

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

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17-101. Premises to be kept clean. All persons, firms, and corporations within the corporate limits of the City of Columbia are hereby required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, offal, filth, and trash. All persons, firms, and corporations are hereby required to store such refuse in sanitary containers of

¹Municipal code reference

Department of sanitation: § 1-202.

Property maintenance regulations: title 13.

the type described in this chapter between intervals of collection or to dispose of such material in a manner prescribed by the public works director so as not to cause a nuisance or become injurious to the public health and welfare. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-102. Definitions. (1) "Refuse." The term "refuse," as hereinafter referred to in this chapter, shall include garbage, rubbish, and all other putrescible and non-putrescible, combustible and noncombustible 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, recognizable industrial or medical byproducts, from all residences and establishments, public and private.

(2) "Hazardous refuse." The term "hazardous refuse" shall mean any chemical compound, mixture, substance, refrigerant or article which may constitute a hazard to health or may cause damage to property by reason of being explosive, flammable, poisonous, corrosive, unstable, irritating, radioactive, infectious, or otherwise harmful. It shall include anything listed as harmful or restricted by the state or federal government.

(3) "Infectious wastes." The term "infectious wastes" means wastes which contain pathogens with sufficient virulence and quantity so that exposure to the waste by a susceptible host could result in an infectious disease. For purposes of this policy, the following wastes shall be considered to be infectious wastes:

(a) "Isolation wastes" - Wastes contaminated by patients who are isolated due to communicable disease, as provided in the U.S. Centers for Disease Control Guidelines for Isolation Precautions in Hospitals, (July 1983).

(b) "Cultures and stocks of infectious agents and associated biologicals" - Cultures and stocks of infectious agents, including specimen cultures from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biologicals, discarded live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate, and mix cultures.

(c) "Human blood and blood products" - Waste human blood and blood products such as serum, plasma, and other blood components.

(d) "Pathological wastes" - Pathological wastes, such as tissues, organs, body parts, and body fluids.

(e) "Contaminated sharps" - All discarded sharps (e.g., hypodermic needles, syringes, pasteur pipettes, broken glass, scalpel blades) used in patient care or which have come into contact with

infectious agents during use in medical, research, or industrial laboratories.

(f) "Contaminated animal carcasses, body parts, and bedding" - Contaminated carcasses, body parts (including fluids), and bedding of animals that were intentionally exposed to pathogens in research, in the production of biologicals, or in the in vivo testing of pharmaceuticals.

(g) "Facility-specified infectious wastes" - Other wastes determined to be infectious by a written facility policy.

(4) "Industrial waste." The term "industrial waste" shall mean all such wastes peculiar to industrial, manufacturing or processing plants and shall include hazardous refuse.

(5) "Construction waste." The term "construction waste" shall mean materials from construction, demolition, remodeling, construction site preparation, including but not limited to rocks, trees, debris, dirt, bricks, fill, plaster, and all types of scrap building materials.

(6) "Commercial solid waste." The term "commercial solid waste" shall mean solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities.

(7) "Residential solid waste." The term "residential solid waste" shall mean solid waste resulting from the maintenance and operation of dwelling units, excluding multiple housing facilities.

(8) "Yard wastes." The term "yard wastes" shall mean grass clippings, leaves, tree and shrubbery trimmings.

(9) "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.

(10) "Rubbish." The term "rubbish" shall include all nonputrescible waste materials except ashes from all public and private residences and establishments.

(11) "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.

(12) "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 City of Columbia.

(13) "Health officer." The term "health officer" shall mean the sanitation director of the City of Columbia or his authorized representative.

(14) "Residential user." The term "residential user" shall mean any user whose property is zoned for residential purposes.

(15) "Class 1 Commercial User." The term "Class I Commercial User" shall mean any user whose property is zoned for commercial or industrial purposes or "multi-family dwelling as defined herein."

(16) "Class 2 Commercial User." The term "Class 2 Commercial User" shall mean any user whose property is zoned for commercial or industrial purposes and who has any number of four (4), six (6), or eight (8) cubic yard boxes.

(17) "Multi-family dwelling." The term "multi family dwelling" shall mean a building or buildings containing three (3) or more dwelling units whose primary purpose is for leasing or renting dwelling space to the public and which has one to three refuse containers.

(18) "Duplex." The term "duplex" shall mean a building or buildings containing two (2) dwelling units. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-103. Responsibility for administration. (1) The public works director, or his authorized representative, shall have the authority to make and modify regulations as necessary concerning the days of collection, location of containers, and such other matters pertaining to the collection, transporting and disposal of solid waste refuse; provided that such regulations are not in violation of the provisions of this chapter.

(2) The public works director, or his authorized representative, shall be responsible for the enforcement of this chapter. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-104. Accumulation of refuse and location of containers.

(1) Each owner, occupant, tenant, sub-tenant, lessee or others, using or occupying any building, house, structure, or grounds within the corporate limits of the City of Columbia where refuse materials or substances as defined in this chapter accumulate, or are likely to accumulate, shall provide an adequate number of suitable containers provided by the public works department for the storage of such refuse.

(2) It shall be the responsibility of each occupant, on the scheduled day of collection, to place his or her container in such a manner and at such a location as to be readily accessible for removal by the city. Such containers shall not be placed in such a manner as to interfere with overhead power lines or tree branches, parked cars, vehicular traffic, or in any other way that would constitute a public hazard or nuisance. Garbage containers shall not be placed, without the express permission of the city, on a public sidewalk, in the street, or in a drainage ditch.

(3) The public works director may accommodate individuals with walking or other range of motion impairments. The city and the individuals will

agree to place the containers at a location convenient for them and readily accessible to the city.

(4) Containers placed on the property side of the curb or street, or at the edge of the alley, where serviceable alleys are available, shall be placed for collection no earlier than 7:00 P.M. on the day before collection, and no later than 7:00 A.M. on the scheduled day of collection. Containers must be removed from the curb, street, or alleyway no later than 7:00 P.M. on the day of collection.

(5) The public director may require any residential household regularly exceeding ninety (90) gallons or two hundred (200) pounds of garbage in a collection period, to be charged as a Class 1 Commercial User or a Class 2 Commercial User.

(6) Construction waste, yard waste, hazardous waste, and E-waste are prohibited from being placed in residential garbage collection containers.

(7) The owner or developer of all new residential construction and development within the City of Columbia shall make arrange with the department of public works to be supplied with a city approved garbage container for that residence or housing unit.

(8) City garbage collectors shall not enter houses, stores or open gates for the collection of garbage or rubbish nor shall they accept any money or valuable gifts for their services from persons served.

(9) Garbage and refuse shall not be stored in close proximity to other personal effects which are not desired to be collected, but shall be reasonably separated in order that the collectors can clearly distinguish between what is to be collected and what is not.

(10) All garbage or refuse must be drained of all liquids and placed in trash bags prior to placing it into the collection cart. The containers shall be maintained in a clean and sanitary manner and shall be thoroughly cleaned by washing or other method as often as necessary to prevent the breeding of flies and the occurrences of offensive odors.

(11) After use, all hypodermic syringes shall be placed in a container designed for and approved for storage of such items in accordance with all state and federal regulations. Used hypodermic syringes shall not be placed with other waste for collection by the City of Columbia, but shall be disposed of by a licensed medical waste disposal firm. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-105. Confiscation of unsatisfactory storage containers. The official refuse collecting agency of the city is herein authorized to confiscate or to remove unsatisfactory storage containers from the premises of residences and establishments, public and private, when in the discretion of the public works director such containers are not suitable for the healthy and sanitary storage of

refuse substances. Such unsatisfactory containers shall be removed and disposed of at a place and in a manner designated by the official collecting agency only after the owner or owners of such containers have been duly notified of such impending action. (Ord. #3448, May 2002, as replaced by Ord. #4930, Nov. 2105)

17-106. Leaves, lawn clippings, brush, tree limbs, etc. It shall not be the responsibility of the refuse collecting agency of the city to shovel or pick up from the ground any accumulation of refuse, including leaves, lawn clippings, brush, packing material, etc., unless the same shall be piled at curb side for the collection truck. All leaves, brush, and tree limbs will be free of trash and other debris. Leaves shall be placed in approved biodegradable leaf bags. (Ord. #3448, May 2002, as replaced by Ord. #4930, Nov. 2105)

17-107. Collection of garbage and refuse. (1) Items prohibited from pick up shall include but not be limited to rocks, dirt, bricks, concrete, construction waste, hazardous waste, E-waste, broken glass unless in approved containers and sharp metal objects.

(2) Bulky items shall be collected on schedule in areas designated by the public works department. Bulky items shall be stored out of the public view until such collection. The city shall not be responsible for the removal of water heaters, central heat and air systems or other commercially installed appliances.

(3) All refuse (including garbage and rubbish) as heretofore defined shall be collected sufficiently frequently to prevent the occurrence of nuisances and public health problems. The schedule may be adjusted periodically to meet these needs. The collection of refuse within the City of Columbia shall be under the jurisdiction of the public works department.

(4) The collection of refuse shall be by means of vehicles with beds constructed of impervious materials which are easily cleanable and disinfected on a regular basis 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.

(5) All residents shall provide sufficient regulation containers to properly store one (1) week's accumulation of refuse (including garbage and rubbish).

(6) Residences and businesses using regulation cans for collection shall provide one (1) to three (3) containers to properly store one (1) week's accumulation of refuse. All residences and businesses requiring more containers may be required to use dumpsters for service.

(7) The public works department shall not be obligated to provide service where adequate containers are not used. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-108. Schedule of fees for the collection of garbage and refuse.

The fees for the collection of refuse shall be as follows:

(1) Residential user - Fourteen dollars (\$14.00) per month (once per week pickup).

The following persons shall be exempt from this fee:

(a) Persons sixty-five (65) years of age in whose name the meter is billed with a total household annual income from all sources not to exceed the income limit as set forth by the State of Tennessee Property Tax Relief Program under Tennessee Code Annotated, § 67-5-702.

(b) Totally and permanently disabled persons drawing social security benefits in whose name the meter is billed with a total household annual income from all sources not to exceed the eligibility limits per the State of Tennessee Property Tax Relief Program.

(c) The income eligibility limit shall be adjusted annually to coincide with the income limit each year for eligibility for property tax relief under Tennessee Code Annotated, § 67-5-702.

(2) Class 1 commercial - twenty-four dollars and fifty cents (\$24.50) per month - (minimum charge for service once per week pickup).

(3) Class 2 commercial - Four (4) cubic yard box - nineteen dollars and fifty cents (\$19.50) per pick-up per week, per container. Six (6) cubic yard box - twenty-one dollars and fifty cents (\$21.50) per pick-up per week, per container. Eight (8) cubic yard box - twenty-four dollars and fifty cents (\$24.50) per pick-up per week, per container.

(4) Any commercial user whose refuse is collected by the City of Columbia on Saturday shall be charged, in addition to all other fees set forth herein, an additional charge of twenty-two dollars (\$22.00) for each Saturday collection.

(5) Duplexes shall be charged at the rate of a residential user for each dwelling unit contained therein beginning at the time of the installation of an electric meter and in the name of the person in whose name the charges for electric power are made.

(6) The fees set forth above shall be billed to the users as a part of the monthly electric bill. A late charge shall be charged at the same rates as are charged on electric bills and collection service shall be terminated at the same time and in the same manner as termination of electric service is done in the event of the non-payment of an electric bill.

(7) Payment by the Columbia Power and Water System of the refuse collection fees and late charges, if any, shall be remitted to the city recorder on a monthly basis accompanied by an accounting therefore.

(8) Additional collections at one (1) residence or business in a week shall be at the rate of fifty dollars (\$50.00) per each additional collection. (Ord. #3448, May 2002, as replaced by Ord. #3808, June 2009, Ord. #4025, July 2015, and Ord. #4039, Nov. 2015)

17-109. Disposal of garbage and refuse. The disposal of refuse in any quantity by an individual, householder, establishment, firm, or corporation in any place, public or private, other than at the site or sites designated and/or with properly approved permits from the Tennessee Department of Solid Waste Management is expressly prohibited. All disposal of refuse and garbage shall be by methods approved by the department of public works under Tennessee Department of Solid Waste Management guidelines. Such methods shall include the maximum practical rodent, insect, and nuisance control at the place of disposal. No garbage shall be fed to swine unless said garbage has first been heated to at least two hundred twelve degrees Fahrenheit (212° F), and held there at least thirty (30) minutes in apparatus and by methods approved by the Tennessee Department of Agriculture as set forth in Pub. Acts 1953, ch. 94. Animal offal and carcasses of dead animals shall be buried or cremated under circumstances approved by the public works director, or shall be rendered at forty (40) psi steam pressure or higher, or similarly heated by equivalent cooking. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-110. Disposal of ashes. (1) Ashes shall be placed by the producer in metal containers, not to exceed twenty (20) gallons capacity furnished and kept in repair by such producer. The producer shall furnish sufficient can space to hold one (1) week's accumulation of ashes. Ashes shall not be placed in the same container with garbage or trash.

(2) Ashes will be removed from each producer once every week. Ash containers shall be so marked and placed for collection at a city approved location for pick-up. (Ord. #3448, May 2002, as replaced by Ord. #4029, Nov. 2015)

17-111. Prohibited substances and practices. (1) The following substances are hereby prohibited and shall not be deposited in garbage containers:

(a) Flammable liquids, solids or gases, such as gasoline, benzene, alcohol or other similar substances.

(b) Any material that could be hazardous or injurious to city employees or which could cause damage to city equipment.

(c) "Construction waste" as defined in § 17-102(5).

(d) Hot materials such as ashes, cinders, etc.

(e) Human or animal waste shall be prohibited from being placed in garbage containers unless it is placed and secured in a plastic bag or suitable paper bag.

(f) Infectious waste and hypodermic syringes.

(2) It shall be unlawful for any person, other than the occupant-user, to move, remove, upset, scatter, tamper, use, carry away, deface, mutilate,

destroy, damage or interfere with the garbage container. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-112. Construction waste. The City of Columbia will not be responsible for the collection and disposal of "construction waste" as defined in § 17-102(5). The removal and disposal of such materials shall be the responsibility of the construction contractor, developer or property owner. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-113. Collection and disposal of industrial waste, infectious, pathogenic and radioactive waste. All industrial and hazardous waste shall be disposed of by the industry, manufacturer, or processing plant generating such waste under such methods and conditions as shall be approved by the sanitation director. Garbage and rubbish not consisting of industrial waste and hazardous refuse will be collected by the city.

(1) Pathological and/or infectious waste from but not limited to hospitals, physicians' clinics, dental clinics, blood banks, medical laboratories, nursing homes, health care facilities, and mortuaries, shall be separated from normal waste and placed in durable disposal bags that can be tied and sealed when full. The bags shall be stored in metal or equivalent containers with tight-fitting lids while in the process of being filled. Containers shall be kept in places restricted from access by the public. If taken to the curb or an alleyway, these materials shall only be placed at the collection point on the day they are to be collected. Needles shall be placed in puncture proof containers immediately after use. Disposable syringes shall be disposed of with other medical waste and not become part of the normal solid waste stream.

(2) Pathological waste and/or infectious waste in bulk containers from but not limited to hospitals, physicians' clinics, dental clinics, blood banks, medical laboratories, nursing homes, health care facilities, and mortuaries, shall be separated from normal waste and placed in durable disposal bags that can be tied and sealed when full. The bags shall be placed in bulk containers which must be kept locked and restricted from access by the public. Needles shall be placed in puncture proof containers immediately after use. Disposable syringes shall be disposed of with other medical waste and not become part of the normal solid waste stream.

(3) All pathogenic, infectious and radioactive waste shall be stored and disposed of by the hospital or institution generating such waste under such conditions as shall comply with all county, state, and federal regulations and such institution shall assume responsibility for such. Garbage and rubbish not consisting of pathogenic, infectious, and radioactive waste may be collected by the city.

(4) All generators of pathological, infectious, hazardous, and/or radioactive waste shall file within thirty (30) days of ordinance approval and yearly thereafter by June 1, a plan and policy for collection and disposal of said

waste with the sanitation director. The plan shall include all storage and disposal procedures to be used by the generating facility and authorized collector, disposal agent engaged in the removal of said waste. Storage, removal, and disposal shall be in compliance with all city, county, state, and federal policies and guidelines. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-114. 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 City of Columbia. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-115. Commercial collection procedures; containers. (1) Every commercial establishment shall place all garbage in a city approved container, and shall maintain the container and the surrounding area in a clean, neat and sanitary condition. All bulk containers shall be cleaned and disinfected on a regular basis.

(2) Any establishment that furnishes and maintains a bulk container or containers suitable for handling by city equipment will be serviced by the city as required provided that such container shall be of sufficient size and number. Bulk containers shall at all times be kept in a place easily accessible to city equipment as approved by the sanitation director. At no time shall objects, obstructions, or vehicles hinder in any way whatsoever the servicing of said containers.

(3) All bulk containers to be serviced by city equipment shall be enclosed containers. Before any such container shall be serviced by the city, it shall be specifically approved by the public works director as to capacity, size, type and location. No container shall exceed eight (8) cubic yards capacity nor be smaller than four (2) cubic yards capacity.

(4) Bulk containers shall be placed on approved service pads to be constructed of six inch (6") thick concrete reinforced with steel and of a size of no less than twelve by twelve (12) feet square. Screening shall be permitted on three (3) sides only and a gate shall be placed on the fourth side of the dumpster screening. Service of containers in gated enclosures may be provided by the City of Columbia Sanitation Department if the gates meet all specifications set by the department. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-116. Burning prohibited without a permit. 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 City of Columbia without first securing the approval of the appropriate city departments having jurisdiction. (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-117. Bulky item collection. Scheduled collections will occur three (3) times a calendar year at each residence or business. The public works department will collect bulky items on Mondays pursuant to a published schedule prepared by the public works department. Items to be picked up on Mondays must be scheduled with the sanitation office by 2:00 P.M. on the preceding Friday. Special arrangements must be made with the public works department for large loads of bulky items (see special pickups). (Ord. #3448, May 2002, as replaced by Ord. #4039, Nov. 2015)

17-118. Special pickups. Special prearranged pickups shall be required for the following:

- (1) More than one (1) brush collection load;
- (2) Bulky items outside the scheduled times;
- (3) More than three (3) collections at any residential or business address within a calendar year.

Special pickup loads of brush will be charged one hundred dollars (\$100.00) per load. Special pickup loads of bulky items will be charged one hundred dollars (\$100.00) per load, plus all disposal fees including landfill fees. Payment for such costs shall be required in advance of the pickup. (as added by Ord. #3962, Dec. 2013, and replaced by Ord. #4039, Nov. 2015)

17-119. Penalties. (1) Any person violating any of the provisions of this chapter or the conditions of any permit issued hereunder shall be served by the city with written notice stating the nature of the violation and providing up to ten (10) days time limit for the satisfactory correction thereof. The offender shall, within the time period stated in such notice, permanently cease all violations. Service will be discontinued until such time as the violation is corrected.

(2) Any person who shall continue any violation beyond the time provided for in § 17-119(1) shall be guilty of a misdemeanor and shall be punishable under the general penalty clause of this code.

(3) Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned by city personnel or equipment by reason of such violation. (as added by Ord. #4039, Nov. 2015)