

## TITLE 17

### REFUSE AND TRASH DISPOSAL<sup>1</sup>

#### CHAPTER

1. REFUSE.
2. ONE ARM RESIDENTIAL TRASH SERVICE AND ROLL OUT CONTAINERS.

#### CHAPTER 1

#### REFUSE

#### SECTION

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**17-101. Refuse defined.** "Refuse" shall mean and include garbage, rubbish, leaves, brush, and refuse as those terms are generally defined except that dead animals and fowls, body wastes, hot ashes, rocks, concrete, bricks, and similar materials are expressly excluded therefrom and shall not be stored therewith. (1997 Code, § 17-101)

**17-102. Premises to be kept clean.** All persons within the municipality are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse except when stored as provided in this chapter. (1997 Code, § 17-102)

**17-103. Storage.** (1) Each owner, occupant, or other responsible person using or occupying any building or other premises within this municipality where refuse accumulates, or is likely to accumulate, shall provide and keep covered an adequate number of refuse containers. The refuse containers shall

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

be strong, durable, and rodent and insect proof. They shall each have a capacity of not less than twenty (20) nor more than thirty-two (32) gallons, except that this maximum capacity shall not apply to larger containers which the municipality handles mechanically. Furthermore, except for containers which the municipality handles mechanically, the combined weight of any refuse container and its contents shall not exceed seventy-five (75) pounds. No refuse shall be placed in a refuse container until such refuse has been drained of all free liquids. Tree trimmings, hedge clippings, and similar materials shall be cut to a length not to exceed four feet (4') and shall be securely tied in individual bundles weighing not more than seventy-five (75) pounds each and being not more than two feet (2') thick before being deposited for collection.

(2) All apartments, duplexes, condominiums, townhouses and all other residential units consisting of four (4) or more living units must provide a commercial dumpster on site for refuse and trash. (Ord. #512-08, Jan. 2009)

**17-104. Location of containers.** Where alleys are used by the municipal refuse collectors, containers shall be placed on or within six feet (6') of the alley line in such a position as not to intrude upon the traveled portion of the alley. Where streets are used by the municipal refuse collectors, containers shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there is no curb, at such times as shall be scheduled by the municipality for the collection of refuse therefrom. As soon as practicable after such containers have been emptied they shall be removed by the owner to within, or to the rear of, his premises and away from the street line until the next scheduled time for collection. (1997 Code, § 17-104)

**17-105. Disturbing containers.** No unauthorized person shall uncover, rifle, pilfer, dig into, turn over, or in any other manner disturb or use any refuse container belonging to another. This section shall not be construed to prohibit the use of public refuse containers for their intended purpose. (1997 Code, § 17-105)

**17-106. Collection of leaves, lawn clippings, brush, construction debris, and other debris.** The following general standards shall apply for the collection of leaves, lawn clippings, brush, construction debris and other debris:

(1) **Residential collection.** The city will provide free residential pick up of leaves, lawn clippings, brush and other debris. Any such material must be brought to curbside or edge of street. No leaves, brush, or any other debris shall be left on the street. During the months of March through September leaves shall be placed in strong durable bags for collection.

(2) **Commercially generated materials.** In no case will it be the responsibility of the City of Algood Public Works Department to pick up limbs, tree trunks, or other debris resulting from tree trimming or removal by a private

contractor, or any scrap of lumber or other debris resulting from construction or remodeling work.

(3) **Construction debris.** Construction debris shall be deposited in a construction roll-off container or alternative provisions, approved by the director of public works or his designee, and shall be made to prevent any material from blowing away. The city shall not be responsible for the removal of any construction debris containers and the owner or contractor shall regularly contract with a commercial service to empty the containers when appropriate and remove the containers at the end of construction.

(4) All refuse accumulated within the corporate limits shall be collected, conveyed and disposed of under the supervision of the director of public works. Collections shall be made regularly in accordance with an announced schedule. (Ord. #540-10, June 2010)

**17-107. Collection vehicles.** The collection of refuse shall be by means of vehicles with beds constructed of impervious materials which are easily cleanable and so constructed that there will be no leakage of liquids draining from the refuse onto the streets and alleys. Furthermore, all refuse collection vehicles shall utilize closed beds or such coverings as will effectively prevent the scattering of refuse over the streets or alleys. (1997 Code, § 17-107)

**17-108. Disposal.** The disposal of refuse in any quantity by any person in any place, public or private, other than at the site or sites designated for refuse disposal by the governing body is expressly prohibited. (1997 Code, § 17-108)

**17-109. Burning within corporate limits.** (1) It shall be unlawful for any person, firm, corporation or entity to burn or attempt to burn refuse, structure, forest, or grassland without first securing the approval in writing from the city fire chief or designate. The decision to issue a burning permit will be on a day-to-day basis with recommendations from the State of Tennessee Forestry Department, with wind speeds not greater than ten (10) miles per hour and other factors deemed necessary by the fire chief. The City of Algood Fire Chief reserves the right to revoke, suspend, or cancel any burning permit that has been previously issued if the fire chief deems necessary for safety or fire related issues. No burning shall be permitted at any time without the appropriate supervision or that the burning process has to be left unattended.

(2) Burning permits<sup>1</sup> shall be obtained by contacting the Algood City Hall, Monday thru Friday from 8:00 A.M. to 4:00 P.M. and also on weekends by contacting the City of Algood Police Department or the City of Algood fire chief or designate. Failure to secure said approval for burning is a violation of the City of Algood's ordinance and shall result in a citation for illegal burning. (Ord. #562-12, June 2012)

**17-110. Sanitation fees, commercial.** Sanitation fees for commercial services, and amendments thereto, are available in the recorder's office. (Ord. #618-17, June 2017)

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<sup>1</sup>State law reference

*Tennessee Code Annotated*, § 39-14-306.

For information regarding burn permits, see the Tennessee Department of Forestry website ([http://burnsafetn.org/burn\\_permit.html](http://burnsafetn.org/burn_permit.html)) and Putnam County E.M.A. website (<http://www2.cpcema.org>)

## CHAPTER 2

### ONE ARM RESIDENTIAL TRASH SERVICE AND ROLL OUT CONTAINERS

#### SECTION

17-201. Applicability.

17-202. General standards.

**17-201. Applicability.** The following regulations governing refuse collection shall apply to each owner, occupant, tenant, sub-tenant, lessee, or others using or occupying any building, house, structure, or grounds within the corporate limits of the City of Algood where refuse materials or substances as defined in this chapter accumulate or are likely to accumulate. (Ord. #572-13, June 2013)

**17-202. General standards.** The following general standards shall apply for the collection of refuse in the city:

The volume of all refuse containers shall be adequate to accommodate the refuse of any residential use. Specific standards for containers shall as specified herein and as determined by the director of the department of public works. All refuse containers shall be securely covered except when refuse is being deposited or removed therefrom.

It shall be the responsibility of the director of the department of public works or his designee to determine the adequate volume of all containers.

(1) All residents shall be provided one (1) ninety-six (96) gallon roll out container at no charge to properly store one (1) week's accumulation of refuse.

(2) Residential households who regularly exceed ninety-six (96) gallons of garbage a week may obtain an additional container for a one (1) time user fee of one hundred dollars (\$100.00) with a fifty percent (50%) refund should the additional container be returned to the City of Algood in proper condition. When returned to the city the container is not to be painted, abused, mutilated, altered or modified in any manner.

(3) Only refuse in the container shall be collected. Additional refuse left on the ground will not be picked up.

(4) Household material that will not fit into a roll out container such as appliances, furniture, large boxes, etc. may not be set out with the regular garbage.

(5) The refuse container shall not be filled to overflowing as to prevent the lid from fully closing. Container lids are to be closed for collection. If the overflow of refuse is regular, the city shall notify the resident to obtain an additional container.

(6) All residents except those approved for special assistance due to handicap, illness or infirmity shall place their refuse containers at curbside or

at the edge of the street no later than 7:00 A.M. on the day of collection. Containers must be removed from the curb, street, or alleyway no later than 7:00 P.M. on the day of collection. An exemption may be made by any resident who is unable to push the roll out container to the curb due to handicap, illness or infirmity. A doctor's statement is required by the public works department for the roll out container to be serviced in a location other than curbside.

(7) The container shall be placed in such a manner as not to interfere with overhead power lines or tree branches, parked cars, vehicular traffic, or in any other way that would constitute a public hazard or nuisance. Containers are to be at least four feet (4') from any tree, pole, mailbox, fire hydrant, etc. and at least ten feet (10') away from any cars parked in the street.

(8) Each resident shall be responsible for keeping the container clean and sanitary in compliance with health and sanitation requirements and shall keep the container lid closed at all times.

(a) Disposal of diapers, animal feces, and cat litter. All diapers, animal feces, cat litter and similar wastes shall be placed in durable plastic bags adequately sealed before being placed in the roll out container.

(b) Disposal of paints, stains, and similar materials. Paints, stains and similar materials still in their liquid form shall not be placed in refuse containers and shall not be collected by the department of public works as a part of regular collection.

(c) Hazardous materials. Highly flammable, combustible, explosive or hazardous materials shall not be placed in refuse containers and shall not be collected by the department of public works as a part of regular collection. Such materials shall be disposed of as prescribed by state and local laws.

(d) Syringes and other medical waste. All syringes and other medical waste shall be placed in sealed, puncture proof containers prior to being placed in a refuse container for collection by the department of public works or the authorized collector.

(9) The container is not to be painted, abused, mutilated, altered or modified in any manner.

(10) Scavenging and salvaging is unlawful. No person shall remove or attempt to remove materials from any refuse container belonging to another person or business. All materials placed in a refuse container shall be the property of the City of Algood or the authorized collector.

(11) Each resident or owner shall be responsible for replacing the container if it is damaged or destroyed by the resident or owner as a result of his negligence, by the payment of current market value plus twenty percent (20%) replacement fee to the city.

(12) The city shall replace any container that is worn out by normal wear and tear, or if it is stolen or damaged by a person other than the resident to whom it is assigned.

(13) Residents that are not in compliance with the city's roll out container rules and regulations will be notified by placement of a sticker on the container. The sticker will be clearly marked what compliance is not being met. If the resident does not meet the compliance by the next week's collection day, the container will not be emptied.

(14) Any resident moving to another location within the city limits, or out of the city limits, shall be responsible for notifying the public works department. The roll out container shall remain at the original assigned location. Additional containers shall also remain at the original assigned location unless the resident is moving to another location inside city limits or may be returned to the city for a fifty percent (50%) refund of the one hundred dollar (\$100.00) fee assessed for the additional container.

(15) Unlawful use of roll out containers. No person shall deposit refuse in a privately or publicly owned container without the expressed permission of the owner of said container. (Ord. #572-13, June 2013)