

## TITLE 17

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

#### CHAPTER

1. REFUSE.
2. DELETED.
3. SANITATION DEPARTMENT.

#### CHAPTER 1

#### REFUSE

#### SECTION

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**17-101. Definitions.** (1) "Apartment units." The term "apartment units," as hereinafter referred to in this chapter shall mean and include all multi-family dwellings where more than one (1) family unit is in one complex located in the city limits of the City of Lawrenceburg and shall include duplexes and triplexes as well as multi unit apartments and shall include government subsidized apartments.

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

(2) "Bulk rubbish." The term "bulk rubbish," as hereinafter referred to in this chapter shall include but not be limited to wooden and cardboard boxes, crates, furniture, bedding, appliances, and certain other household items, such as stoves, water tanks, washing machines, furniture bedding and other refuse items which by their size and shape can not be readily placed in city approved containers.

(3) "Cart." The term "cart," as hereinafter referred to in this chapter shall mean containerized carts purchased and owned by the City of Lawrenceburg and provided to the residents of the City of Lawrenceburg, pursuant to the containerized garbage system implemented on or about May 1, 2000.

(4) "Collector." The term "collector," as hereinafter referred to in this chapter shall mean the Lawrenceburg Sanitation Department, its designee, or private collecting company, that collects, transports, or disposes of any refuse within the corporate limits of the City of Lawrenceburg, Tennessee.

(5) "Construction waste." The term "construction waste," as hereinafter referred to in this chapter shall include but not be limited to materials from construction, demolition, remodeling, construction site preparation, including but not limited to rocks, brick, dirt, roofing, wood, debris, fill, plaster, guttering and all types of scrap materials.

(6) "Cooking waste." The term "cooking waste," as hereinafter referred to in this chapter shall include putrescible and non-putrescible materials originating from the preparation, cooking, and consumption of food.

(7) "Dumpster." The term dumpster, as hereinafter referred to in this chapter shall mean 2, 3, 4, 5 or 6 yard capacity receptacles commonly on wheels, usually constructed primarily of steel.

(8) "Ferrous metal." The term "ferrous metal," as hereinafter referred to in this chapter shall include but not be limited to metals, white goods, appliances, including, but not limited to stoves, metal roofing, siding and other metal items.

(9) "Garbage." The term "garbage," as hereinafter referred to in this chapter shall include putrescible wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, but excluding recognizable industrial by-products.

(10) "Recyclables." The term "recyclables," as hereinafter referred to in this chapter shall include cardboard, glass, plastic, white paper, tin cans, aluminum, newsprint or others that may from time to time be added by the City of Lawrenceburg as markets and innovations allow.

(11) "Refuse." The term "refuse," as hereinafter referred to in this chapter shall include garbage, rubbish, ashes, and all other combustible and non-combustible materials, market refuse, waste from the handling and sale of

produce and other similar unwanted materials, but shall not include sewage, body wastes or recognizable industrial by-products. Refuse shall also mean and include all garbage, rubbish and waste as those terms are generally defined except that dead animals, fowls and body wastes are expressly excluded therefrom and shall not be stored there within.

(12) "Residential units." The term "residential units," as hereinafter referred to in this chapter shall mean and include all single family dwellings, and mobile homes located in the city limits of the City of Lawrenceburg.

(13) "Rubbish." The term "rubbish," as hereinafter referred to in this chapter shall include non-putrescible waste materials that are not recyclable.

(14) "Small commercial customers." The term "small commercial customers" as hereinafter referred to shall mean commercial customers not requiring dumpster service.

(15) "Yard waste." The term "yard waste," as hereinafter referred to in this chapter shall include but not be limited to grass clippings, leaves, tree and shrubbery trimmings, and other related yard waste materials. (Ord. #941, June 2001, as amended by Ord. #1160, Aug. 2015 *Ch4\_03-28-18*)

**17-102. Premises to be kept clean.** All persons within the City of Lawrenceburg are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, garbage, and rubbish except when stored as provided in this chapter.

All persons are hereby required to store such refuse in garbage containers between the intervals of collection or to dispose of such material in a manner prescribed by the provisions of this chapter so as to not cause a nuisance or become injurious to the public health and welfare. (Ord. #941, June 2001)

**17-103. Garbage containers.** Each owner, occupant, or other responsible person using or occupying any building or other premises within the City of Lawrenceburg where garbage, refuse, or trash accumulates or is likely to accumulate, shall provide and keep covered an adequate number of garbage or refuse containers or carts for the storage of such refuse.

(1) **Policy for containerized garbage collection system.** The City of Lawrenceburg hereby establishes a policy for the collection of refuse through the use of a semi automated/automated garbage system. The policy of placement of the containers and contents shall be as follows:

(a) This policy shall apply for all single family residential customers, condominiums, town homes, multi-family dwellings, certain apartment units and government subsidized apartment units and small commercial establishments that can be served by the regular residential collection trucks as follows:

(i) All refuse must be placed in the cart and placed at the curb on public city street before 7:00 A.M. on the designated collection day and removed the same day.

(ii) One pick up per week will be provided.

(iii) Carts will be furnished at no cost as follows and additional cart(s) can be purchased until at the current market price of seventy five dollars (\$75.00) each. The cost of additional carts will be at the then market price and will change from time to time as the city's cost changes. If the allowable number of carts is insufficient, other arrangements must be made for the removal and disposal of the refuse. The following table shows the number of carts furnished by the city and the number of carts that can be purchased for single family dwelling, multi-family dwellings and small commercial customers;

<u>Customer</u>	<u>Furnished</u>	<u>Purchase</u>
Single family, town homes, separately-owned condominiums	1	1
Small Commercial	1	1
2, 3 or 4 Family Units	2	2

(iv) Single family dwelling, town homes and separately-owned condominiums will be furnished one (1) cart and they may purchase one (1) additional cart. Small commercial shall be furnished one (1) cart and may purchase one (1) additional cart.

(v) All carts furnished by the city will remain the property of the city.

(vi) Additionally, there are weight limitations and certain items that cannot be stored in plastic carts. The restricted uses are as follows:

(A) Weight not to exceed 200 pounds.

(B) Any hazardous or caustic waste.

(C) Petroleum products, including crankcase oil.

(D) Sharp metal objects that might puncture the plastic cart.

(E) Construction waste, large stones, dirt, sand, concrete blocks, bricks, etc.

(F) Any heavy or free falling object that may cause an imbalance during dumping procedure.

- (G) No garbage outside the carts will be picked up.
  - (vii) The final authority on the placement of containers shall be the superintendent of streets and sanitation.
  - (viii) The cost of the containers will be subject to change based on market conditions.
  - (ix) All refuse must be placed within the garbage carts provided hereunder for disposal. No private garbage cans or other containers shall be used. No refuse shall be picked up by the City of Lawrenceburg except from the carts provided by the City of Lawrenceburg.
  - (x) All garbage and refuse should be free and drained of all liquids as possible.
- (2) Policy for dumpster collection system. (a) Any premises from which a charge is paid for dumpster pick-up, dumpster containers shall be placed in a location mutually agreeable to the customer and the sanitation supervisor or foreman.
- (b) Dumpster containers will be emptied on a schedule provided by the sanitation supervisor.
  - (c) Charges for the customers with dumpsters shall be based on the size dumpster and the number of times the dumpster is emptied per week. (Ord. #941, June 2001, modified, as amended by Ord. #1160, Aug. 2015 *Ch4\_03-28-18*)

**17-104. Location of carts.** Carts shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there is no curb, at such times as shall be scheduled by the city for the collection of refuse therefrom. As soon as practicable after such carts have been emptied they shall be removed by the owner to within, or to the rear of, the premises and away from the street line until the next scheduled time for collection. On any premises from which a charge is paid for non-curb pickups, carts shall be placed in a location mutually agreeable to the customer and the sanitation supervisor or foreman. Persons with handicap should contact the sanitation department to be assisted with their service requirements. (1999 Code, § 17-104, modified, as amended by Ord. #1160, Aug. 2015 *Ch4\_03-28-18*)

**17-105. Disturbing containers.** No person except the owner or person lawfully in control of any premises, or his agent, or any authorized employee of the city, shall in any way interfere in any manner with a garbage container on the premises of the owner or person lawfully in control of the premises, or his agent. The term "interfere" shall include, but not be limited to, depositing in or removing from a container any garbage, rubbish, waste, recyclable material, dead animal and fowls, and any other material of every kind or description;

moving the container from its location on the premises; opening the container; or uncovering, rifling, pilfering, digging into, turning over, and rummaging through, or inspecting the contents of the container. The term garbage container for this section shall include but not be limited to, carts, dumpsters, fenced in areas, receptacles or other containers used for storage or disposal of garbage, rubbish or waste. (1999 Code, § 17-105, modified)

**17-106. Exclusive city function.** Except as otherwise herein provided only the city shall engage in the business of collection, removing, or disposing of refuse within the corporate limits. The city may provide such service either with its own forces or by contractors.

The superintendent of sanitation may require that certain types of refuse to be picked up by private haulers at the sole and exclusive expense of the property owner or tenant. The decision concerning requiring commercial or industrial establishments to dispose of certain types of waste at their own expense shall be at the sole discretion of the superintendent of the sanitation department subject to the approval of the city administrator. (1999 Code, § 17-106, modified)

**17-107. Frequency of collection.** The superintendent of sanitation is authorized and directed to prepare schedules for regular collection of refuse throughout the city. Refuse shall be collected from residences once weekly and from businesses and other non-residential producers as often as reasonably necessary to protect against health and fire hazards. (1999 Code, § 17-107, modified)

**17-108. Contracts with private firms.** When the volume or any condition is such that the sanitation department personnel and equipment cannot provide normal garbage services, the city administrator may elect not to collect and/or dispose of the refuse. In this event, the refuse producer shall be required to contract with a private firm, which must be approved by the city, to collect and dispose of the refuse. The refuse producer may collect and dispose of its own generated refuse, if approved by the city and if the refuse is disposed of, in accordance with local, state and federal regulation, at state permitted disposal facilities. Refuse collection and disposal services provided by the city may be with its own forces or by contracts with private service providers. (1999 Code, § 17-108, modified)

**17-109. Billing of service fee.** The service fee for collection and removal of refuse, garbage and trash by the City of Lawrenceburg shall be included as a separate item each month on the bill issued by the City of Lawrenceburg for any utilities services including but not limited to water, sewer

or gas. The service fee shall be due and payable monthly at the same time that utility bills are due and payable. Utility services provided to the recipient shall be discontinued for failure to pay the refuse service fee by the delinquency date prescribed for the utility bill.

In the case of premises that contain more than one (1) dwelling unit or place of business and each is billed separately for utilities by the city, such fees shall be billed to each person in possession, charge or control who is a utility customer of the City of Lawrenceburg. In the case of premises containing more than one (1) dwelling unit or place of business, which are served through a single utility meter, so that the occupants or tenants can not be billed separately by the city, the customer responsible for the utility bill shall be responsible for refuse service fees for the premises. (Ord. #941, June 2001)

**17-110. Disposal sites; rules and regulations; fees.** It shall be unlawful for any person to dispose of refuse at any place other than a refuse disposal site designated by the municipal governing body. Refuse disposal sites shall be available for use subject to reasonable rules and regulations and disposal fees recommended by the superintendent of sanitation and approved by resolution of the municipal governing body. (1999 Code, § 17-111, modified)

**17-111. Special rules, regulations, and charges authorized for certain refuse.** (1) Collection, removal, and disposal of the following types of refuse shall be subject to reasonable rules and regulations and special charges recommended by the superintendent of the sanitation department and approved by resolution of the municipal governing body:

- (a) Yard waste.
- (b) Bulk rubbish.
- (c) Ferrous metals.
- (d) Dangerous materials or substances, such as poisons, acids, or caustics or refuse which is highly infectious or combustible.

(2) **Procedure for collection of bulk rubbish or ferrous metals or construction or building waste.**

(a) The City of Lawrenceburg will not be responsible for collection or disposal of construction or building waste, bulk rubbish or ferrous metals. The property owner or producer of such waste shall be responsible for disposal of the bulk rubbish, ferrous metals or construction or building waste. Failure by the domestic producer or property owner to dispose of bulk rubbish, ferrous metals or construction or building waste shall be a violation of this ordinance and subject the violator to a fine or civil penalty not to exceed fifty and 00/100 dollars (\$50.00) per violation. Each day the ordinance is violated shall be considered a separate offense and subject to a new fine or civil penalty not to exceed fifty and 00/100 dollars (\$50.00).

(i) All yard waste must be placed adjacent to a street or public alley at the front, rear, or side of the property where the same shall be easily accessed by the city's collection equipment. Accumulations of such items shall be easily accessible to and within reach of the city's sanitation equipment, shall not be placed beneath overhead utility lines or placed behind a parked automobile or obstruction. Accumulation of such material shall not damage, obstruct the access to or reduce the effectiveness of any utility meter, utility valve, fire hydrant, utility pole, catch basin, draining way, storm sewer, or other such item. The city may require discarded refrigerated appliances to be purged of freon or other gases. All items for disposal shall be prepared in accordance with any and all federal, state, and local regulations related to their disposal.

(ii) Piling of yard waste for collection. All yard waste shall be neatly stacked in an unscattered manner in one location. Small trimmings should be stacked on top of larger ones with butt ends pointed in the same direction. Yard waste shall not be made where it is loosely scattered.

(iii) Length and size of brush. No brush put out for collection shall be of such size or weight, or piled or stacked in any manner that exceeds the capability of the city's solid waste collection equipment. All tree limbs longer than twelve (12) feet in length must be cut in half and stacked with larger limbs on the bottom with butt ends pointed in the same direction. Small trimmings must be stacked on top of larger ones.

(iv) Grass clippings and leaves. Shall be placed in plastic bags or other disposable containers.

(b) Procedure for collection of bulk rubbish or ferrous metals. Service fees for demolition roll-off dumpsters for disposal of bulk rubbish, construction waste and ferrous metal.

The set-up service fee for use of a roll-off dumpster is one hundred dollars (\$100.00), which entitles the user to seven (7) consecutive business days' usage. Each additional day's usage will be ten dollars (\$10.00) per day.

Service fees will be at the rate of one hundred dollars (\$100.00) per dump of the roll-off dumpster plus thirty-six dollars and eight-five cents (\$36.85) per ton of waste disposed of. Customers shall be responsible for properly sorting the waste items in the dumpster pursuant to the rules adopted for sorting of waste as determined by the sanitation department. If waste is not properly sorted, the city will charge two hundred dollars (\$200.00) per hour for time expended in sorting dumpsters that were not properly sorted.



Service fees for the disposal of demolition debris and waste at the Lawrenceburg Transfer Station.

The service fee for disposal of demolition debris and waste at the Lawrenceburg Transfer Station will be charged at the rate of thirty-six dollars and eight-five cents (\$36.85)/ton. (Ord. #941, June 2001, modified, as amended by Ord. #1022, June 2007, Ord. #1160, Aug. 2015 *Ch4\_03-28-19*, and Ord. #1298, Dec. 2020 *Ch5\_04-27-23*)

**17-112. Exceptions.** Nothing in this chapter shall prevent any refuse producer from collecting, removing, and disposing of his own refuse, provided he does so in a manner that does not violate any laws or Lawrenceburg City Ordinances or Resolutions, and provided further all applicable disposal, collection and service fees are paid. (Ord. #941, June 2001)

**17-113. Implementing authority of superintendent of sanitation.** The collection, removal, and disposal of refuse from premises in the city shall be under the supervision and control of the superintendent of sanitation. He shall recommend to the city administrator such reasonable rules and regulations, not inconsistent with the provisions of this chapter, as he deems to be necessary or desirable, which shall become effective when approved by resolution of the governing body. (1999 Code, § 17-114, modified)

**17-114. Deleted.** (1999 Code, § 17-116, modified, as deleted by Ord. #1160, Aug. 2015 *Ch4\_03-28-19*)

**17-115. Service fees for collection and removal.** The following monthly fees are hereby affixed and established as the service fees to be charged and collected each month for the collection and removal of trash, refuse and garbage:

(1)	Minimum fee	\$14.43
(2)	Residential unit (single family)	\$14.43
(3)	Apartment unit	\$ 14.43 per unit
(4)	Government subsidized apartment unit	\$14.43 per unit

(5) Commercial and industrial rates shall be charged on the following schedule based upon the number of services provided per week and the number and type of containers used by the commercial user.

<u>Description</u>	<u>Times per week</u>	<u>Adjusted price</u>
Minimum Fee	1	\$ 14.69
1 Cart	1	\$ 14.69
2 Carts	1	\$ 29.38
3 Carts	1	\$ 44.07

4 Carts	1	\$ 58.76
5 Carts	1	\$ 73.45
Commercial minimum fee		\$ 14.69
Shared dumpsters	1 (per customer sharing)	\$ 14.69
3YD dumpster	1	\$ 37.55
3YD dumpster	2	\$ 75.10
3YD dumpster	3	\$ 112.65
3YD dumpster	4	\$ 150.20
3YD dumpster	5	\$ 187.75
4YD dumpster	1	\$ 49.55
4YD dumpster	2	\$ 99.10
4YD dumpster	3	\$ 148.65
4YD dumpster	4	\$ 198.20
4YD dumpster	5	\$ 247.75
6YD dumpster	1	\$ 73.55
6YD dumpster	2	\$ 147.10
6YD dumpster	3	\$ 220.65
6YD dumpster	4	\$ 294.20
6YD dumpster	5	\$ 367.75
8YD dumpster	1	\$ 97.55
8YD dumpster	2	\$ 195.10
8YD dumpster	3	\$ 292.65
8YD dumpster	4	\$ 390.20
8YD dumpster	5	\$ 487.75

The department head of the sanitation department or designee shall place each commercial or industrial establishment in a particular group based upon the average number of collections per week. The department head or designee may from time to time change classification of commercial or industrial establishments from one group to another. (1999 Code, § 17-117, as amended by Ord. #941, June 2001, and replaced by Ord. #1034, Dec. 2007, Ord. #1038, July 2008, Ord. #1160, Aug. 2015 *Ch4\_03-28-19*, and Ord. #1298, Dec. 2020 *Ch5\_04-27-23*)

**17-116. Incorrect billing.** Should a customer of the City of Lawrenceburg Sanitation Department feel he/she has been billed incorrectly, he/she shall first notify the Lawrenceburg Public Utility Systems of the alleged discrepancy. The Lawrenceburg Utility Systems shall request the sanitation superintendent to investigate the claim. If the sanitation superintendent

confirms the billing is correct and the customer refuses to pay the charges, that customer shall be deemed to be in violation of this chapter.

**17-117. Violations.** Any person violating or failing to comply with any provision of this chapter or any lawful regulation of the superintendent of sanitation shall be subject to a penalty of not more than state authorized limits for each offense and each day such violation continues shall be deemed to be a separate offense. (1999 Code, § 17-115, modified, as amended by Ord. #1160, Aug. 2015 *Ch4\_03-28-19*)

**CHAPTER 2**

(this chapter was deleted by Ord. #1160, Aug. 2015 *Ch4\_03-28-19*)

## CHAPTER 3

### SANITATION DEPARTMENT

#### SECTION

17-301. Sanitation department created.

17-302. Duties.

17-303. Effective date.

**17-301. Sanitation department created.** The Sanitation Department of the City of Lawrenceburg, Tennessee has been created and made a separate unit in its operation, maintenance, extension, equipment, earning capacity and expenses and shall be operated and administered separate and apart from other facilities and functions of the City of Lawrenceburg. (as added by Ord. #1033, Nov. 2007, and replaced by Ord. #1167, Dec. 2015 *Ch4\_03-28-19*)

**17-302. Duties.** The sanitation department shall be assigned such duties as are determined by the Board of Mayor and Council or the City Administrator of the City of Lawrenceburg, Tennessee. (as added by Ord. #1033, Nov. 2007, amended by Ord. #1091, March 2012, and replaced by Ord. #1167, Dec. 2015 *Ch4\_03-28-19*)

**17-303. Effective date.** This chapter shall take effect from and after its passage, the public welfare requiring it and the welfare of the City of Lawrenceburg requiring it. All ordinances, resolutions or parts of ordinances or resolutions in conflict herewith are hereby modified or repealed to comply with the provisions of this chapter. (as added by Ord. #1033, Nov. 2007)