

§ 153A-145.12. Limitations on regulations of auxiliary containers; shopping carts.

- (a) Except as provided under subsection (b) of this section, no county may adopt an ordinance, resolution, regulation, or rule to:
 - (1) Restrict, tax, charge a fee, prohibit, or otherwise regulate the use, disposition, or sale of an auxiliary container.
 - (2) Regulate the use of shopping carts, including the imposition of a fee or fine on a business for failure to take possession of a shopping cart that was removed from the premises of the business.
- (b) A county is authorized to:
 - (1) Operate a recycling program, a composting program, and a solid waste disposal program as authorized by law.
 - (2) Regulate the use of auxiliary containers on property owned or maintained by the county.
- (c) The following definitions shall apply in this section:
 - (1) Auxiliary container. – A bag, cup, package, container, bottle, device, or other packaging made of cloth, paper, plastic, foamed plastic, fiber, expanded plastic, cardboard, corrugated material, aluminum, glass, post-consumer recycled material, or similar coated or laminated material that is designed for the consumption, transportation, or protection of merchandise, food, or beverage at a food service facility, manufacturing facility, distribution facility, processing facility, or retail facility.
 - (2) Shopping cart. – As defined in G.S. 14-72.3(a)(1). (2023-134, s. 5.9(d).)