

## TITLE 17

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

#### CHAPTER

#### 1. REFUSE.

#### CHAPTER 1

#### REFUSE

#### SECTION

- 17-101. Refuse defined.
- 17-102. Premises to be kept clean.
- 17-103. Storage.
- 17-104. Location of containers.
- 17-105. Disturbing containers.
- 17-106. Collection.
- 17-107. Collection vehicles.
- 17-108. Disposal.
- 17-109. Refuse collection fees.
- 17-110. Permits for tree trimmers, etc.
- 17-111. Violations and penalty.

**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. (1992 Code, § 8-201)

**17-102. Premises to be kept clean.** All persons within the town 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. (1992 Code, § 8-202)

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

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

mechanically. Furthermore, except for containers which 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. (1992 Code, § 8-203)

**17-104. Location of containers.** Streets are used by the town refuse collectors, therefore, containers shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there be no curb, at such times as shall be scheduled by the town 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. (1992 Code, § 8-204)

**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. (1992 Code, § 8-205)

**17-106. Collection.** All refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of the streets and sanitation superintendent. Collections shall be made regularly in accordance with an announced schedule. (1992 Code, § 8-206)

**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. (1992 Code, § 8-207)

**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 mayor and board of commissioners is expressly prohibited. (1992 Code, § 8-208)

**17-109. Refuse collection fees.** Refuse collection fees shall be at such rates as are from time to time set by the mayor and board of commissioners by ordinance or resolution.<sup>1</sup> (1992 Code, § 8-209)

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<sup>1</sup>Administrative ordinances and resolutions are of record in the office of the recorder.

**17-110. Permits for tree trimmers, etc.** Persons desiring to perform the services of tree trimming, landscaping, brush removal or similar activities within the town shall be required to apply for and obtain a permit from the Town of Lookout Mountain to perform the services of tree trimming, landscaping, brush removal or similar activities within the town. The application shall be on a form prescribed by the Town of Lookout Mountain and shall be accompanied by such fee as the town shall require to cover the cost of administration and enforcement of the requirements of this section. The permit must be renewed annually on January 1 of each year. Failure to obtain the permit shall subject the party to being required to stop work upon notice from the town marshal and other penalties as prescribed in this section. The permit fee is set at twenty five dollars (\$25.00). Further, the permit may be revoked and no new permit issued until full compliance or restitution is accomplished and the landowner and contractor shall be cited to the town court for violation of this section. (Ord. #60, Dec. 1996)

**17-111. Violations and penalty.** Violations of this chapter shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.