

## TITLE 17

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

#### 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, and similar materials are expressly excluded therefrom and shall not be stored therewith. (1968 Code, § 8-101)

**17-102. Premises to be kept clean.** All persons within the municipality 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. (1968 Code, § 8-102)

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

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

be strong, 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 municipality handles mechanically. Furthermore, except for containers which the municipality 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 container until such refuse has been drained of all free liquids. Tree limbs and trimmings, hedge and shrubbery clippings, brush, and similar materials when deposited for collection shall be stored in neat piles with thorny vegetation placed in separate piles from other tree and shrubbery trimmings. Each tree and shrubbery limb or branch shall be cut in lengths of not more than five feet (5') and no one stump, log, branch or limb shall weigh no more than fifty (50) pounds. (Ord. #7-2003, Oct. 2003)

**17-104. Location of containers.** Where alleys are used by the municipal refuse collectors, containers shall be placed on or within six feet (6') 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 municipal 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 municipality 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. (1968 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. (1968 Code, § 8-105)

**17-106. Collection.** All refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of such officer as the governing body shall designate. Collections shall be made regularly in accordance with an announced schedule. (1968 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. (1968 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. (1968 Code, § 8-108)

**17-109. Service fees.** (1) Refuse collection fees shall be at such rates as are from time to time set by the board of mayor and aldermen by resolution.

(2) Billing of service fee. The service fee for collection and removal of refuse by the City of Jellico, shall be included as a separate item each month on the bills rendered by the Jellico Electric and Water System, for electricity, water, and sewer bills. The aforesaid charge shall be rendered on the first utility bills sent from and after July 1st, 1990, and for each month thereafter.

(3) Refuse delivered into corporate limits of the City of Jellico, Tennessee for disposal will be considered littering. Penalty for littering shall be fifty dollars (\$50.00) plus cost.

(4) The board of mayor and aldermen shall by resolution within thirty days (30) hereafter establish such definitions, guidelines, rules and regulations as may be necessary to implement this section and as may be necessary for the collection and assessing of the fees established herein. This section and fees imposed hereby shall be administered in conformity with such resolution as the board may adopt. (Ord. #4-90, June 1990, as amended by Ord. #6, July 1993, Ord. #41-2007, Aug. 2007, and Ord. #107-2012, Oct. 2012, modified)

**17-110. Penalty for non-payment.** (1) It is unlawful to refuse or neglect to pay the monthly garbage service user fee when billed. Each user shall be given ten (10) days from the billing date to make payment to the city.

(2) Each thirty (30) day period that the service fee remains unpaid shall subject the owner or the tenant, whomever is the user, to a separate fifty dollar (\$50.00) civil fine for non-payment. (Ord. #1-2003, March 2003)

**17-111. Hazardous wastes.** The City of Jellico, Tennessee will eliminate all "limited quantity hazardous wastes" from the residential garbage stream. Limited quantity hazardous waste is defined in 401KAR31:010, Section 5(1): "A generator is a limited quantity generator in a calendar month if he generates less than one hundred (100) kilograms of hazardous waste in that month." Limited quantity generators include, but are not limited to service stations, automotive body repair shops, dry cleaners, painting operations, "job" plating shops, funeral homes, drug stores, restaurants, motels, clothing manufacturers, beauty shops, dry goods stores, wholesale and retail grocery stores, hospitals and clinics, lending institutions, and furniture stores. The City of Jellico, Tennessee shall also abide by all permit restrictions set forth in permit #118.10, for the hauling of garbage to Tri-County Sanitary Landfill, Corbin, Kentucky. (Ord. #9-88, Dec. 1988)

**17-112. Brush, leaves, loose trash.** (1) All brush and tree trimmings must be cut to maximum four foot (4') lengths and tied in bundles if city pickup is required. Leaves must be baled, bagged or placed in containers. The city crew will not be required to pick up loose trash except due to spillage which occurs in the process of emptying containers.

(2) Brush pickup shall be scheduled one (1) time in the spring of each year during the week of the annual cleanup and one (1) time during the fall of each year during fall cleanup week. The city shall announce the dates for the brush pickup by posting notice at the main lobby of the Jellico Municipal Building one (1) week in advance of the beginning of the brush pickup. Property owners must call the city hall and schedule brush a pickup during this week. The city crew will not remove brush that has been cut by contractors or persons hired under contract with property owners. Brush pickup will be limited to one (1) truck load per residence during the week of the cleanup. All brush, leaves and yard clippings to be picked up must be placed at the curb, but not in the gutter or street, for pickup. The city crew will not pick up stumps, tree trunks, or branches with a diameter of greater than three inches (3") at either end nor will crews pick up brush in excess of four feet (4') in length.

(4) Placing leaves, trash, yard waste, or other rubbish in storm water drains, ditches or culverts or in sewer drains, shall be a violation of this ordinance. Each day that refuse is left in an area prohibited in subsection (3) of this section shall constitute a separate violation.

(4) Violations of § 17-112(3) shall be punishable by fine of fifty dollars (\$50.00) per violation. (Ord. #2019-11, June 2019)

**17-113. Violations and penalty.** Violations of this chapter shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.