash. One of the biggest issues Town staff deal with is bear related matters. Montreat police are constantly being called because bears have gotten into a house or a bear has been seen approaching a group of people or children. When they get into trash cans and strew refuse and garbage all over, a safety hazard occurs. They have learned that they can get food just by breaking into trash containers. This has made them less wild and dependent upon our waste to sustain them. Given the growing bear population and numbers of people in Montreat, it is just a matter of time before someone is hurt. It is also a waste of Town resources in constantly cleaning up after bear

**Q: What happens if I don't abide by the changes?**

A: The newly revised Sanitation Ordinance includes penalties for non-compliance. Fines as high as \$400 per occurrence can be levied. One fine alone could pay for a bear resistant container.

## **Solid Waste and Recyclables**

### **Q: You keep talking about solid waste. Define it please.**

A: Solid waste is what the sanitation industry calls our household trash, including items that are not recyclable, food we throw out, and items of that nature.

### **Q: What has changed about disposing of solid waste and recyclables?**

A: Besides being contained in bear resistant containers (BRCs) and BRC permanent systems, not a whole lot. Read the other Q&A's below for more specific information.

### **Q: Do we still have to put solid waste and recyclables in bags or can we dump them loose into the cans?**

A: All solid waste and recyclables still have to be in bags, just like before. Nothing loose. They can be in the same BRC or BRC system, but the sanitation workers must be able to tell the difference. Recyclables should be in blue or clear plastic bags, just like before. Solid waste can be in any color bag except blue or clear.

### **Q: Sometimes I have more bags than my trash can can hold, so I lay them out next to the can on pick up day. Is that OK?**

A: No. Everything must be in a BRC or BRC permanent system. We have had many issues of bears getting into bags that are loose, even recycling bags. If you have more than your containers can hold, take the extra bags to the Convenience Center or hold them for the following week.

### **Q: What if the bears get into my trash?**

A: If you have a certified or approved BRC or BRC system and bears break into it and strew trash on the ground, Town workers will pick up the scattered trash. However, if the Town Public Works Director or investigating police officer determines that the problem occurred due to failure to comply with the Sanitation Ordinance (e.g. unapproved BRC, can was not locked properly, BRC or BRC system was not operating correctly), the owner will be subject to penalties.

## **Convenience Center**

### **Q: Will the Town still operate the Convenience Center?**

A: Yes, and it will be better than ever before. We will be modifying the collection system to provide on-site compaction of solid waste and recyclables. Doing so should reduce the number of times when all the dumpsters are full.

### **Q: Sometimes I have other things besides household trash and recyclables I need to get rid of, like furniture, appliances, and building materials. Can I use the Convenience Center to dispose of them?**

A: No. As in the past, the Convenience Center is for household trash and recyclables only. Cameras have been installed to identify vehicles and license plates of violators. Fines will be levied for misuse. Call the Town for a special pickup. There is a reasonable charge for this service starting at \$25.

### **Q: I see people using the Convenience Center that probably are not Montreaters. Will you do something about that?**

A: Yes. In the next few months, we will be installing a keyless entry system. The gates will be closed but Montreaters will have a key fob [or card] to open the gate to dump their trash and recyclables.

### **Q: Can we get extra fobs for renters, extended family, and friends?**

A: No, only one fob will be issued per domicile. Owners will have to set up a system for storing and sharing the fob with other users.

### **Q: What if the fob gets lost?**

A: The original fob will be cancelled electronically and a new fob can be purchased for \$25 from staff at the Town Hall.

### **Q: That seems a bit unfair. Why can't property owners have more than one fob?**

A: We have put the Convenience Center controlled access system in place for one reason: control. By distributing multiple fobs to property owners, that control is lost, especially if fobs get lost or stolen and aren't reported. We appreciate everyone's understanding and that we are doing this for the sake of our Town.

## **General Questions and Enforcement**

### **Q: What about leaf and brush pickup, will the Town still be providing those services?**

A; Yes, indeed. It's a valuable service and nothing changes about the leaf and brush pickup service.

### **Q: Will the Town still provide white goods and bulk items collection?**

A: Yes, no change there. Twice a year, in July and October, the Town will continue to provide free bulk pickup. As has been the policy, mattresses and box springs carry a \$15 charge per item. Everything else is without charge. If you have a special need for pickup, that service is still available as well at a modest charge. Contact Town Hall staff for details or see the Town website.

### **Q: I rent out my house and sometimes renters don't follow Town rules. I won't be held responsible for them, will I?**

A; Yes. Property owners are the responsible parties. Owners are responsible for compliance with the Sanitation Ordinance whether the house is occupied by the owner or by visitors, renters, lessees, or any other person. Owners must take all necessary steps to inform occupants about the Sanitation Ordinance.

### **Q: How much are the fines?**

A: First offenses are subject to a written warning and a fee for clean up by Town staff, if applicable. Subsequent offenses result in accelerated fines up to \$400 per occurrence. Misuse of the Convenience Center carries a \$500 fine per occurrence.