

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE STORAGE AND COLLECTION.

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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 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." 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.

¹Municipal code reference

Property maintenance regulations: title 13.

(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, or political subdivision, that collects, transports, or disposes of any refuse within the corporate limits of the Town of Rutherford.

(6) "Health officer." The term "health officer," shall mean the health authority of the Town of Rutherford or his authorized representative. (1968 Code, § 8-101)

17-102. Premises to be kept clean. That all persons, firms, and corporations within the corporate limits of the Town of Rutherford are hereby required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, offal, filth, and trash. That 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. (1968 Code, § 8-102)

17-103. Storage of refuse. Each owner, occupant, tenant, sub-tenant, lessee or others, using or occupying any building, house, structure or grounds within the corporate limits of the Town of Rutherford, 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 strong and durable, not readily corrodible, rodent and insect-proof, of a capacity not exceeding 32 gallons and not less than ten (10) gallons, except that the maximum capacity shall not apply in cases where the town is equipped to handle containers of similar construction mechanically. 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 shall be placed in a convenient accessible location for trucking as may be designated by the official refuse collecting agency. (1968 Code, § 8-103)

17-104. Confiscation of unsatisfactory storage containers. The official refuse collecting agency of the town 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 such manner designated by the official collecting agency only after the owner or owners of such containers have been duly notified of such impending action. (1968 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 town to shovel or pick up from the ground any accumulations of refuse including leaves, lawn clippings, brush, packing material. All such materials are to be placed in containers of the type described in Section 17-103 or cut and baled, tied, bundled, stacked or packaged so as not to exceed 36 inches in length and 75 pounds in weight. (1968 Code, § 8-105)

17-106. Collection of refuse. (1) Collection interval. All refuse (including garbage and rubbish) as heretofore defined shall be collected sufficiently frequent to prevent the occurrence of nuisances and public health problems at intervals of at least once in seven (7) days. The collection of refuse within the Town of Rutherford shall be under the jurisdiction of the Street Department.

(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 Town of Rutherford. 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 violation of any of the terms of the 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. (1968 Code, § 8-106)

17-107. Disposal of refuse. 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 Town of Rutherford 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 Title 44, Chapter 2 of the Tennessee Code Annotated. 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. (1968 Code, § 8-107)

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 Town of Rutherford. (1968 Code, § 8-108)

17-109. Burning refuse. It shall be unlawful for any person, firm, or corporation to burn or attempt to burn refuse on private or public property within the corporate limits of the Town of Rutherford without first securing the approval of the appropriate town departments having jurisdiction. (1968 Code, § 8-109)

17-110. 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. (1968 Code, § 8-110)

17-111. 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 punishable as provided by the general penalty clause of this code. (1968 Code, § 8-111)