

**TITLE 17**

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

**CHAPTER**

**1. GARBAGE AND TRASH.**

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**GARBAGE AND TRASH<sup>2</sup>**

**SECTION**

- 17-101. Definitions.
- 17-102. Accumulation prohibited; storage, disposal generally.
- 17-103. Containers--required.
- 17-104. Specifications; to be kept covered.
- 17-105. Location.
- 17-106. Maintenance.
- 17-107. Removal of defective containers.
- 17-108. Wet garbage to be drained and wrapped.
- 17-109. Collectors not responsible for removal of refuse from ground;  
preparation of leaves, packing material, etc., for collection.
- 17-110. Accumulation of lumber, boxes, barrels, etc.
- 17-111. Superintendent of streets and sanitation to supervise collection.
- 17-112. Collection schedules.
- 17-113. Permit for private collectors.
- 17-114. Collection vehicles.
- 17-115. Disposal to be at approved sites.
- 17-116. Method of disposal generally.
- 17-117. Deposit in streams, drains, etc., prohibited.
- 17-118. Deposit on streets or sidewalks.
- 17-119. Feeding to swine.
- 17-120. Implementation of fees for the collection, removal and disposal  
of refuse.
- 17-121. Unauthorized use of dumpsters.

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

<sup>2</sup>Charter reference

Authority to provide for collection and disposal of garbage,  
etc.:§ 1.04(m).

Municipal code references

Refuse storage, collection and disposal in mobile home parks: title 14.  
Superintendent of streets and sanitation: title 1.

**17-101. Definitions.** For the purposes of this chapter:

(1) "Ashes" means and includes all ashes of wood, coal and coke, and residue resulting from the combustion of any material or substance, and soot, cinders, slag and charcoal.

(2) "Garbage" means and includes rubbish, ashes, refuse, trash, and all other putrescible and nonputrescible, combustible and noncombustible waste materials except sewage, body wastes, or recognizable industrial by-products, from all residences and establishments, public and private.

(3) "Rubbish" means and includes all leaves, branches of trees, chips, shavings, paper, pasteboard, grass, rags, straw, boots, shoes, hats and all other combustible matter not specifically set out in this chapter. (1998 Code, § 17-101)

**17-102. Accumulation prohibited, storage, disposal generally.** All persons within the city shall keep their premises in a clean and sanitary condition, free from accumulations of garbage, offal, filth, and trash except when stored between intervals of collection as provided in this chapter. (1998 Code, § 17-102)

**17-103. Containers--required.** Each owner, occupant, tenant, subtenant, lessee or other person using or occupying any building, house, structure or grounds within the corporate limits of the city, where garbage or other substances defined in this chapter accumulate or are likely to accumulate, shall provide an adequate number of suitable containers, of a type approved by the health officer, for the storage of such refuse. (1998 Code, § 17-103)

**17-104. Specifications; to be kept covered.** Containers required by § 17-103 shall be constructed of strong and durable metal or plastic not readily corrodible, and shall be rodent and insect-proof and of a capacity not exceeding thirty-two (32) gallons and not less than twenty (20) gallons, except that the maximum capacity shall not apply in cases where the city is equipped to handle containers of similar construction mechanically. Such containers shall be equipped with handles to facilitate emptying and shall be equipped with tight-fitting lids or covers, constructed of the same material and of such design as to preclude the free access of flies and other insects and to prevent the container from collecting water during rains. The lid or cover shall be kept in place at all times except when refuse is being deposited therein or removed therefrom. Plastic garbage bags will be acceptable if they are securely tied. (1998 Code, § 17-104)

**17-105. Location.** Garbage containers required by this chapter shall be placed in such convenient and accessible locations for collections as may be designated by the garbage collection agency. (1998 Code, § 17-105)

**17-106. Maintenance.** Garbage cans shall be maintained in a clean and sanitary manner and shall be thoroughly cleaned by washing or other methods as often as necessary to prevent the breeding of flies and the occurrence of offensive odors. (1998 Code, § 17-106)

**17-107. Removal of defective containers.** The superintendent of streets and sanitation is hereby authorized to confiscate and remove refuse containers from the premises of residences and establishments, public and private, when such containers are not suitable for the healthful and sanitary storage of garbage. Such containers shall be removed and disposed of at a place and in a manner designated by the street department only after the owner of such containers has been duly notified of such impending action. (1998 Code, § 17-107, modified)

**17-108. Wet garbage to be drained and wrapped.** Wet garbage shall be drained of all liquids and wrapped in paper or other equivalent material prior to placing it in the garbage container. (1998 Code, § 17-108)

**17-109. Collectors not responsible for removal of refuse from ground; preparation of leaves, packing material, etc. for collection.** In no case will it be the responsibility of the garbage collecting agency of the city to shovel or pick up from the ground any accumulations of garbage including leaves, lawn clippings, brush, and packing materials. All such materials shall be placed in containers of the type described in this chapter or cut and bailed, tied, bundled, stacked or packaged so as not to exceed thirty-six inches (36") in length and seventy-five (75) pounds in weight. (1998 Code, § 17-109)

**17-110. Accumulation of lumber, boxes, barrels, etc.** It shall be unlawful for any person to permit to accumulate and remain on any premises in the city, improved or vacant, owned or occupied by him or on any public or private street, any lumber, boxes, barrels, bricks, stones or similar materials, unless the same is placed on open racks that are elevated not less than eighteen inches above the ground, and evenly piled or stacked so that such materials will not afford harborage for rats. (1998 Code, § 17-110)

**17-111. Superintendent of streets and sanitation to supervise collection.** The collection of garbage within the city shall be under the supervision of the superintendent of streets and sanitation.<sup>1</sup> (1998 Code, § 17-111, modified)

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<sup>1</sup>Municipal code reference

Superintendent of streets and sanitation: title 1.

**17-112. Collection schedules.** In the residential areas of the city, garbage shall be picked up at least once each week on such days as shall be designated by the superintendent of streets and sanitation. Garbage pickups shall be daily in the business district and for outlying businesses requiring daily pickups. (1998 Code, § 17-112, modified)

**17-113. Permit for private collectors.** No person shall engage in the business of collecting refuse or removing the contents of any refuse container for any purpose whatsoever, who does not possess a permit to do so from the superintendent of streets and sanitation. Such permit may be issued only after the applicant's capability of complying with the requirements of this chapter has been fully determined. Such permit may be suspended or revoked upon the violation of any of the terms of this chapter. (1998 Code, § 17-113, modified)

**17-114. Collection vehicles.** The collection of garbage within the city shall be by means of vehicles with beds constructed of impervious materials and easily cleanable and so constructed that there will be no leakage of liquids draining from the refuse onto the streets and public thoroughfares. Provisions shall be made to prevent the scattering of refuse over the streets and thoroughfares by effective coverings or closed truck beds.<sup>1</sup> (1998 Code, § 17-114)

**17-115. Disposal to be at approved sites.** The disposal of garbage in any quantity by any person in any place, public or private within the city other than at the site or sites designated for such purpose by the city council is expressly prohibited. (1998 Code, § 17-115)

**17-116. Method of disposal generally.** The disposal of all garbage shall be by methods approved by the county health officer. Such methods shall provide the maximum practical rodent, insect, and nuisance control at the place of disposal. (1998 Code, § 17-116)

**17-117. Deposit in streams, drains, etc., prohibited.** It shall be unlawful for any person to dump or deposit garbage in any form into any stream, ditch, storm sewer, or other drain within the city.<sup>2</sup> (1998 Code, § 17-117)

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<sup>1</sup>Municipal code reference  
Motor vehicles and traffic: title 15.

<sup>2</sup>Municipal code reference  
Water and sewers: title 18.

**17-118. Deposit on streets or sidewalks.** It shall be unlawful for any person to deposit, place or throw upon the streets or sidewalks of the city any paper, rags, fruit rinds or refuse of any kind.<sup>1</sup> (1998 Code, § 17-118)

**17-119. Feeding to swine.** No garbage shall be fed to swine within the city unless such garbage has first been heated to at least two hundred twelve degrees Fahrenheit (212° F) and held there at least thirty (30) minutes in apparatus and by methods approved by the state department of agriculture as set forth in the state garbage feeding law.<sup>2</sup> (1998 Code, § 17-119)

**17-120. Implementation of fees for the collection, removal and disposal of refuse.** (1) Refuse shall mean and include garbage, rubbish and refuse as those terms are generally defined except that dead animals, fowls, body wastes, hot ashes, rocks, concrete, bricks, and similar materials are expressly excluded there from and shall not be stored therewith.

(2) Commercial or other non-residential business is determined by class; type of business and number of employees.

(3) Monthly fees are to be implemented for the collection, removal and disposal of refuse.<sup>3</sup> (1998 Code, § 17-120)

**17-121. Unauthorized use of dumpsters.** Unlawful use from depositing garbage, rubbish, ashes, refuse or trash, or any other waste materials in dumpsters is prohibited unless authorized by the City of Bolivar Sanitation Department. Violation of this chapter shall be punishable by a fine not to exceed fifty dollars (\$50.00). (Ord. #12-003, April 2012)

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<sup>1</sup>Municipal code reference  
Streets and sidewalks: title 16.

<sup>2</sup>Municipal code reference  
Keeping hogs: title 10.

State law reference  
Garbage feeding law: Tennessee Code Annotated, § 44-2-401 through 44-2-408.

<sup>3</sup>Fees for refuse collection, removal and disposal (and amendments thereto) are of record in the office of the city administrator.