

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

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17-101. Refuse defined. Refuse shall mean and include garbage, rubbish, leaves, brush, and refuse as those terms are generally defined except that dead animals and fowls, body wastes, hot ashes, rocks, concrete, bricks, leaves, brush, and similar materials are expressly excluded therefrom and shall not be stored therewith. (1984 Code, § 8-101)

17-102. Premises to be kept clean. All persons within the city 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. (1984 Code, § 8-102)

17-103. Storage. Each owner, occupant, or other responsible person using or occupying any building or other premises within this city where refuse accumulates or is likely to accumulate, shall provide and keep covered an adequate number of refuse containers. The refuse containers shall be strong,

¹Municipal code reference

Property maintenance regulations: title 13.

durable, and rodent and insect proof. They shall each have a capacity of not less than twenty (20) nor more than thirty-two (32) gallons, except that this maximum capacity shall not apply to larger containers which the city handles mechanically. Furthermore, except for containers which the city handles mechanically, the combined weight of any refuse container and its contents shall not exceed seventy-five (75) pounds. No refuse shall be placed in a refuse container until such refuse has been drained of all free liquids. Tree trimmings, hedge clippings, and similar materials shall be cut to a length not to exceed four (4) feet and shall be securely tied in individual bundles weighing not more than seventy-five (75) pounds each and being not more than two (2) feet thick before being deposited for collection. (1984 Code, § 8-103)

17-104. Location of containers. Where alleys are used by the city refuse collectors, containers 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 refuse collectors, containers shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there is no curb, at such times as shall be scheduled by the city for the collection of refuse therefrom. As soon as practicable after such containers have been emptied they shall be removed by the owner to within, or to the rear of, his premises and away from the street line until the next scheduled time for collection. (1984 Code, § 8-104)

17-105. Disturbing containers. No unauthorized person shall uncover, rifle, pilfer, dig into, turn over or in any other manner disturb or use any refuse container belonging to another. This section shall not be construed to prohibit the use of public refuse containers for their intended purpose. (1984 Code, § 8-105)

17-106. Collection. All refuse and/or garbage accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of such officer as the board of mayor and aldermen shall designate and in accordance with collection schedules that may be from time to time promulgated and announced by the mayor. (1984 Code, § 8-106)

17-107. Collection vehicles. 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 alleys. Furthermore, all refuse collection vehicles shall utilize closed beds or such coverings as will effectively prevent the scattering of refuse over the streets or alleys. (1984 Code, § 8-107)

17-108. Disposal. The disposal of refuse in any quantity by any person in any place, public or private, other than at the site or sites designated for

refuse disposal by the board of mayor and aldermen is expressly prohibited. (1984 Code, § 8-108)

17-109. Mandatory user fees. There is hereby imposed a mandatory user fee for the collection of garbage and refuse upon all households, businesses, residences, and occupiers of property within the corporate limits of the City of Waverly, Tennessee, according to the classification and rates as from time to time established by the board of mayor and aldermen of the City of Waverly, Tennessee, and such sums to be paid into the general fund of the City of Waverly, Tennessee, to defray the cost of the providing a garbage and refuse collection service of the City of Waverly, Tennessee. (1984 Code, § 8-109)

17-110. Classification of use. There shall be three classifications of use of the refuse and garbage collection service of the City of Waverly consisting of:

- (1) Residential;
- (2) Commercial; and
- (3) Excess users.

"Residential" shall be all house holds located within the City of Waverly, Tennessee. "Commercial" shall consist of all retail establishments, establishments offering services, or any other business activity within the City of Waverly for which a business license is required, except those that may be classified as "Excess User." "Excess Users" shall be those recipients of service which because of amount of use, volume of use, frequency of use, or other relevant factors the mayor shall determine that the residential or commercial rate is insufficient to provide adequate return to the city for the services rendered. Any commercial user may apply to the mayor of the City of Waverly, Tennessee, for an Use Exemption Certificate upon showing that such user shall carry on a program of self-removal of all garbage and refuse in such a manner as to otherwise be in full compliance with all removal requirements of the City of Waverly, Tennessee, and upon such terms and conditions as the mayor may require as a condition for the issuance of such Exemption Certificate. The grant or refusal of such certificate shall be in the sole and exclusive discretion of the mayor and he may consider the economic impact that such exemption may have upon the city collection system revenues and expenses. (1984 Code, § 8-110)

17-111. Collection rates. For collection of garbage and refuse as provided for and required by the City of Waverly, Tennessee, there shall be a rate charge per month payable within ten (10) days from the date of billing by the City of Waverly, Tennessee, according to the following classifications of use:

- (1) Residential rates:
 - (a) Single family homes (once per week pick-up) \$ 10.00
 - (b) Apartment houses or complexes (once per week pick-up), per apartment unit \$ 10.00

- (c) Mobile home parks (once per week pick-up),
per mobile home \$ 10.00
- (2) Commercial rates:
 - (a) With twice per week pick-up \$20.00
 - (b) With thrice per week pick-up \$30.00
 - (c) With four times per week pick-up \$40.00
 - (d) With five times per week pick-up \$50.00
 - (e) Waverly Housing Authority \$595.00
 - (f) Mobile homes parks \$40.00
 - (g) Excess user rates To be determined per § 17-110

(1984 Code, § 8-111, as amended by Ord. #1988-20, Oct. 1988; Ord. #1994-1, Jan. 1994; Ord. #1995-6, July 1995; Ord. #2003-15, May 2003; and Ord. #2011-17, June 2011)

17-112. Discontinuance of service. Any service charge or account not paid within the due date shall be considered delinquent and collection service shall immediately cease to such user and such cessation of service shall be in addition to all other rights of the City of Waverly, Tennessee, to proceed to the collection of unpaid charges. (1984 Code, § 8-112)

17-113. Penalty. Any person or entity within the corporate limits of the City of Waverly, Tennessee, who shall violate provisions of §§ 17-101 through 17-112 of the Waverly Municipal Code, shall be punished according to the general penalty provisions of this code. (1984 Code, § 8-113)