

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SAMBURG, TENNESSEE, PROHIBITING THE PLACEMENT OF TREE LEAVES, GRASS CLIPPINGS, AND OTHER YARD WASTES WITHIN THE TOWN OF SAMBURG'S STORM SEWERAGE SYSTEM.

WHEREAS, the Board of Mayor and Aldermen has determined that the placement of leaves, grass clippings, and other yard wastes into the Town's storm sewerage system contributes to the creation of a nuisance which threatens the health, safety and welfare of the citizens and property owners of Samburg; and,

WHEREAS, Section 6, paragraph (9) of the Samburg Town Charter authorizes the Board of Mayor and Aldermen to make all necessary regulations and laws to secure the health, safety, peace, and comfort of all the inhabitants of the Town.

NOW, THEREFORE, be it ordained by the Samburg Board of Mayor and Aldermen as follows:

1. Definitions. For the purposes of interpreting and enforcing this ordinance, the following definitions shall apply:

- (a) "Storm sewerage system" shall mean any drainage ditch, street, gutter, culvert, drainage tile or pipe, or storm water detention pond which is owned by the Town of Samburg or, any privately owned facilities which deposit storm water into the drainage ditches, streets, gutters, culverts, drainage tiles or pipes, or storm water detention ponds of the Town of Samburg.
- (b) "Yard wastes" shall mean trees, tree limbs, leaves, brush, weeds, grass clippings, landscape prunings, garden plants, and other natural materials.

2. Placement of leaves, grass clippings, and other yard wastes in the Town's storm sewerage system prohibited. It shall be unlawful for any person to place leaves, grass clippings or other yard wastes into any part of the storm sewerage system owned by the Town of Samburg, or into any privately owned storm sewerage system which drains or deposits into the Town's storm sewerage system.

3. Penalty for Violation. All persons found to be in violation of any provision of this Ordinance shall be subject to a fine in the Samburg municipal court not to exceed fifty dollars (\$50.00) plus any and all applicable court costs.

4. Effective Date. This ordinance shall be in full force and effect from and after its date of passage by the Board of Mayor and Aldermen.

5. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or Federal law or regulation, such decision or legislation shall not affect the validity of the remaining portions of this ordinance or its application to other persons or

circumstances.

6. Repealer. All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

PASSED AND APPROVED THIS ____ DAY OF _____, 2003 BY A ROLL CALL VOTE OF THE SAMBURG BOARD OF MAYOR AND ALDERMEN.

DATE OF 1ST READING: _____ DATE OF 2ND READING: _____

FRANKIE VANCLEAVE, MAYOR

ATTEST: _____
City Recorder