

**TITLE 17**

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

**CHAPTER**

**1. REFUSE.**

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**REFUSE**

**SECTION**

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**17-101. Definitions.** (1) "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.

(2) "Commercial refuse" means solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, office or professional building, shopping center, multiple business complex, commercial housing facility, church, club or other similar organizations.

(3) "Residential refuse" means garbage resulting from the operation and maintenance of dwelling units, excluding commercial housing facilities.

(4) "Refuse generator" is any residence, church, business, industry, public facility or others that generate refuse.

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

(5) "Bulk container" is a dumpster container with a capacity of four to eight cubic yards that remains at the point of collection designated by the city. (Ord. #265, Dec. 1995)

**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 herein. (Ord. #265, Dec. 1995)

**17-103. Storage.** Each owner, occupant, or other responsible person using or occupying any building or other premises within the Town of Carthage where refuse accumulates or is likely to accumulate, shall provide and keep covered an adequate number of refuse containers. All trash must be in a closed bag and placed inside the designated container; and 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. Furthermore, the combined weight of any refuse container and its contents shall not exceed thirty-five (35) pounds. No refuse shall be placed in a refuse container until such refuse has been drained of all free liquids. (Ord. #265, Dec. 1995, as amended by Ord. #379, Aug. 2011)

**17-104. Location of containers.** Residential refuse collection will be at the premises at a frequency of one (1) time per week. All refuse must be brought to the curb for pick-up, unless resident is unable to move refuse. A physician and/or competent medical professional's statement will be required as proof of this. In these cases, contractor shall provide rear yard pickup of refuse. (Ord. #265, Dec. 1995, as replaced by Ord. #379, Aug. 2011)

**17-105. Confiscation of unsatisfactory storage containers.** The official refuse collecting agency of the town is hereby authorized to confiscate or to remove unsatisfactory storage containers from the premises of residences and establishments, public and private, when at the discretion of the sanitation supervisor such containers are not suitable for the healthful and sanitary storage of refuse substances. Such unsatisfactory containers shall be removed and disposed of at a place and in a manner designated by the official collecting agency only after the owner or owners of such containers have been duly notified of such impending action. (Ord. #265, Dec. 1995)

**17-106. 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. (Ord. #265, Dec. 1995)

**17-107. Collection.** All refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of the sanitation supervisor as the town council shall designate. Collections shall be made regularly in accordance with an announced schedule. (Ord. #265, Dec. 1995)

**17-108. 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. (Ord. #265, Dec. 1995)

**17-109. Disposal.** The disposal of refuse in any quantity by any person in any place, public or private, other than at the sites designated for refuse disposal by the town council is expressly prohibited. (Ord. #265, Dec. 1995)

**17-110. Schedule of fees for collection, removal and disposal.** The town council shall establish, by resolution, a schedule of fees for collection, removal and disposal of all refuse for residential and commercial establishments. A copy of the schedule shall be kept in the city recorder's office for public inspection. (Ord. #265, Dec. 1995)

**17-111. Collection and billing of fees.** Cost of collection services of garbage and refuse shall be defrayed by each person, business, or firm, etc. who is using town garbage service or having access to such service, paying a sum to be established by a resolution of the town council. The fee for collection, removal and disposal of refuse by the town shall be included as a separate item on the water bill. The accounts shall be paid at the same time water bills are paid. The fee may be waived at the discretion of the council for such businesses that employs a private refuse hauling service that complies with §§ 17-106, 17-107, 17-108, and 17-113 of this chapter. The fee for collection will become delinquent after the service has been rendered and fees are not paid in full at the time water bills are due. (Ord. #265, Dec. 1995)

**17-112. Penalty.** The fee for the collection, removal and disposal of refuse shall be paid monthly at the same time water bills are paid. A 20% penalty will be applied to delinquent bills, and shall remain in effect until fees are paid in full. (Ord. #265, Dec. 1995)

**17-113. Violations and enforcement.** Any person violating any of the provisions of this chapter shall be served by the town with written notice stating the nature of the violation and providing a 7 days' time limit for the satisfactory

correction thereof. The offender shall within the period of time stated in such notice permanently cease and correct all violations. (Ord. #265, Dec. 1995)

**17-114. Prohibited substances and practices.** (1) The following substances are hereby prohibited from being deposited with solid wastes collected by the town:

(a) Flammable liquids, solids or gases, such as gasoline, benzine, alcohol or other similar substances;

(b) Any material that could be hazardous or injurious to town employees or which could cause damage to town equipment and/or facilities;

(c) Hazardous waste as defined in Tennessee Code Annotated, § 68-212-104(7) and household hazardous waste as defined in Tennessee Code Annotated, § 68-211-802(7);

(d) Construction waste consisting of materials from construction, demolition, remodeling, construction-site preparation, including but not limited to rocks, bricks, dirt, debris, fill, plaster, guttering, and all types of scrap materials;

(e) Human or animal excrement;

(f) Hot materials such as ashes, cinders, etc.;

(g) Infectious wastes including, but not limited to, those classified by the following:

(i) Isolation wastes. Wastes contaminated by patients who are isolated due to communicable disease as provided in the U.S. Center for Disease Control Guidelines for Isolation Precautions in Hospitals (July 1983).

(ii) Cultures and stocks in infectious agents and associated biological cultures and stocks of infectious agents, including specimen cultures from medical and pathological laboratories, cultures and stocks of infectious agents, from research and industrial laboratories, waste from the production of biological, discarded mice and attenuated vaccines.

(iii) Laboratory waste which has come into contact with cultures and stocks of etiologic agents or blood specimens. Such wastes includes, but is not limited to, culture dishes, blood specimen tubes, devices used to transfer, inoculate and mix cultures, paper and cloth which has come into contact with cultures and stock of etiologic agents.

(iv) Human blood and blood products. Waste human blood and blood products such as serum, plasma, and other blood components.

(v) Pathological wastes. Pathological wastes, such as tissues, organs, body parts, and body fluids that are removed during surgery and autopsy.

(vi) Discarded sharps. All discarded sharps (e.g. hypodermic needles, syringes, pasteur pipettes, broken glass, scalpel blades, etc.) used in patient care, medical research or industrial laboratories.

(vii) Contaminated animal carcasses, body parts and bedding. Contaminated animal carcasses, body parts and bedding of animals that were intentionally exposed to pathogens in research, in the production of biological or in the invitro testing of pharmaceutical.

(h) Human and/or animal remains.

(i) Automobile, truck and equipment batteries and tires.

(j) It shall be unlawful for any person, firm, or corporation to dump refuse in any form into any stream, ditch, storm sewer, sanitary sewer, or other drain within the Town of Carthage, Tennessee.

(2) It shall be unlawful for any person, firm, or corporation to burn or attempt to burn refuse on private or public property within the corporate limits of the Town of Carthage without first securing the approval of the appropriate town departments having jurisdiction. (Ord. #265, Dec. 1995)