

TITLE 17**REFUSE AND TRASH DISPOSAL**¹**CHAPTER****1. REFUSE.****CHAPTER 1****REFUSE****SECTION**

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17-101. Premises to be kept clean. All persons, firms and corporations within the corporate limits are hereby required to keep their premises in a clean and sanitary condition, free from the accumulation of refuse, offal, filth and trash. They are hereby required to store such refuse in sanitary containers of the type described in this chapter between the intervals of collections or to dispose of such material in a manner prescribed by the director of public works so as not to cause a nuisance or become injurious to the public health and welfare. (1963 Code, § 8-101)

17-102. Definitions. The term "refuse" shall mean and include garbage, rubbish, ashes and refuse as those terms are generally defined except that dead animals and fowls, body wastes, hot ashes, rocks, concrete, bricks, recognizable industrial by-products, and similar materials are expressly excluded therefrom and shall not be stored therewith.

¹Municipal code reference

Property maintenance regulations: title 13.

The term "collector" shall mean any person, firm or corporation that collects, transports or disposes of any refuse within the corporate limits. (1963 Code, § 8-102)

17-103. Storage of refuse generally. Each owner, occupant, or other responsible person using or occupying any building, house, structure or grounds where refuse materials or substances as defined in this chapter accumulate or are likely to accumulate, shall provide an adequate method of storing such refuse for collection.

The director of public works shall prescribe standards for approved methods of storing refuse. Any such standards will become effective only after the director of public works has filed such standards, or any amendments thereto, with the city clerk; and such standards shall continue in full force and effect until amended or rescinded by the director of public works.

Refuse containers shall, if the property abuts on a public alley which is in use, be placed at some point near, but not within the alley so as to be convenient for the collectors. If the property does not abut on an alley, then the refuse containers shall be placed in such location as may be designated by the official refuse collection agency as convenient for collection.

Wet refuse shall be drained of all liquids and wrapped in paper or some other equivalent material before it is placed in a refuse container. Refuse containers shall be maintained in a clean and sanitary manner. They shall be thoroughly cleaned as often as necessary to prevent the breeding of flies, etc., and the occurrence of offensive odors. (1963 Code, § 8-103)

17-104. Confiscation of unsatisfactory refuse containers. The sanitation division is hereby authorized to confiscate or to remove unsatisfactory refuse containers from the premises of residences and establishments, public and private, when in discretion of the director of public works such containers are not suitable for the healthful and sanitary storage of refuse substances. Such unsatisfactory refuse containers shall be removed and disposed of at a place and in a manner designated by the sanitation division, after the owner or owners have been duly notified of such impending action. (1963 Code, § 8-104)

17-105. Refuse not to be collected unless properly stored. In no case will it be the responsibility of the sanitation division to shovel or pick up from the ground any accumulations of refuse, including leaves, lawn clippings, brush, packing materials, etc. All such materials are to be placed in containers which will meet with the approval of the director of public works and the requirements of the sanitation division. (1963 Code, § 8-105)

17-106. Collection of refuse. Refuse shall be collected in accordance with the following provisions:

(1) Collection interval. All refuse shall be collected sufficiently frequently to prevent the occurrence of nuisances and public health problems and at intervals of at least once in seven (7) days. The collection of refuse shall be under the supervision of the director of public works.

(2) Permits. No person, firm or corporation shall engage in the business of collecting refuse unless he has a permit from the director of public works. Such a permit may be issued only after the applicant's capability of complying with the requirements of this chapter have been fully determined. Any such permit may be suspended or revoked for the violation 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 which are easily cleaned 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 and alleys.

(4) Refuse from construction, demolition or repairs; heavy items. In no case will it be the responsibility of the sanitation division to collect refuse resulting from construction, demolition or repairs of buildings, structures or appurtenances; nor will it be the responsibility of the sanitation division to collect any refuse of such bulk or weight that it cannot be loaded by two (2) men to a truck bed which is 42 inches above the street level.

(5) Non-scheduled collections. The sanitation division will collect on a non-scheduled basis, without charges, tree branches, hedge clippings, leaves and similar refuse. Such refuse must be placed in windrows adjacent to the curb. In no case may windrows of leaves be extended more than six (6) feet back from the curb line. (1963 Code, § 8-106, as amended by Ord. #132-14, Feb. 2014)

17-107. Disposal of refuse. 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 city council is expressly prohibited. The disposal of refuse shall be by methods approved by the sanitation division and shall provide for the maximum practical rodent, insect and nuisance control at the place of disposal. (1963 Code, § 8-107)

17-108. Dumping in streams, sewers and drains prohibited. It shall be unlawful for any person to dump refuse in any form into any stream, ditch, storm sewer, sanitary sewer or other drain within the corporate limits unless such refuse is processed through an approved disposal unit. (1963 Code, § 8-108)

17-109. Service of orders, etc. Where violations of this chapter are known to exist it shall be the duty of the director of public works or his duly

authorized representative to issue orders requiring such corrective action as may be necessary. (1963 Code, § 8-109)

17-110. Pilfering, etc. No person shall rifle, pilfer or dig into or in any manner disturb refuse containers which have been set out at households or business places for collection.

It shall be unlawful for any person to rifle, pilfer, dig into or disturb in any manner refuse at any disposal site designated by the city council; and it shall be unlawful for any person to loiter about any such disposal site. (1963 Code, § 8-110)

17-111. Refuse collection and/or disposal service charges. The monthly charge for refuse collection and/or disposal service rendered to commercial and/or industrial establishments and to each owner, occupant, or other responsible person using or occupying any building, house, structure, apartment or dwelling unit as a residence, shall be in accordance with a schedule of fees, as the municipality may from time to time adopt by resolution.

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. 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 such commercial or residential unit shall be billed to the person, firm or corporation in whose name such water meter is listed or recorded on the records of the city.

Non-metered grounds or structures shall pay monthly refuse collection and/or disposal service charges at the same rate as other commercial establishments.

Group meetings and traveling shows such as circuses, carnivals, rodeos, minstrels, etc., shall pay the city for cleaning up and hauling off their refuse or contract for a service approved by the city health officer. The charge for such service shall be determined by the city council and shall be paid to the city clerk at the time the license or permit to exhibit is issued. (1963 Code, § 8-111)

17-112. Violations. Any person, firm or corporation who shall violate any of the provisions of this chapter or who shall fail or refuse to obey any notice or order issued by the director of public works or superintendent of the sanitation division with reference to the storage, accumulation or disposal of refuse as set forth in this chapter shall be guilty of a misdemeanor and shall be subject to a fine under the general penalty clause for this code. (1963 Code, § 8-112)

17-113. Contract for refuse collection authorized. The mayor and city manager are authorized and empowered to enter into a contract for garbage and refuse collection and disposal services. The contract shall provide:

(1) The term of the contract shall not exceed five (5) years, but it may be renewed from time to time as the mayor and council may, by resolution, direct and the contract may contain an option for the contractor to renew the contract on the same terms and conditions and for the same consideration for an additional term of five (5) years.

(2) The contractor shall be bonded with a corporate surety for the performance of the contract in an amount not less than the base consideration per year, stated or computed as required by the contract.

(3) The contractor shall be bonded with a corporate surety for the payment of labor and materials in a sum of at least one-fourth (1/4) of the consideration of the base contract annually, or any additional amount that may be required by state statute;

(4) The contract may contain such other terms, provisions, and conditions as in the discretion of the mayor and the city manager will assure the city of reasonable garbage, refuse and disposal services, including but not limited to the designation of places for garbage and refuse to be collected; schedules for the collection of garbage and refuse; use of a landfill or disposal site approved by the Department of Health of the State of Tennessee or any other public agency having jurisdiction over landfills or disposal sites; the use of the landfill or disposal site by Union City residents; the duties of the city manager, director of public works, or such other person as the city manager may designate, to perform duties in regard to the contract; provide for a schedule of fees to determine the base consideration for the contract per year as determined for pickups of garbage or refuse as provided in § 17-111 of the city code; and to set forth the way and manner in which garbage and refuse may be placed in containers, bags or receptacles for disposal by the contractor as required by the city code. (1963 Code, § 8-113)