

TITLE 17**REFUSE AND TRASH DISPOSAL****CHAPTER**

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CHAPTER 1**REFUSE****SECTION**

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17-101. Private premises to be kept clean. All persons, firms, and corporations within the corporate limits of the City of Jefferson City are hereby required to keep their premises in a clean and sanitary condition, free from accumulation of refuse, garbage, offal, filth, and trash. All such persons, firms, and corporations are hereby required to store such refuse in sanitary containers of the type described in this chapter between intervals of collection or to dispose of such material in a manner prescribed by the city manager or his representative so as not to cause a nuisance or become injurious to the public health and welfare. (1996 Code, § 8-401)

17-102. Definitions. The following terms shall have the meanings indicated for the purposes of this chapter:

(1) "Refuse." The term "refuse" shall include garbage, rubbish, ashes, and all other putrescible and non-putrescible, combustible and non-combustible materials originating from the preparation, cooking, and consumption of food; market refuse; waste from the handling and sale of produce; and other similar unwanted materials; but shall not include sewage, body waste, or recognizable industrial by-products from all residences and establishments, public and private.

(2) "Garbage." The term "garbage" shall include all putrescible wastes, except sewage and body waste, including vegetable and animal offal and carcasses of dead animals but excluding recognizable industrial by-products from all public and private residences and establishments.

(3) "Rubbish." The term "rubbish" shall include all non-putrescible waste materials except ashes from all public and private residences and establishments.

(4) "Ashes." The term "ashes" shall include the waste products from coal, wood, and other fuels used for cooking and heating from all public and private residences and establishments.

(5) "Collector." The term "collector" shall mean any person, firm, or corporation that collects, transports, or disposes of any refuse within the corporate limits of the City of Jefferson City.

(6) "Health officer." The term "health officer" shall mean the city manager or his representative. (1996 Code, § 8-402)

17-103. Storage of refuse. Each owner, occupant, tenant, sub-tenant, Ace, or others using or occupying any building, house, structure, or grounds within the City of Jefferson City, where refuse materials or substances as defined in this chapter accumulate, shall provide an adequate number of suitable containers of a type approved by the health officer, for the storage for such refuse. Such containers shall be constructed of metal, and shall be strong and durable, rodent and insect proof, not readily corrodible, and shall have a capacity not exceeding thirty (30) gallons. Smaller containers may be used if they are of sufficient capacity adequately to meet the requirements. 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 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 by an official collector. The storage containers shall be placed in such convenient, accessible location for trucking as may be designated by the official refuse collecting agency.

Wet garbage or refuse must be drained of all liquids prior to placing into a storage receptacle. The containers 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. (1996 Code, § 8-403)

17-104. Confiscation of unsatisfactory storage containers. The official refuse collecting agency of the city is herein 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 health officer, 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 a manner designated by the official collecting agency only after the owner of such containers have been duly notified of such impending action. (1996 Code, § 8-404)

17-105. All refuse must be placed in containers for collection. In no case will it be the responsibility of the refuse collecting agency of the city to shovel or pick up from the ground any accumulations of refuse including leaves, lawn clippings, brush, and packing material. All such materials are to be placed in containers of the type described in § 17-103 or of a type and design which will meet with the approval of the health officer and the requirements of the collecting agency. (1996 Code, § 8-405)

17-106. Collection of refuse. (1) Collection interval. The city manager shall cause to be collected such refuse at least once in every ten days to prevent the occurrence of nuisances and public health problems.

(2) Special collections. Any person, firm, partnership, or corporation requesting refuse collection more often than is regularly provided shall pay to the city a collection fee. For the purposes of this section, regular service shall be considered one (1) collection per week for residential and twice (2) per week for commercial and industrial establishments.

(3) Special collection fees. Any person, firm, partnership, or corporation requesting special collections as provided above shall pay to the city a fee for services as follows:

Residential and commercial, with individual containers, sixty gallons size or less:

1 to 8 containers	\$10.00
9 to 15 containers	\$20.00
16 to 25 containers	\$30.00
26 or more containers	\$40.00

Commercial or industrial establishments, dumpsters, one and one-half cubic yards or larger:

each container	\$6.00
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(4) Private collections. No person, firm, partnership, or corporation shall engage in the business of collecting, hauling, or removing refuse not

located on his own premises for any purpose whatsoever unless such person, firm, partnership, or corporation possesses a permit to do so from the city.

(5) **Permit.** Such permits as provided above shall be issued only after the applicant's capability of complying with the requirements of this chapter has been fully determined by the city manager, and in particular, an approved method of disposal in an approved landfill.

(6) **Permit fee.** A permit fee of fifty dollars (\$50.00) shall be paid by the applicant before the issuance of a permit, such fee to be paid to the city recorder. (1996 Code, § 8-406, as amended by Ord. #97-20, Oct. 1997)

17-107. Disposal of refuse. The disposal of refuse in any quantity by any individual, householder, establishment, firm, or corporation in any place, public or private, other than at the site designated by the city council is expressly prohibited. All disposal of refuse and garbage shall be by methods approved by the department of health. Such methods shall include the maximum practical rodent, insect, and nuisance control at the place of disposal. NO garbage shall be fed to swine unless said garbage has first been heated to at least 2120 F, and held there about 30 minutes in apparatus and by methods approved by the health officer. Animal offal and carcasses of dead animals shall be buried or cremated under circumstances approved by the health officer. (1996 Code, § 8-407)

17-108. Dumping in streams, sewers, and drains prohibited. 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 City of Jefferson City. (1996 Code, § 8-408)

17-109. Orders to correct violations. It shall be the duty of the health officer or his authorized representative to issue orders requiring the proper handling of garbage and refuse on public and private premises to owners, occupants, tenants, or lessees of such properties where violations shall be corrected within the time specified by the health officer. (1996 Code, § 8-409)

17-110. Violations. Any person who shall violate any of the provisions of this chapter or who shall fail to refuse to obey any notice issued by the health officer or his representative, or the superintendent of the refuse collection department shall be guilty of a misdemeanor and shall be subject to a penalty under the general penalty clause for this code of ordinances. (1996 Code, § 8-410)

17-111. Curbside debris. (1) A service fee shall be charged for the pickup of curbside debris which requires one (1) man-hour of labor or more. For the purpose of this code, curbside debris shall include, but not be limited to: tree trimmings, brush, discarded building materials, and junk.

(2) The service fee shall be twenty dollars (\$20.00) per man-hour. (1996 Code, § 8-411, modified)

17-112. Termination of garbage removal service for commercial businesses. The City of Jefferson City will not provide, nor charge for garbage removal service for commercial businesses. (as added by Ord. #2003-13, Nov. 2003)¹

17-113. Garbage collection and sewer charges for houses under construction. The City of Jefferson City will not charge for garbage collection or sewer service for units under construction, even if the unit is receiving and paying for water service, until such time as a certificate of occupancy is obtained from the office of the building inspector. (as added by Ord. #2003-14, Nov. 2003)²

17-114. Penalty for non-payment of collection fees. (1) It is unlawful to refuse or neglect to pay the monthly residential garbage service user fee when billed. Each user shall be given ten (10) days from the billing date to make payment to the city.

(2) Each thirty (30) day period that the service fee remains unpaid shall subject the user to a separate \$50.00 civil fine for non payment.

(3) The city may take legal action in the appropriate civil court to collect unpaid user fees. (as added by Ord. #2003-17, Dec. 2003)

17-115. Unauthorized deposit of garbage or refuse into city owned receptacles prohibited. It shall be unlawful for any person to deposit garbage or refuse into city owned bulk trash collection units unless authorized to do so by the city manager or his designee. The city manager or his designee is authorized to cause appropriate signage to be posted on or near the trash collection units. (as added by Ord. #2005-3, May 2005)

17-116. Transportation of garbage or refuse into the city by non-residents is prohibited. It shall be unlawful for any person to transport or cause to be transported garbage or refuse into the city for the purpose of depositing such refuse on or in any street, sidewalk, gutter, park or other public property within the city. This provision shall in no way prohibit city residents from disposing of their household garbage and refuse curbside in accordance with the provisions of this code. (as added by Ord. #2005-3, May 2005)

¹Ord. #2003-13 provides the effective date of this section shall be "December 1, 2003."

²Ord. #2003-14 provides the effective date of this section shall be "December 1, 2003."

17-117. Presumption concerning garbage, refuse, or litter bearing person's name. If an object of litter or refuse, or a garbage container enclosing an object of litter or refuse, is found on private property without the property owner's permission or upon any public property or in any city owned trash collection receptacle, and such object bears a person's name, it shall be prima facie evidence that the person whose name appears in the object caused it to be thrown, dumped or deposited there. (as added by Ord. #2005-3, May 2005)

CHAPTER 2

RECYCLING

SECTION

- 17-201. Definitions.
- 17-202. Policy of curbside recycling.
- 17-203. Recycling required.
- 17-204. Contract for collection and materials to be recycled.
- 17-205. Purchase of recycling containers.
- 17-206. Collection cost and compulsory service charge.
- 17-207. Orders to correct violations.
- 17-208. Violations.

17-201. Definitions. As used in this chapter, terms are defined as follows unless the context indicates otherwise:

(1) "Residence" means and includes a detached single-family structure designed or intended for occupancy by one person or by one family. Each trailer or mobile home in a non-containerized area shall be deemed a "residence," and each paid space shall be deemed a single-family structure.

(2) "Duplex" means and includes a detached two-family structure designed or intended for occupancy by two (2) families and shall be considered two collection customers.

(3) "Triplex" means and includes a detached three-family structure designed or intended for occupancy by three (3) families and shall be considered three collection customers.

(4) "Multi-family dwelling" means and includes any building or structure containing four (4) or more contiguous living units and intended exclusively for residential single persons or families. Multi-family dwelling units including more than four (4) units will not be considered for residential recycling collection service.

(5) "Municipal solid waste" means any garbage, refuse, or household waste required to be disposed of in a Class I landfill, as defined in regulations adopted pursuant to Tennessee Code Annotated, Title 68, Chapter 31; provided, however, municipal solid waste does not include the following:

- (a) Radioactive waste;
- (b) Hazardous waste as defined in Tennessee Code Annotated, § 68-46-104;
- (c) Infectious waste;
- (d) Industrial waste which may include office domestic or cafeteria waste, managed in a privately owned solid waste disposal system or resource recovery facility if such waste is generated solely by the owner of the solid waste system or resource recovery facility.

(6) "Contractor" means the person or firm who is in charge of the actual collection of the recyclable materials. This term may be used interchangeably with the term "collector."

(7) "Recyclable materials" mean those materials which are capable of being reused or returned to use in the form of raw materials or products, whether or not such materials have been diverted or removed from the solid waste stream.

(8) "Recycling" means any process by which materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

(9) "Solid waste stream" means the system through which solid waste and recoverable materials move from the point of discard to recovery or disposal.

(10) "Solid waste" means any garbage or refuse, including without limitation, recyclable materials when they become discarded. (1996 Code, § 8-601)

17-202. Policy of curbside recycling. It is the policy of Jefferson City, Tennessee to initiate a once a week residential curbside recycling collection program to service residences currently serviced by BFI under contract with Jefferson City. (1996 Code, § 8-602)

17-203. Recycling required. Every residence in Jefferson City, which is currently serviced by BFI, under contract with the city, is required to place recyclable solid waste materials of paper, glass, plastics, and aluminum cans in containers for collection by the city or its contractor. The city manager is authorized to solicit bids for the purchase of recycling containers to be distributed to residences currently serviced by BFI under contract with the city. It is the intent of the city to purchase the initial containers for each residence referenced above and that replacement containers be provided by each residence. Residents may purchase additional containers which will be collected at the curb. The city, or its contractor, shall collect nothing other than paper, glass, plastics, and aluminum cans in the recycling containers, unless otherwise specified by contract approved by the city council. (1996 Code, § 8-603)

17-204. Contract for collection and materials to be recycled. The city manager is authorized to negotiate a contract for the collection of recyclable materials once each week at the curb of every residence, as specified in § 17-203, in Jefferson City. Materials to be placed in recycling containers for collection shall consist of the following: paper, glass, plastics, and aluminum. Other materials, for which markets may improve or develop, may be included by amendment of the contract between the city and the contractor. (1996 Code, § 8-604)

17-205. Purchase of recycling containers. For the purpose of purchasing recycling containers, the following budget amendments are hereby approved:

Account No.	Description	Debit	Credit
27100	Fund Balance	\$11,110	
43120-329 (1996) Code, § 8-605)	Other Oper. Supplies		\$11,110

17-206. Collection cost and compulsory service charge. Contract services for the collection of recyclable materials are estimated to cost \$22,200 annually. Jefferson City is empowered by Article II, Section 1., subsection (13) of the City Charter of Jefferson City to collect garbage, including recyclable materials, and to impose a compulsory service charge for such, and regulate the collection thereof. The Solid Waste Management Act of 1991, enacted by the Tennessee General Assembly also confers similar authority to city governments. A two dollar and twenty-two cents (\$2.22) per month compulsory recycling service charge is hereby imposed on every residential unit described in § 17-203. This service charge shall be collected on the monthly water/sewer billing statement. The first dollar collected shall be the compulsory recycling service charge, for collecting garbage which is recyclable, with the balance of the statement to be the user fee for water/sewer service. Water customers with bulk meters shall pay a one dollar (\$1) per month compulsory recycling service charge for each residential unit, described in § 17-203. A minimum charge shall be assessed for recycling collection to bulk meter customers, equal the number of household units served by the bulk meter, and shall be collected on the monthly water/sewer billing statement for the compulsory recycling service with the balance of the statement to be the user fee for water/sewer service. (1996 Code, § 8-606, as amended by Ord. #2008-20, Nov. 2008)

17-207. Orders to correct violations. It shall be the duty of the city manager, or his authorized representative, to issue orders requiring the proper handling of solid waste materials that are recyclable on public and private premises to owners, occupants, tenants, or lessees of such properties where violations are known to exist. Such orders shall require that all violations shall be corrected within the time specified by the city manager. (1996 Code, § 8-607)

17-208. Violations. Any person who shall violate any of the provisions of this chapter or who shall fail or refuse to obey any notice issued by the city manager, or his representative, shall be guilty of a misdemeanor and shall be subject to a penalty under the general penalty clause of the Jefferson City Municipal Code. (1996 Code, § 8-608)