

**TITLE 17**

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

**CHAPTER**

**1. REFUSE.**

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**REFUSE**

**SECTION**

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**17-101. Premises to be kept free of.** All persons within the city are hereby required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, offal, filth, and trash. (1982 Code, § 8-301)

**17-102. Storage or disposal.** All persons within the city are hereby required to store their refuse and trash, etc., 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. (1982 Code, § 8-302)

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

**17-103. Definitions.** When used in this chapter, the following words shall have the meanings herein ascribed for them:

(1) "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 wastes, or recognizable industrial by-products from all residences and establishments, public and private.

(2) "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" shall include all non-putrescible waste materials except ashes from all public and private residences and establishments.

(4) "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" shall mean any person who collects, transports, or disposes of any refuse within the city. (1982 Code, § 8-303)

**17-104. Containers.** Each owner, occupant, tenant, subtenant, lessee, or other person using or occupying any building, house, structure, or grounds within the city where refuse materials or substances as defined in this chapter accumulate or are likely to accumulate, shall provide an adequate number of suitable containers of a type approved by the health officer, for the storage of such refuse. Such containers shall be constructed of metal; shall be strong and durable; not readily corrodible; rodent and insect-proof; and of a capacity not exceeding thirty (30) gallons and not less than twenty (20) gallons, except that the maximum capacity shall not apply in cases where the city is equipped to handle larger containers mechanically. Garbage containers shall be equipped with handles to facilitate emptying and shall be equipped with tight fitting lids or covers, constructed of the same material as the container and 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 such a convenient and 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. (1982 Code, § 8-304)

**17-105. Confiscation of unsatisfactory containers.** The official refuse collecting agency of the city is hereby authorized to confiscate or to remove unsatisfactory storage containers from the premises of residences and establishments, public and private, when in 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. (1982 Code, § 8-305)

**17-106. Leaves, lawn clippings, brush, etc.** 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 such containers as are hereinbefore described. (1982 Code, § 8-306)

**17-107. Collection.** (1) All refuse (including garbage and rubbish) as heretofore defined shall be collected sufficiently frequently to prevent the occurrence of nuisances and public health problems. Said collections shall be made at intervals of at least one (1) in seven (7) days for residential districts and at least one (1) in two (2) days for commercial districts. The collection of refuse within the city shall be under the jurisdiction of the department of sanitation.

(2) No person shall engage in the business of collecting refuse or removing the contents of any refuse container (except his own) for any purpose whatsoever, who does not possess a permit to do so from the appropriate authority of the city. Such permits may be issued only after the applicant's capability of complying with the requirement of this chapter has been fully determined. Such permits may be suspended or revoked upon the violation of any of the terms of this chapter.

(3) 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 public thoroughfares. Provisions shall be made to prevent the scattering of refuse over the streets and thoroughfares by effective coverings or closed truck beds. (1982 Code, § 8-307, as amended by Ord. #675, Sept. 1995)

**17-108. Disposition.** The disposal of refuse in any quantity by any person in any place, public or private, other than at the site or sites designated by the duly constituted authority of the city is expressly prohibited. The

disposal of all refuse and garbage shall be by methods approved by the health officer. Such methods shall provide 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 212<sup>0</sup> F. and held there at least thirty (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 or shall be rendered at forty (40) psi. steam pressure or higher, or similarly heated by equivalent cooking. (1982 Code, § 8-308)

**17-109. Dumping in streams, etc.** It shall be unlawful for any person to dump refuse in any form into any stream, ditch, storm sewer, or other drain within the city. (1982 Code, § 8-309)

**17-110. Service of 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. Said orders shall require the correction of the violations within such time as specified by the health officer. It shall be unlawful for any person to fail to comply with any lawful order of the health officer. (1982 Code, § 8-310)

**17-111. Prohibited disposal.** It shall be unlawful for any person to place garbage or refuse in the garbage container or on the property of another without the latter person's consent. No person shall place, deposit, dump or throw any garbage or refuse on or in any gutter, street, sidewalk, alley or into any storm sewer, stream or other artificial or natural watercourse. (Ord. #675, Sept. 1995)

**17-112. Prohibited substances and practices.** The following substances are hereby prohibited from being deposited with solid waste collected by the city:

1. Flammable liquids, solids or gases, such as gasoline, benzene, alcohol or other similar substances;
2. Any material that would be hazardous or injurious to city employees and/or trash collectors or which could cause damage to collection equipment and/or facilities;
3. Hazardous waste as defined in Tennessee Code Annotated, § 66-212-104(8); and household hazardous waste as detailed in Tennessee Code Annotated, § 68-211-802(a)(7);
4. 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;

5. Human or animal excrement;
6. Hot materials such as ashes, cinders, etc.;
7. Infectious wastes including, but not limited to, those classified by

the following:

- a. 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).

- b. Cultures and stocks of 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 lice and attenuated vaccines;

- c. 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;

- d. Human blood and blood products. Waste human blood and blood products such as serum, plasma, and other blood components;

- e. Pathological wastes. Pathological wastes, such as tissues, organs, body parts, and body fluids that are removed during surgery and autopsy;

- f. 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;

- g. 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 in-vitro testing of pharmaceutical.

8. Human and/or animal remains.

9. Automobile, truck and equipment batteries and tires. (Ord. #675, Sept. 1995)

**17-113. Scavenging.** The following practice is prohibited and it shall be unlawful for: Any person to move, remove, upset, scatter, tamper with, use, carry away, deface, mutilate, destroy, damage or interfere with the garbage or garbage container of another. (Ord. #675, Sept. 1995)

**17-114. Burning.** It shall be unlawful for any person to burn any garbage within the city. No other refuse shall be burned within the city, except with permission from Sweetwater Fire Department. (Ord. #675, Sept. 1995)

**17-115. Offenses.** Any person violating any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction thereof, shall be fined not exceeding fifty dollars (\$50.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Ord. #675, Sept. 1995, modified)

**17-116. Garbage service user fees.** (1) Fees established, collection rules, and regulations. (a) There is hereby established a garbage service user fee to be charged to and collected from each residential, commercial, or industrial location in the City of Sweetwater, Tennessee on a monthly basis.

(b) "Residential, commercial, or industrial location" is hereby defined, for the purpose of this section, as all residential living units, commercial businesses or industrial sites within the City of Sweetwater, whether occupied or not, to which garbage and refuse pickup service is furnished by the City of Sweetwater, and available for use, whether utilized or not, and for which pick up service is not otherwise required to be provided as a commercial unit (for which terms of the city's garbage contract are required to use a dumpster or an apartment development in excess of six (6) units.)

(c) The garbage service user fee is established at an initial rate of seven dollars and fifty cents (\$7.50) per month per residential, commercial, or industrial location and may be amended through the budget ordinance.

(d) The city recorder is authorized and directed to institute collection mechanisms, rules, and regulations and means as shall be deemed by the city recorder to be efficient, appropriate, and expedient to effect collections.

(e) The initial mechanism for collection shall be on the monthly utility bill through Sweetwater Utilities Board, and subject to the policies and procedures of the billing system used by SUB, including any penalty and interest.

(2) Penalty for non-payment. (a) 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. The user shall be subject to penalty, interest, and/or fines which are applicable.

(b) Furthermore, each thirty (30) day period that the service fee remains unpaid shall subject the owner or the tenant, whichever is the user, shall be guilty of a separate municipal offense, and upon being found guilty shall be punished by a fine of not more than fifty (\$50.00) dollars.

(c) Any officer of the city, the city recorder, or codes enforcement officer may cite any person who fails to comply with the rules of this chapter into municipal court. (as added by Ord. #859, Jan. 2011)