

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

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17-101. Definitions. (1) "Refuse." The term, "refuse," as hereinafter referred to in this chapter 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 handling and sale of produce and other similar unwanted materials, but shall not include sewage, body wastes, 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 wastes, 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, including but not limited to scrap material, sheet rock, roofing

¹Municipal code reference

Property maintenance regulations: title 13.

materials, plywood, brick or any other material left over from building, repairing, remodeling, or removing a structure of any type.

(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, corporation, that collects, transports, or disposes of any refuse within the corporate limits of South Fulton, Tennessee.

(6) "Health officer." The term, "health officer," shall mean the health authority of the City of South Fulton or his authorized representative. (1985 Code, § 8-101)

17-102. Premises to be kept clean. All persons, firms, and corporations within the corporate limits of the City of South Fulton are hereby required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, offal, filth, and trash. 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 health officer so as not to cause a nuisance or become injurious to the public health and welfare. (1985 Code, § 8-102)

17-103. Storage of refuse. Each owner, occupant, tenant, subtenant, lessee or others using or occupying any building, house, structure, or grounds within the corporate limits of the City of South Fulton, where refuse materials or substances, as defined in § 17-101, accumulate or are likely to accumulate, shall provide an adequate number (not less than 2) of suitable containers of a type approved by the health officer, for the storage of such refuse. Such containers shall be constructed of strong and durable metal or plastic, not readily corrodible, rodent and insect-proof, of a capacity not exceeding 30 gallons and not less than 20 gallons, except that the maximum capacity shall not apply in cases where the city is equipped to handle containers of similar construction mechanically. Owners of rental dwelling units shall at all times provide at least two (2) containers as described herein per each dwelling unit. 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 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 by an official collector. Such storage containers should be placed in a 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 and wrapped in paper or other equivalent material prior to placing it into the storage receptacle. The containers 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. (1985 Code, § 8-103)

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 in a manner designated by the official collecting agency only after the owners of such containers have been duly notified of such impending action. (1985 Code, § 8-104)

17-105. Limits of responsibility of refuse collector. 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 official refuse collecting agency. (1985 Code, § 8-105)

17-106. Collection of refuse. (1) Collection interval. All refuse, as defined in § 17-101(1) shall be collected at least one (1) time per week in residential areas and as frequently as necessary in commercial and other similar areas. The collection of refuse shall be under the immediate supervision of the refuse collection department of the city.

(2) Permits. No person, firm, or corporation shall engage in the business of collecting refuse or removing the contents of any refuse container (other than the owner of such containers) for any purpose whatsoever, who does not possess a permit to do so from appropriate authority of the City of South Fulton. Such permits may be issued only after the applicant's capability of complying with the requirements of this chapter has been fully determined. Such permits may be suspended or revoked upon the violations of any of the terms of this chapter.

(3) Collection vehicles. The collection of refuse 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.

(4) Disposal service charge. The monthly charge for refuse collection and/or disposal service rendered to each owner, occupant, or other responsible person using or occupying any building, house, structure, apartment or dwelling unit as a residence, shall be as determined from time to time by resolution of the city commission.¹

The monthly charge for refuse collection and/or disposal service rendered to commercial establishments shall be as determined from time to time by the city manager.

Commercial and residential monthly service charges shall be billed at the same time and upon the same statement as for water service charges and sewer service charges, and shall be due and payable at the same time and under the same conditions and terms as are the water and sewer service charges.² In those cases where more than one commercial establishment, owner, occupant or other responsible person receives water service from a single water meter, the monthly service charge for each commercial or residential unit shall be billed to the person, firm or corporation in whose names such water meter is listed or recorded on the records of the city.

Group meetings and traveling shows such as circuses, carnivals, minstrels, etc., shall pay the city for cleaning up and hauling off their refuse. The charge for such service shall be determined by the city manager and shall be paid to the city at the time the license or permit to exhibit is issued.

(5) Removal of rubbish and scrap material. The removal of rubbish and scrap material is the responsibility of the property owner and shall be removed in the following manner:

(a) Rubbish such as scrap lumber and scrap materials as defined above, from building, repairing, remodeling or removing by commercial carpenters, builders or others in the building trade or the owners' employee or employees shall be disposed of or removed from the premises by those doing the work or any person responsible for doing the work.

(b) Rubbish and scrap material as defined above will be transported to the city landfill after obtaining a permit at the city hall

¹Municipal code reference

Charges for non-resident dumping of garbage at city dump: § 17-108.
Administrative ordinances, resolutions and motions are of record in the office of the city recorder.

²Municipal code reference

Water and sewer service administration: title 18.

and paying the appropriate fee. Said fee to be based on the size of the load.

(c) Any rubbish or scraps as defined above that is not removed as stated above shall be removed by the city and the city will charge the property owner for wages paid, times 120 percent, plus \$5.00 per truck load or any part of a truck load. (1985 Code, § 8-106)

17-107. Refuse disposal at city dump restricted. The city dump shall keep regular hours for the dumping of authorized garbage, refuse, ashes and materials, which hours shall be posted at the entrance to said dump.

It shall be unlawful for any person, firm or corporation to dump refuse, garbage, ashes, discarded furniture, discarded appliances or other materials at, near or adjacent to said city dump at any other time than as designated and authorized by the City of South Fulton and posted at said dump.

Solid waste picked up in Kentucky must be dumped elsewhere.

It shall be unlawful for any other dumping than as herein specified. (1985 Code, § 8-107)

17-108. Refuse disposal by non-residents. Non-resident persons and business desiring to dump refuse and garbage at the city dump shall be subject to the following regulations:

(1) Persons or businesses desiring to dump garbage or refuse originating outside the corporate limits of South Fulton at the city dump must first secure a permit for said dumping at the South Fulton City Hall.

(2) A permit for said dumping will be issued only after payment of the established and existing fee or fees for the particular type of dumping requested.

The city shall reserve the right to deny a permit to any person or business, if it is determined by the city that such dumping would be detrimental to the best interests of the city.

(3) The rate of charge for such dumping, as described above, shall be as follows:

<u>Vehicle</u>	<u>Amount</u>
Car	\$1.00
Pick-up Truck	1.50
2 Wheel Trailer	1.50
Pick-up Truck (with stake sides)	2.50
Four wheel wagon	2.50
Large trucks	5.00

(1985 Code, § 8-108)

17-109. Methods of disposal restricted. The disposal of refuse in any quantity by any individual, house holder, establishment, firm, corporation in

any place public or private, other than the site or sites designated by the constituted authority of the City of South Fulton is expressly prohibited. All disposal of refuse and garbage shall be by methods approved by the Department of Health, and provided that such methods shall include the maximum practical, rodent, insect, and nuisance control at the place of disposal, and provided that no garbage shall be fed to swine unless said garbage has first been heated to at least 212 degrees fahrenheit and held there at least 30 minutes in apparatus and by methods approved by the Tennessee Department of Agriculture as set forth in Tennessee Code Annotated, title 44, chapter 2, part 4. Provided further that animal offal and carcasses of dead animals shall be buried or cremated under circumstances approved by the health officer, or shall be rendered at 40 pounds per square inch steam pressure or higher, or similarly heated by equivalent cooking. (1985 Code, § 8-109)

17-110. 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 South Fulton. (1985 Code, § 8-110)

17-111. Service of compliance orders. 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 private and public premises to owners, occupants, tenants or lessees of such properties where violations of this chapter are known to exist and providing that such violations be corrected within the time specified by the health officer. (1985 Code, § 8-111)

17-112. 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 Department of Health or superintendent of the refuse collection department, with reference to the storage, accumulation or disposal of refuse as described in § 17-101, shall be guilty of a misdemeanor and shall be subject to punishment pursuant to the general penalty provisions of this code of ordinances. (1985 Code, § 8-112)