

## TITLE 17

### REFUSE AND TRASH DISPOSAL<sup>1</sup>

#### CHAPTER

#### 1. REFUSE.

#### CHAPTER 1

#### REFUSE

#### SECTION

17-101. Yard waste removal.

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**17-101. Yard waste removal.** All residences within the City of Bartlett will receive yard waste collection service. Citizens have the option to purchase a yard waste cart from the public works department for yard/natural debris. Bagged debris and yard waste carts will be collected during weekly garbage collection.

Larger yard waste, such as tree limbs, shrubs or bushes, will be collected weekly when placed in piles of twelve (12) cubic yards or less. Piles should be placed curbside away from structures such as mailboxes, fire hydrants, and utility poles. Additionally, no loose yard debris should be placed near drainage ditches, gutters, storm drains, or on the street pavement or sidewalk.

During autumn and winter seasons, leaves may be placed loose (unbagged) in a dome-shaped pile no more than five feet (5') from the street surface and not on the sidewalk. Debris should never be placed on the road way. Loose leaf collection times will not likely coincide with weekly garbage collection. (Ord. #79-28, Nov. 1979, as replaced by Ord. #17-07, Jan. 2018)

**17-102. Excess yard waste.** If more than twelve (12) cubic yards of yard waste is set out for a single pickup, the public works department will notify the resident that the amount is in excess of city ordinance. Upon notice of excess, the resident will have five (5) business days to remove the excess yard waste. Such notice may be served personally on the owner of the property, may be

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<sup>1</sup>Municipal code references

Property maintenance code: title 13, chapter 1.

mailed to the last known address on such owner by registered or certified mail or may be posted on the property on which such refuse exists. Service of notice by any of the above methods shall be due notice to such owner.

Citizens have three (3) options to remove excess yard waste within the five (5) business-day time frame:

- (1) Hire a professional contractor to remove the excess yard debris.
- (2) Personally transport the yard debris to the city's solid waste facility at a time pre-arranged with solid waste division.
- (3) Contact the city's solid waste division for a cost estimate to pick up the excess yard waste. Cost will be based on the current average commercial rate, and/or set by resolution. It is subject to change in the city's annual budget ordinance. (Ord. #79-28, Nov. 1979, as replaced by Ord. #17-07, Jan. 2018.)

**17-103. Trash receptacles or garbage can areas to be enclosed or screened.** (1) This receptacle can either be designed and hidden into the scheme of structure of the building itself, or be constructed as a durable enclosure in accordance with design standards adopted by the city and available in the city planning department.

(2) On all commercial building sites where the building was constructed prior to 1979, with no enclosed area for trash receptacles, the dumpsters or other trash receptacles shall be located behind the building setback line and hidden from street view when it is possible to do so. In the event the owner or tenant feels that this is not possible, the design and review commission shall review the site for possible alternatives.

(3) On all commercial building sites where construction has taken place since 1979, and trash receptacle areas were approved at the time site plan approval was obtained and approved by the design review commission, the trash receptacle area shall be maintained according to the original site plan approval. In the event that a trash receptacle area was not addressed for any reason on the original site plan approval, then in that event, these building locations shall be required to comply with this section as if it were a new structure.

(4) All temporary dumpsters located at building construction sites and all dumpsters placed for the special purpose of collecting recyclable material are exempt from all provisions of this section. (Ord. #95-14, Sept. 1995)

**17-104. Curbside garbage carts regulated.** (1) The ninety (90) gallon wheeled garbage carts are to be placed at the curb by 7:00 A.M. on the homeowners scheduled collection day and the carts shall not be placed at the curb sooner than 7:00 P.M. the day before collection day. The cart is not to be placed in the road. If there is no curb at the residence then the cart is placed at the end of the driveway or along the roadside.

(2) The garbage carts are to be returned to a location behind the front of the residence by 7:00 A.M. of the morning following the scheduled day of pickup.

(3) Penalty for failure to comply shall be up to a fifty dollar (\$50.00) fine with each day being a separate offense. (Ord. #96-14, Nov. 1996)

**17-105. Exceptions.** When a federal or state emergency is declared, this ordinance shall be suspended until such time as the declaration expires or the mayor determines that sufficient order has been restored.

The mayor may provide for the collection and removal of garbage and rubbish from any place or premise at times in addition to those when regular collection service is provided. The mayor shall have the authority to provide for the collection and removal of garbage above and beyond the extent of any contract in time of an emergency. (Ord. #79-28, Nov. 1979, as replaced by Ord. #17-07, Jan. 2018)

**17-106. Violation/penalty.** If excess yard waste is not redressed in the time frame and manner as set within this chapter, the resident may receive a citation to Shelby County Division 14 General Sessions Court for enforcement of city ordinances involving environmental violations. (as added by Ord. #17-07, Jan. 2018)