

TITLE 17

REFUSE AND TRASH DISPOSAL

CHAPTER

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2. LITTER ABATEMENT.

CHAPTER 1

REFUSE COLLECTION¹

SECTION

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17-101. All premises to be kept clean. All persons within the city limits are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse except when stored as provided in this chapter. All owners or tenants of residential units shall be required to accept and pay for refuse collection service as provided by the city and all owners of commercial units shall be required to either contract for refuse collection service or accept and pay for refuse collection service as provided by the city. (1981 code, § 8-101, as replaced by Ord. #05-19, Oct. 2005)

¹See Ord. #091-7, Aug. 1991 of record in the office of the recorder, for pickup rates and administrative procedures covering extra pickups.

17-102. Refuse defined. Refuse shall mean and include garbage, rubbish, and bulky waste as those terms are defined herein with the exception that dead animals, body wastes, hot ashes, rocks, concrete, bricks, and similar materials are expressly excluded. All refuse placed at the street for pickup must be separated for disposal. Brush, leaves, metals, and junk must be stacked in separate piles. (1981 code, § 8-102, as replaced by Ord. #05-19, Oct. 2005)

17-103. Definitions. All other definitions for the purpose of this chapter are as follows:

(1) "Bags." Plastic sacks designed to store refuse with sufficient wall strength to maintain physical integrity when lifted by the top. Total weight of a bag and its contents shall not exceed fifty (50) pounds.

(2) "Bulky waste." Stoves, refrigerators, water tanks, washing machines, other white goods and appliances, computers, televisions, stereo systems, furniture, mattresses and similar items.

(3) "Bundle." Trees, shrub and brush trimmings, or newspapers and magazines neatly stacked forming an easily handled package not exceeding six (6) feet in length or seventy-five pounds in weight.

(4) "Commercial refuse." All garbage, rubbish and bulky waste generated by a commercial or industrial unit, excluding hazardous waste.

(5) "Commercial refuse picked up residentially." Refuse from a commercial unit that is placed in a residential refuse cart.

(6) "Commercial unit." Any business, commercial, industrial, apartment, condominium, or large multi-unit residential establishment within the city limits.

(7) "Dumpster." A metal container at least two (2) cubic yards in size, with an attached lid, and specifically designed for use with a front-end loading packer truck.

(8) "Garbage." All normal and usual household and institutional waste products that are placed in approved containers for collection purposes and are usually a mixture of putrescible, non-putrescible, combustible and incombustible materials, such as organic wastes from food preparation and consumption, wrapping and packaging materials, metal, glass and plastic containers and other items.

(9) "Hazardous waste." Any chemical compound, mixture, substance or article which is designated by the United States Environmental Protection Agency or appropriate agency of the State of Tennessee as "hazardous" as that term is defined by or pursuant to Federal, State or local laws or ordinances.

(10) "Refuse cart." A ninety (90) gallon container on wheels provided to each sanitation customer by the City of Springfield.

(11) "Residential refuse." All garbage, rubbish, bulky waste and all other items that may be deposited in a sanitary landfill generated by an occupant of a residential unit, excluding hazardous waste.

(12) "Residential unit." A single-family home, mobile home, or duplex unit billed for service individually and located on a public street. A residential unit shall be deemed occupied when either water or domestic light and power services are being supplied thereto.

(13) "Roll-off container." A large metal container, open or closed top, that can be rolled on to the back of a truck. Sizes of roll-off containers are generally twenty (20), thirty (30) or forty (40) cubic yards.

(14) "Rubbish." All waste wood, wood products, tree trimmings, grass cuttings, dead plants, weeds, leaves, dead trees or branches thereof, chips, shavings, sawdust, printed matter, paper, pasteboard, rags, straw, used and discarded clothing, used and discarded shoes and boots, combustible waste pulp and other products, such as are used for packaging or wrapping, crockery and glass, floor sweepings, mineral or metallic substances. (as replaced by Ord. #05-19, Oct. 2005)

17-104. Residential refuse collection. The city shall provide refuse carts to all residential customers and will service residential customers once a week. Only refuse in the cart shall be collected, with the exception that extra household refuse generated due to holidays, visitors, parties, and similar events and that is placed in a bag next to the cart may be picked up on an occasional basis. Refuse placed in privately owned containers, cans and carts shall not be collected. Additional refuse left on or around the cart on a regular basis will not be picked up. If the practice of leaving excess waste around the refuse cart continues, the city shall have the discretion to provide an additional refuse cart at the residence and increase the sanitation rate accordingly. (1981 code, § 8-105, as replaced by Ord. #05-19, Oct. 2005)

17-105. Commercial refuse picked up residentially. The city shall have the discretion to provide residential refuse collection service to a small commercial customer. The city shall provide refuse carts to all commercial customers picked up residentially and will service small commercial customers picked up residentially one (1) or two (2) times per week, depending on each small commercial customer's preference. All refuse must be placed in the refuse cart for collection. The city shall not pick up additional refuse on or around the refuse cart. If the practice of leaving excess waste around the refuse cart continues, the city shall have the discretion to provide an additional cart which must be purchased by the customer and the customer's sanitation rate will be increased accordingly. The cost of such additional refuse cart shall be the same price as paid by the city when purchased from the supplier. (1981 code, § 8-107, as replaced by Ord. #05-19, Oct 2005)

17-106. Apartments and condominiums picked up residentially. Apartments, condominiums, or any other private properties that, at the discretion of the city, are allowed to receive refuse cart service shall comply with the following conditions:

(1) The owner or association must execute a hold harmless agreement with the public works department for any damage caused to street or driveway surfaces by city sanitation trucks collecting refuse carts.

(2) The complex must have an area for sanitation vehicles to turn around and sanitation vehicles will not be allowed to back into the complex.

(3) The city shall not provide refuse collection for rubbish, bulky waste, brush or leaves.

(4) Back door pick-up or waiver service will not be allowed. (as replaced by Ord. #05-19, Oct. 2005)

17-107. Placement of refuse carts for collection. All residential customers and small commercial customers picked up residentially, except those approved for special assistance due to handicap, illness or infirmity shall place their refuse carts at curbside or at the edge of the street no later than 5:30 A.M. on the day of collection. Where alleys are used by the city's refuse trucks, refuse carts shall be placed on or within six (6) feet of the alley line in such a position as not to intrude upon the traveled portion of the alley. Where streets are used by the city's refuse trucks, refuse carts shall be placed adjacent to and back of the ditch or street line if there is no curb. As soon as practical, after such refuse cart has been emptied, it shall be removed by the owner or occupant to within or to the rear of the premises and away from the street or alley until the next scheduled time for collection. (Ord. #091-7, Aug. 1991; replaced by Ord. #98-23, June 1998, Ord. #00-25, Dec. 2000, and Ord. #05-19, Oct. 2005)

17-108. Care of refuse carts. Each owner, occupant, or other responsible person using or occupying any residence or small commercial establishment within the city shall be provided by the city, free of charge, one (1) wheeled refuse cart for storage of refuse for collection by the city under the following conditions:

(1) Each owner, occupant, or other responsible person shall be responsible for keeping the refuse cart clean and sanitary in compliance with health and sanitation requirements and shall keep container lids closed at all times.

(2) No refuse shall be placed in the cart until such refuse has been drained of all free liquids.

(3) The refuse cart must not be painted, abused, mutilated, altered or modified in any manner.

(4) Each owner, occupant, or other responsible person shall be responsible for replacing the refuse cart if it is damaged or destroyed by the

customer or as a result of his negligence, by the payment of the purchase price expended by the city for the purchase of said refuse cart.

(5) The city shall replace any wheeled refuse cart that is worn out by normal wear and tear, or if it is stolen or damaged by a person other than the customer to whom it is assigned.

(6) The refuse cart shall not be filled to overflowing. If the overflow of refuse for a residential customer is regular, the city shall have the discretion to provide an additional refuse cart and increase the sanitation rate accordingly. If the overflow of refuse for a commercial customer is regular, the city shall have the discretion to provide an additional refuse cart which must be purchased by the customer and the customer's sanitation rate will be increased accordingly. The cost of such additional refuse cart shall be the same price as paid by the city when purchased from the supplier.

(7) Any residential or small commercial customer moving to another location within the city limits, or out of the city limits, shall be responsible for notifying the public works department. The refuse cart shall remain at the original assigned location.

(8) An application for an exemption may be made by any customer who is unable to push the refuse cart to the curb due to handicap, illness or infirmity. A doctor's statement may be required by the public works department for the refuse cart to be serviced behind the customer's residence. (as replaced by Ord. #05-19, Oct. 2005)

17-109. Refuse collection for commercial units. All commercial units not picked up residentially shall place all refuse in a city approved dumpster or roll-off container provided by a private refuse collection company, and shall maintain the dumpster or roll-off container and the surrounding area in a clean, neat, and sanitary condition. All dumpsters and roll-off containers shall be cleaned and disinfected on a regular basis and shall not be filled to overflowing. All dumpsters and roll-off containers shall be located at the rear of the property and shall be enclosed from sight in accordance with public works department specifications. All private refuse collection companies shall have valid permits or licenses to do business within the city. (as added by Ord. #05-19, Oct. 2005)

17-110. Refuse 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. All refuse collection vehicles shall utilize closed beds or such coverings as will effectively prevent the scattering of refuse over the streets or alleys. (as added by Ord. #05-19, Oct. 2005)

17-111. Disturbance of refuse carts and containers prohibited. No unauthorized person shall uncover, rifle, pilfer, dig into, turn over, or in any

other manner disturb or use any refuse cart, dumpster, or roll-off container belonging to another. This section shall not be construed to prohibit the use of public refuse carts, dumpsters, or roll-off containers for their intended purpose. (as added by Ord. #05-19, Oct. 2005)

17-112. Hazardous waste prohibited. It shall be unlawful to dispose of hazardous waste items through the city refuse collection system. Examples of hazardous waste include, but are not limited to, asbestos, medical waste, free liquids, paints, oils, batteries, intact drums and/or cylinders. (as added by Ord. #05-19, Oct. 2005)

17-113. Rubbish and bulky waste. In addition to the weekly refuse cart collection service, the city will, once a month, provide extra refuse collection service for rubbish consisting of limbs, branches, tree trimmings, brush, grass cuttings, chips, and shavings only. All other rubbish and bulky waste shall be collected during months designated by the city. Household garbage will not be collected as a part of this service and must be disposed of in the weekly refuse cart collection service. The extra refuse collection for rubbish and bulky waste shall be limited to one load of rubbish and bulky waste per residence per month with a maximum loading time of five (5) minutes per load. (as added by Ord. #05-19, Oct. 2005, and replaced by Ord. #12-10, Sept. 2012)

17-114. Conditions of service for rubbish and bulky waste collection. Rubbish and bulky waste shall be collected under the following conditions of service:

- (1) Brush, leaves, metals, other rubbish and bulky waste must be stacked in separate piles for disposal.
- (2) All loose rubbish must be placed in a bag for disposal.
- (3) All newspapers and magazines not bagged shall be bundled and tied for disposal.
- (4) All grass trimmings, yard waste and leaves must be placed in a bag for disposal.
- (5) All wood and limbs must be cut in lengths not to exceed eight (8) feet and must be stacked in piles weighing no more than seventy-five (75) pounds.
- (6) No more than three (3) bulky waste items will be disposed of per load.
- (7) Rocks, concrete, bricks, glass, dirt, tree trunks or stumps, and similar materials shall not be collected for disposal.
- (8) All rubbish and bulky waste requiring pick up must be placed at the curb or the edge of the street or alley, and not in a manner that will block traffic, sidewalks, drainage ditches or inlets, or present any type of traffic or safety hazard.

(9) Rubbish or bulky waste must not be placed at the curb or the edge of the street or alley for a period in excess of twenty-one (21) days.

(10) This service is limited to rubbish and bulky waste generated by the owner or occupant of the residence.

(11) All construction materials including, but not limited to, concrete, brick, glass, lumber, sheet rock, and roofing materials shall not be collected for disposal and must be disposed of by the resident, landlord or contractor producing said materials.

(12) A contractor or person paid by an owner or landlord to cut brush or limbs shall be responsible for the disposal of the material in an appropriate manner.

(13) Rubbish or bulky waste generated by a contractor performing work on a residential property or site will not be collected.

(14) Rubbish or bulky waste generated as a result of property clean up due to change of tenant, eviction or bankruptcy will not be collected. (as added by Ord. #05-19, Oct. 2005, and replaced by Ord. #12-10, Sept. 2012)

17-115. Leaf collection service. The city shall provide seasonal leaf collection during autumn. Leaf collection service shall begin on the fourth (4th) Monday in October and shall continue until three (3) days before Christmas. Leaf collection shall be in accordance with the following conditions of service:

(1) All leaves must be placed in bags for disposal.

(2) No other materials shall be mixed with the leaves.

(3) Bags of leaves must be placed near the curb or the edge of the street or alley, and not in a manner that will block traffic, sidewalks, drainage ditches or inlets, or present any type of traffic or safety hazard.

(4) After the dates stipulated, no more than three (3) bags of leaves may be collected on each regular weekly residential refuse collection. (as added by Ord. #05-19, Oct. 2005)

17-116. Sanitation rates. The monthly service charges for city refuse collection for residential and small commercial customers shall be as follows:

(1) The residential sanitation rate shall be thirteen dollars (\$13.00) per month. The charge will include refuse cart collection service, rubbish and bulky waste collection service, and leaf collection service.

(2) The small commercial sanitation rate for refuse cart collection service per cart shall be eighteen dollars (\$18.00) per month for one (1) pick up per week and twenty-five dollars (\$25.00) for two (2) pick ups per week. This charge includes refuse cart collection service only. (as added by Ord. #05-19, Oct. 2005, and replaced by Ord. #07-16, June 2007, and Ord. #14-10, June 2014)

17-117. Burning prohibited. The burning of refuse within the city limits is prohibited. (as added by Ord. #05-19, Oct. 2005)

17-118. Penalties. Any person violating any of the provisions of this chapter shall be punished by a fine under the general penalty clause of this code. (as added by Ord. #05-19, Oct. 2005)

CHAPTER 2

LITTER ABATEMENT

SECTION

- 17-201. Definitions.
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- 17-211. Prohibiting distribution of handbills where properly posted.
- 17-212. Distributing handbills at inhabited private premises, exemption.
- 17-213. Dropping litter from aircraft.
- 17-214. Posting notices prohibited.
- 17-215. Litter on occupied private property.
- 17-216. Owner to maintain premises free of litter.
- 17-217. Litter on vacant lots.
- 17-218. Receptacles required at all retail food establishments to control litter.
- 17-219. Placement of litter receptacles at other specific locations.
- 17-220. Cardboard to be properly stored or disposed of.
- 17-221. Dogs, cats and domestic fowl.
- 17-222. Clearing of litter from open private property of city.
- 17-223. Penalties.

17-201. Definitions. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning herein. When not inconsistent with the context, words used in the present tense include the future tense, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

"Aircraft". Any contrivance now known or hereafter invented, used or designed for navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and hot air balloons.

"Authorized private receptacle". A litter storage and collection receptacle as required in title 17, chapter 1 of the Springfield Municipal Code.

"City". The City of Springfield.

"Commercial handbill". Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature:

(1) Which advertises for sale any merchandise, product, commodity or thing;

(2) Which directs attention to any business or mercantile or commercial establishment, or other activity for the purpose of either directly or indirectly promoting the interest thereof by sales;

(3) Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under ordinary rules of decency, good morals, public peace, safety and good order; provided, that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind without a license, where such license is or may be required by any law of this state or under any ordinance of this city; or

(4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

"Garbage". Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

"Handbill". A commercial or noncommercial handbill.

"Litter" "Garbage" "refuse" and "rubbish" as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

"Newspaper". Any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year and sold to the public.

"Noncommercial handbill". Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.

"Park". A park, reservation, playground, recreation center or any other public area in the city owned or used by the city and devoted to active or passive recreation.

"Person". Any person, firm, partnership, association, corporation, company or organization of any kind.

"Private premises". Any dwelling, house, building or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

"Public place". Any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

"Refuse". All putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, scrap building materials, and solid market and industrial wastes.

"Rubbish". Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

"Vehicle". Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks. (as added by Ord. #97-25, § 1, Nov. 1997)

17-202. Litter in public places. No person shall throw litter in or upon any street, sidewalk or other public place within the city except in public receptacles, in authorized private receptacles for collection or in official state approved landfills. No person shall deposit grass or yard clippings in the street or in a public drainage way or drainage easement. (as added by Ord. #97-25, § 1, Nov. 1997)

17-203. Placement of litter in receptacles so as to prevent scattering. Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or public place or upon private property. No public receptacle shall be used for the disposal of other solid waste accumulated in residences or places of business. (as added by Ord. #97-25, § 1, Nov. 1997)

17-204. Sweeping litter into gutters prohibited. No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter, dirt or debris from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises and all premises visible to the public and adjacent property owners free of litter. (as added by Ord. #97-25, § 1, Nov. 1997)

17-205. Litter thrown by persons in vehicles. No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city or upon the private property of another. (as added by Ord. #97-25, § 1, Nov. 1997)

17-206. Truck loads causing litter. No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown, leaked or deposited upon any street, alley or public place. Nor shall any person drive or move any vehicle or truck within the city the wheels or tires of which carry onto or deposit into any street, alley or other public place mud, dirt, sticky substances, litter or foreign matter of any kind. (as added by Ord. #97-25, § 1, Nov. 1997)

17-207. Construction site litter and erosion. The owner and contractor shall contain building materials, construction debris, litter and erosion in such a manner as to prevent it from being blown, washed, carried or deposited upon any street, sidewalk, storm drainage way, public property or private property of another. (as added by Ord. #97-25, § 1, Nov. 1997)

17-208. Litter in lakes and fountains. No person shall throw or deposit litter in any fountain, pond, lake, stream, river, creek, or any other body of water within the city. (as added by Ord. #97-25, § 1, Nov. 1997)

17-209. Throwing or distributing handbills in public places. No person shall throw or deposit any handbill in or upon any sidewalk, street or other public place inside the city limits. Nor shall any person hand out or distribute or sell any handbill in any public place; provided, however, that it shall not be unlawful on any sidewalk or other public place within the city for any person to hand out or distribute, without charge to the receiver thereof, any handbill to any person willing to accept it; provided further, that it shall be lawful to securely attach a handbill to a vehicle. Nothing herein authorizes a person to stand in the street to distribute handbills. (as added by Ord. #97-25, § 1, Nov. 1997)

17-210. Depositing handbills in uninhabited or vacant premises. No person shall throw, attach to the exterior of a building without the owner's permission, or deposit any handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant. For the purpose of this chapter, "temporarily uninhabited" or "temporarily vacant" means absent from the premises for thirty (30) or more consecutive days. (as added by Ord. #97-25, § 1, Nov. 1997)

17-211. Prohibiting distribution of handbills where properly posted. No person shall throw or deposit any handbill upon any private premises if requested by the occupant not to do so or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words "No Advertisement." (as added by Ord. #97-25, § 1, Nov. 1997)

17-212. Distributing handbills at inhabited private premises, exemption.

(1) Distributing handbills at inhabited private premises. No person shall throw, deposit or distribute any handbill in or upon any private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or any other person then present in or upon such private premises. Provided, however, that in case of inhabited private premises which are not posted, as provided in this chapter, such person, unless requested by the occupant of such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises if such handbill is placed or deposited as to be reasonably secure and prevent such handbill from being blown about such premises or sidewalks, streets or other public places under ordinary weather conditions, and except that mailboxes may not be so used when so prohibited by federal law or regulations. No person shall place on, deposit or leave exposed in any private yard or driveway any unsolicited newspaper, handbill or material after the carrier or occupant has made written request that same be stopped, which request is addressed to the publisher of the unsolicited material and which request identifies the name and address of location of the owner or occupant who does not desire the material.

(2) Exemption for mail or newspaper. The provisions of this section shall not apply to the distribution of the mail by the United States nor to newspapers (as defined herein), except that newspapers shall be placed on private property in such a manner as to reasonably prevent their being carried or deposited by the elements upon any street, sidewalk or other public places or upon private property under ordinary weather conditions. (as added by Ord. #97-25, § 1, Nov. 1997)

17-213. Dropping litter from aircraft. No person in an aircraft shall throw out, drop or deposit within the city any litter, handbill or any other object. (as added by Ord. #97-25, § 1, Nov. 1997)

17-214. Posting notices prohibited. No person shall post or affix any notice, poster or other paper or device calculated to attract the attention of the public to any lamp post, public utility pole, tree or upon any public structure or building except as may be authorized or required by law. (as added by Ord. #97-25, § 1, Nov. 1997)

17-215. Litter on occupied private property. No person shall throw, deposit or maintain litter on any occupied private property located within the city, whether owned by such person or not, except that the owner or person in

control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or any other public place or upon any private property. Private receptacles for refuse must be stored so as not to be visible from the street except on the day of city refuse collection. Notwithstanding the foregoing, a private receptacle behind the home is permissible although visible to the street behind the residence. (as added by Ord. #97-25, § 1, Nov. 1997)

17-216. Owner to maintain premises free of litter. The owner or any person in control of any private property shall at all times maintain the premises free of litter. (as added by Ord. #97-25, § 1, Nov. 1997)

17-217. Litter on vacant lots. No person shall throw or deposit litter on any open or vacant private property within the city whether owned by such person or not. (as added by Ord. #97-25, § 1, Nov. 1997)

17-218. Receptacles required at all retail food establishments to control litter. (1) All retail food establishments, as hereinafter defined, shall place and maintain on the exterior of their premises, in places easily accessible by the public, receptacles for the deposit of paper and other litter generated by the carrying on of such retail food business.

(2) The proprietor of each retail food establishment shall arrange for the receptacles as required, under section (1) to be emptied into the establishment's bulk container. The proprietor shall keep his premises as well as adjacent public ways and adjacent properties clean and free of litter or trash that accumulates as the result of his business operation.

(3) The number and suitability of receptacles as required under subsection (1) for each such retail food establishment shall be determined in the reasonable discretion of the city public works director, on the basis of the volume of such establishment's business.

(4) The term "retail food establishment" as used herein shall mean vendors of carry-out prepared food and drink for immediate consumption, including without limitation so-called "fast foods" outlets, convenience stores, delicatessens, grocery stores, bars, etc., to the extent they shall sell such food and drink. (as added by Ord. #97-25, § 1, Nov. 1997)

17-219. Placement of litter receptacles at other specific locations. Litter receptacles shall be placed in all places in respect to the service of transient habitation, trailer parks, parks, gasoline service stations, tavern parking lots, shopping center parking lots, grocery store parking lots, boat launching areas, schools and other such public places in numbers appropriate to need.

It shall be the responsibility of any person owning or operating any establishment or public place in which litter receptacles are required by this section to procure, place and maintain such litter receptacles at their own

expense on the premises and to empty such litter receptacles into the establishment's bulk container. (as added by Ord. #97-25, § 1, Nov. 1997)

17-220. Cardboard to be properly stored or disposed of. It shall be unlawful to keep, place, stack, bale or store used cardboard boxes, containers or materials on the outside of a business or commercial establishment in such a manner as to expose such used cardboard to wind and weather conditions. All used cardboard boxes, containers and materials that are on the outside of a business or commercial establishment shall be placed in a dumpster, garbage compactor or storage shed; or shall be secured in some other manner as to keep such used cardboard from exposure to wind and weather conditions. (as added by Ord. #97-25, § 1, Nov. 1997)

17-221. Dogs, cats and domestic fowl. (1) It shall be unlawful for the owners of dogs, cats and domestic fowl and other domestic animals to fail to dispose of the excrement, waste or refuse matter so there is odor to the occupants of adjacent property or any health hazard to the public or inhabitants of the subject premises. This same requirement applies to persons who maintain or board animals for others.

(2) It shall be unlawful for any person to maintain more than four (4) dogs on a lot of record containing less than two (2) acres unless the same is a licensed kennel or veterinary office or a special use permit is granted by the board of zoning appeals and the premises pass the unannounced inspections by the city codes enforcement department. However, this paragraph shall not apply to puppies under four (4) months of age.

(3) It shall be unlawful for any person to maintain more than six (6) cats outdoors on a lot of record containing less than two (2) acres unless the same is a licensed kennel or veterinary office. However, this paragraph shall not apply to kittens less than two (2) months of age.

(4) It shall be unlawful for any person to permit his/her dog or cat to defecate on the sidewalk, public street, public property or private property of another and fail to promptly remove the same. (as added by Ord. #97-25, Nov. 1997, and replaced by Ord. #05-18, Sept. 2005)

17-222. Clearing of litter from open private property of city. The code enforcement officer is hereby authorized and empowered to notify the owner of any open or vacant private property within the city or the agent of such owner to properly dispose of litter located on such owner's property which is dangerous to public health, safety and welfare.

If any owner or occupant of property within the city shall fail to clear and remove such litter from the property, the city code enforcement officer shall serve a notice, in writing, upon such owner or occupant requiring him to clear and remove same from said property within ten (10) days after service of such notice. Such notice may be served personally upon the owner or his agent or tenant, may be mailed by certified or registered mail to the owner or occupant

at his last known address, or may be posted on the property. Service of notice by any of the foregoing methods shall constitute due notice within the meaning of this section.

If any owner or occupant, after notice as provided for herein, shall fail to clear or remove said litter from the property described in said notice, within ten (10) days after service of notice, the code enforcement department is authorized and directed to clear and remove the same and to prepare a statement of the cost thereof and file such statement with the city recorder for collection. A lien is hereby declared on such property for all costs incurred by the city in clearing and removing said litter. The lien may be enforced by attachment in law or equity and the costs recovered by suit in the name and for the use of the Board of Mayor and Aldermen of Springfield, Tennessee.

Upon receiving the statement of costs mentioned above, the city recorder shall notify the owner or occupant by regular mail of the amount owed and all such bills shall bear interest at a rate of six percent (6%) per annum from a date thirty (30) days after mailing said bill until the same is paid.

Any person, firm or corporation violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof, in addition to the foregoing, shall be punished by a fine under the penalty clause of this chapter. (as added by Ord. #97-25, § 1, Nov. 1997)

17-223. Penalties. Any person violating any of the provisions of this chapter shall be punished by a fine under the general penalty clause of this code. (as added by Ord. #97-25, § 1, Nov. 1997)