

TITLE 17

REFUSE AND TRASH DISPOSAL

CHAPTER

1. REFUSE.

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. (1983 Code, § 8-201)

17-102. Disposition in public places prohibited. No person shall throw, dump or discard any garbage, paper, cans, bottles, trash or waste of any kind on any of the streets, alleys, right-of-ways or other public places in the Town of Jasper. (1983 Code, § 8-202)

17-103. Premises to be kept clean. No owner or operator of any business in the Town of Jasper, Tennessee, shall permit garbage, paper, paper plates, bottles, cans, trash or waste of any kind to accumulate on the premises of such business or the right-of-ways or streets adjacent thereto, and it shall be the duty of all owners and operators of businesses to regularly have the grounds of said

businesses policed and all such accumulations picked up so that there will be no flies and other insects and/or rodents attracted to the premises and to prevent washing or blowing of said materials onto the property of others or public ways in the town. (1983 Code, § 8-203)

17-104. Storage. 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 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 (4) feet and shall be securely tied in individual bundles weighing not more than seventy-five (75) pounds each and being not more than two (2) feet thick before being deposited for collection. (1983 Code, § 8-204)

17-105. Location of containers. Where alleys are used by the municipal refuse collectors, containers shall be placed on or within six (6) feet 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 be 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. (1983 Code, § 8-205)

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. (1983 Code, § 8-206)

17-107. Collection. All refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of such officer as the governing body shall designate. Collections shall be made regularly in accordance with an announced schedule. (1983 Code, § 8-207)

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. (1983 Code, § 8-208)

17-109. 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. (1983 Code, § 8-209)

17-110. Refuse collection fee. There is hereby levied on each and every occupied dwelling unit within the town a garbage collection fee of fifteen dollars (\$15.00) per month. A dwelling unit is a building or portion thereof providing living quarters for one (1) family.

The garbage collection fee shall be billed and collected with the water bill of all customers within the town who are connected to the town water system. Those dwelling units not connected to the town water system shall be billed separately. The garbage collection fee shall be due and payable on the same schedule as the water bill regardless of the billing system used.¹

The garbage collection fee shall be mandatory as to each occupied dwelling unit within the corporate limits that is accessible to the town's water system. Accessible means that the real estate upon which the occupied dwelling unit is located abuts one of the town's water lines. (Ord. #181, Sept. 1991, as amended by Ord. #192, Sept. 1992, Ord. #233, § 1, Sept. 1997, and Ord. #343, Sept. 2011)

17-111. Commercial users. Any commercial business now having its refuse collected by the Town of Jasper as a residential unit will be charged the fee assessed in section 17-110. If the commercial business has garbage in such a quantity and type that exceeds that of the average dwelling unit, then the Town of Jasper shall have no responsibility to collect said garbage or to dispose of same, and the commercial user shall be required to make other satisfactory arrangements with garbage collection services. (Ord. # 181, Sept. 1991)

17-112. Dwelling unit garbage collection by others than municipality prohibited. It shall be unlawful for any person or entity to engage in the business of, or offer the services of garbage or refuse collection from dwelling units within the corporate limits of the town. This service shall be provided only

¹Municipal code reference
Water and sewers: title 18.

by the municipality for the fee established by ordinance. (Ord. # 181, Sept. 1991)

17-113. Permit required for non-dwelling unit service. (1) It shall be unlawful for any person or entity to engage in the business of, or offer the services of garbage or refuse disposal for non-dwelling unit premises without having first obtained a permit from the town recorder for operation of said service. This is intended to apply to services provided for commercial operations and other than normal dwelling unit pickup.

(2) Permits shall be issued when the following requirements are met:

(a) A certificate of any underwriter that the applicant has in force a policy, or policies of insurance issued by an insurance company authorized to transact business within the State of Tennessee carrying general liability coverage for the operation of equipment or vehicles for bodily injuries in the minimum amount of \$150,000.00 per person and \$350,000.00 per accident, and \$50,000.00 for all damage arising from injury to or destruction of property. Such certificate of insurance must also contain an endorsement providing for a minimum of ten days notice to the town in the event of any cancellation of the policy.

(b) A contract, agreement, or other indicia of regular disposal of refuse at a governmentally approved or operated waste disposal site.

(c) Payment of the annual permit fee of \$25.00 is hereby instituted as of January 1, 1992.

(3) In the event the Town of Jasper should contract with independent services for dwelling unit collection, then said collection service shall not be required to obtain any such permit. (Ord. # 181, Sept. 1991)

17-114. Permit revocation. The mayor may revoke the permit of any permittee under section 17-113 if:

(1) The permit was procured by fraudulent conduct or false statement of a material fact or a fact concerning the applicant which was not disclosed at the time of making the application that would have constituted just cause for refusing to issue such permit.

(2) The permittee violates any provision of this chapter. (Ord. # 181, Sept. 1991)

17-115. Violations. It shall be unlawful to wilfully fail to pay the fee assessed by section 17-110 of this chapter or any amendments thereto, after the date said fee is delinquent, or to violate any other provision of this chapter. Violations may be prosecuted in town court as any other misdemeanor. (Ord. # 181, Sept. 1991)