

## TITLE 17

REFUSE AND TRASH DISPOSAL

## CHAPTER

## 1. REFUSE.

## CHAPTER 1

REFUSE

## SECTION

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17-101. Powers of the director of public works. The services, rules and regulations described in this chapter are intended to include the conditions that are normally encountered. It shall be the responsibility of the director of public works (DPW) to provide these services as prescribed in this chapter. The DPW shall file with the city manager a set of standards describing the level of service, schedules and procedures that will be provided to all residences and commercial establishments. These standards will become effective only after the DPW has filed such standards, or any amendments thereto, with the city manager; and such standards shall continue in full force and effect until amended or rescinded by the DPW. However, recognizing that it is impossible to anticipate every circumstance or problem that may arise the DPW is authorized to make exceptions that are not covered in this chapter. These exceptions will be made only under extreme conditions, i.e. physical disability, terrain or existing nonconforming structures. (1976 Code, § 8-201)

17-102. Premises to be kept clean. The provisions of this chapter are intended to establish rules and regulations to control the handling, storing, collection, transporting and disposal of refuse. Each occupant is responsible to maintain the requirements as provided by this chapter. If the property is not occupied, then the owner shall be responsible. (1976 Code, § 8-202)

17-103. Definitions. The term "refuse" shall mean and include garbage, rubbish, ashes, leaves, grass clippings and brush as those terms are generally defined except that dead animals and fowls, body wastes, hot ashes, rocks, concrete, bricks, recognizable industrial by-products, and similar materials are expressly excluded therefrom and shall not be stored therewith. (1976 Code, § 8-203, as amended by Ord. #2010-02, Feb. 2010)

17-104. Accumulation and storage of refuse. (1) Each occupant shall provide an adequate number of approved containers for the storage of refuse except business and industrial establishments using city owned receptacles as described in section 17-105(4).

(2) All refuse shall be drained free of liquids before disposal.

(3) "Leaves" will be collected each year by the city using a vacuum collection machine. Leaves may be placed at the curb or near the edge of the pavement in windrows. Rules, regulations and schedules will be published well in advance stating specific areas and times when city crews will be working. Leaves not collected during this period must be put in bags and placed at the curb for collection by the regular residential refuse collection crew.

(4) Brush collection will be provided by the city subject to a telephone request for service. Brush will be collected as personnel and equipment are available. The collection schedule will be prepared by the DPW. Below are the guidelines for brush removal.

Brush shall be placed at the curb or edge of the pavement with the cut ends facing the street.

The stacks of brush shall be placed so as not to block the public sidewalk.

Tree limbs shall not exceed four inches (4") in diameter and shall not exceed ten feet (10') in length.

Brush shall not be placed under overhead lines or near electrical boxes, phone boxes, fire hydrants, utility poles, and fences.

All vehicles must be clear of path in order to safely pick up the brush.

Anything heavier than one thousand five hundred (1,500) pounds will require alternate arrangements by the resident.

(5) "Ashes" that have been exposed to the weather and are completely free of fire or smoke may be placed in regular containers.

(6) "Grass clippings" will be collected by the city provided that they are placed in trash bags or garbage cans thirty-two (32) gallons or less with weight not to exceed forty (40) pounds. Containers shall be placed at the curb or edge of pavement. (1976 Code, § 8-204, as amended by Ord. #2010-02, Feb. 2010, and Ord. #2020-06, June 2020 **Ch11\_09-26-22**)

17-105. Containers. (1) Residential refuse containers shall be constructed of strong and durable material, shall be rodent and insect proof, and shall not be readily corrodible. They shall have a capacity of not more than thirty-two gallons and not less than twenty gallons and, when filled, shall weigh not more

than fifty (50) pounds. Residential refuse containers shall be equipped with handles on both sides to facilitate emptying. They shall be equipped with tight fitting lids or covers to preclude the free access of flies and insects. The lids or covers shall prevent the containers from collecting water during rain or snow. The lids or covers shall be kept in place at all times except when refuse is being deposited or removed by the collector. If the container is full of water or any other liquid, it will not be picked up.

(2) Refuse containers shall be maintained in good order and repair. Any container that may have a ragged or sharp edge or other defects liable to injure the persons collecting the contents thereof shall be replaced. The city sanitation department will affix to any defective container a tag identifying such defects and giving the owner proper notice that the container must be replaced. When a person fails to repair or replace containers after notice has been given, further collection will be discontinued until proper containers have been provided. The collectors will exercise every effort to protect the container from damage as a result of unloading or loading, but the city will not be held liable for such damages.

(3) All household garbage shall be in plastic bags. These bags may be used in lieu of or in conjunction with standard refuse containers. Plastic bags shall be the type manufactured for this use. They shall be of sufficient thickness and strength to support the contents during handling and loading into the collection vehicles by the sanitation workers. All plastic bags shall be securely tied at the top. Loose household garbage will not be picked up.

(4) The city manager and the public works director have identified some areas that must purchase ninety-six (96) gallon refuse containers from the City of Loudon. If a resident outside of predetermined areas desires to request to purchase a city refuse container, they may do so by contacting city hall. A determination will be made by the public works director as to the capability of the appropriate equipment to access the property. The City of Loudon has the right to deny the request for a ninety-six (96) gallon refuse container pickup if the area is deemed not safely accessible by the appropriate equipment.

(5) Residents of public housing and multiple family dwellings, businesses and industrial establishments may deposit in the city owned refuse containers all refuse from their establishment. All cardboard boxes shall be broken down prior to depositing them in the containers. Businesses and industrial establishments are exempt from the requirements in section 17-104(1) and (2). No person other than for whom the containers were designated to serve may use the refuse containers.

(6) The DPW shall determine based on economic considerations and the efficiency of collection the size, location and service provided for all containers furnished by the city. Only one container will be furnished each customer or one container may be furnished that will be shared by several customers. Customers needing additional storage capacity may purchase containers from the city at cost. Hereinafter, all containers shall be replaced by

the customer at customer's cost. All containers will be emptied a minimum of once each week.

(7) Each customer(s) will be notified in writing of the size, location, frequency of service and the names of other customers that are assigned to share the container. The customer(s) will be responsible for preventing litter from accumulating around the container. The customer shall notify the city of anyone other than the assigned users that may be putting refuse into the container.

(8) Business and industrial establishments not served by a city-owned receptacle shall provide a sufficient number of containers to fully contain all refuse accumulated between collection periods. The size of the containers shall not exceed the size authorized for residential users.

(9) Refuse containers must be located outside of buildings. They shall be placed where they will not become a traffic or fire hazard and will be accessible to city sanitation employees.

(10) Collections scheduled for business and industrial establishments furnishing their own containers will be served by the residential collection crew on the same days as the residential customers in the vicinity.

(11) Containers shall be placed at the curb or edge of pavement on the designated collection day and removed on the same day.

(12) Containers shall be placed back of the curb or between the edge of the pavement and the roadway ditch if there is sufficient space.

(13) Property abutting on a public alley shall place the containers not more than five feet from the property line. If the back property is fenced, the containers shall be placed on the alley side of the fence. If sufficient space is not available between the fence and the alley the containers may be placed inside the fence if easy access to the containers is provided.

(14) Exceptions to alley service may be made by the DPW if it is impractical using sanitation department collection equipment or containers can not be served because of some physical barrier. (1976 Code, § 8-205, as amended by Ord. # 1989-12, Oct. 1989, Ord. #2016-11, Nov. 2016, and Ord. #2020-06, June 2020 ***Ch11\_09-26-22***)

17-106. Refuse not to be collected unless properly stored. In no case will it be the responsibility of the city public works department to shovel or pick up from the ground any accumulation of refuse. Brush should be stacked with all cut ends facing the street. The city public works department will not pick up, chip, or dispose of any tree limbs, wood, or other debris that is created by contract tree trimmers or other paid individuals. (1976 Code, § 8-206, as replaced by Ord. #2013-01, Jan. 2013)

17-107. Refuse from construction, demolition, or repairs. (1) In no case will it be the responsibility of the city public works department to collect refuse resulting from construction, demolition, or repairs of buildings, structures, or

appurtenances being performed by contractor. This service is provided under the following circumstances:

- (a) The homeowner is doing the work (No contract labor whatsoever).
- (b) No shingles, liquids (including paint), tire-mounted wheels, or other material that cannot be deposited in the landfill will be collected.
- (2) The city will only pick up or provide the equivalent of one (1) pickup truck load at no cost during any twelve (12) month period. Any additional loads will incur a prepaid charge of seventy-five dollars (\$75.00) per equivalent truck load.

- (a) The material shall be placed in an orderly manner by the curb so that the city crew can load the material within a reasonable timeframe; or

- (b) When available, the city will provide a truck between 7:30 A.M. and 2:30 P.M. on regular business days, for the homeowner to load (this does not apply to weekends or holidays observed by the city). The truck must be loaded in such a manner as to meet the regulations for hauling. (1976 Code, § 8-207, as replaced by Ord. #2013-01, Jan. 2013, and Ord. #2020-06, June 2020 ***Ch11\_09-26-22***)

17-108. Dumping in streams, sewers, and drains prohibited. It shall be unlawful to dump refuse in any form into a stream, ditch, storm sewer, sanitary sewer, or other drain. (1976 Code, § 8-208)

17-109. Disposal of refuse by city. All refuse accumulated in the city shall be collected, conveyed, and disposed of by the city's sanitation department. No person shall convey over any of the streets or alleys of the city, or dispose of any refuse, except as noted in section 17-110. All refuse shall be disposed of in a sanitary land fill or other sites approved by the DPW. (1976 Code, § 8-209)

17-110. Disposal of refuse other than by city. Producers of refuse and/or their agent may convey and dispose of such refuse provided they shall first obtain a permit from the city granting them the right to collect, convey, and dispose of the refuse. Applicants for this type of private disposal permit will not be exempt from paying the disposal charges. (1976 Code, § 8-210)