

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

- 17-101. Definitions.
- 17-102. Premises to be kept clean.
- 17-103. Storage.
- 17-104. Collection.
- 17-105. Depositing trash, etc., on property prohibited.
- 17-106. Landfill fees and charges.
- 17-107. Disposal of garbage and household trash of domestic producers.
- 17-108. Commercial/industrial waste, trash, and garbage.
- 17-109. Liquid wastes.
- 17-110. Used petroleum products.
- 17-111. Garbage collection fee.
- 17-112. Penalty.
- 17-113. Collection of brush from residential customers.
- 17-114. Collection of brush from commercial customers.

17-101. Definitions. The following terms are defined as set out herein:

(1) "Garbage." Organic waste matter decaying or discarded foodstuffs, both animal or vegetable, and all tin cans, glassware, etc., resulting from the transportation, handling or preparation of food, empty boxes, crates, barrels, kegs, paper and rags.

(2) "Household trash." Waste accumulation of paper, sweepings, dust, rags, bottles, cans or other matter of any kind, other than garbage, which is usually attendant to housekeeping.

(3) "Producer." Either the person responsible for the trash or garbage, or the occupant of the place or building in which such is produced or in which the person responsible for such has a place of business or residence.

(4) "Trash." Crates, barrels, kegs, excelsior, etc., and any other waste material not including garbage, ashes, industrial waste and builder's refuse.

¹Municipal code reference

Property maintenance regulations: title 13.

(5) "Refuse." Shall mean and include leaves and brush except for dead animals, body waste, hot ashes, rocks, concrete, bricks, and similar materials are expressly excluded from any of the terms in this section.

(6) The intent of this section is to exclude from the definitions of trash, garbage, and domestic waste which is collected manually by municipal workers for transport to a sanitary landfill, all waste and refuse generated by commercial or industrial enterprises which may pose a health hazard to municipal employees in the event they come into direct contact with the solid waste or which present difficulties in the physical handling and lifting of bags and containers in which the solid wastes are deposited. (Ord. #93-010, Jan. 1994)

17-102. Premises to be kept clean. All persons within the town are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse. (1980 Code, § 8-202)

17-103. Storage. Each owner, occupant, or other responsible person using or occupying any building or other premises within the Town of Bluff 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, 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. (1980 Code, § 8-203)

17-104. Collection. All refuse 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. Collections shall be made regularly in accordance with an announced schedule. (1980 Code, § 8-204)

17-105. Depositing trash, etc., on property prohibited. (1) The depositing or discarding of any trash, garbage, or litter, whether contained, bagged or loose, on any public property within the municipal limits is hereby prohibited. Private individuals are hereby prohibited from depositing their privately generated trash in public containers located in the city's public parks. Public notice of this prohibition shall be posted where practicable but the absence of such posting shall not be a defense to the violation of this section.

(2) Each separate violation of this section shall be punished and penalized by the assessment of a fine not to exceed \$50.00 plus applicable court costs. (Ord. #93-003, April 1993)

17-106. Landfill fees and charges. The board of mayor and aldermen may assess such fees as are necessary from time to time in order to defray any disposal surcharges which may be imposed by any owner or operator of the sanitary landfill which accepts the city's garbage or trash and may assess such

fees as are necessary to defray the expense of collecting and hauling any commercial or industrial trash which can be collected in approved dumpsters utilized by commercial/industrial enterprises in the town. (Ord. #93-010, Jan. 1994)

17-107. Disposal of garbage and household trash of domestic producers. (1) Garbage and household trash shall be placed by the domestic producer (or commercial/industrial producer if permitted pursuant to the terms of this chapter) in closed garbage bags and then deposited in sealed plastic containers or sealed metal cans for town pick-up. The containers or cans shall be no greater than thirty-two (32) gallons in capacity and shall be equipped with permanent handles. The necessary garbage bags and sealed containers shall be furnished and kept in repair by the domestic producer. Larger items such as paper boxes and other non-organic items do not have to be bagged or sealed but shall not have other trash deposited in them and shall be tied or otherwise secured for city pick-up. The domestic producer shall provide sufficient container space to hold one (1) week's accumulation of garbage and household trash.

(2) City employees shall remove the domestic garbage and trash from the containers by the bag whenever possible. In the event a producer does not place his garbage and trash in closed plastic garbage bags and set the bags in a sealed container, the town shall refuse pick-up service to him/her. Appropriately bagged and contained garbage and household trash shall be removed by the town from each domestic producer once each week. (Ord. #93-010, Jan. 1994)

17-108. Commercial/industrial waste, trash, and garbage. (1) Commercial and industrial enterprises and operations within the municipal limits shall make whatever commercial arrangements are appropriate to privately pick-up and dispose of all waste, trash, and garbage generated by each commercial and industrial enterprise. Storage of any commercial and industrial waste, trash, or garbage prior to pick-up by a private hauler shall be stored in secure containers which are designed to, and do prevent the development of any nuisance on the property from unsecured trash, refuse, or garbage and to prevent the release of said waste into the environment by wind, rain, tampering by animals, etc.

(2) Each commercial or industrial enterprise within the town shall advise the town of the identity and address of the private contractor or hauler who is providing trash and garbage pick-up to the commercial or industrial enterprise.

(3) Each commercial/industrial enterprise must, if the refuse or trash is placed out-of-doors, package said refuse or trash in a sealed container to prevent the release of said refuse into the environment by wind, rain, animals, etc. (Ord. #94-010, Nov. 1994)

17-109. Liquid wastes. The disposal of or placing of any liquid waste or effluent generated by any commercial or industrial enterprise into any container for collection by the town is hereby prohibited. The intent of this provision is to comply with all requirements of the Environmental Protection Agency and the State of Tennessee with regard to the transportation and disposal of liquids generated during any type of manufacturing or industrial process. Each commercial and industrial enterprise within the town shall advise the town in writing of any liquid generated during its commercial or industrial operations so that the town may assist the business in locating appropriate disposal facilities for its liquid wastes. (Ord. #93-010, Jan. 1994)

17-110. Used petroleum products. (1) All domestic and commercial generators of garbage, trash, refuse, and other solid or liquid waste within the municipal limits are expressly prohibited from depositing used motor oil, used oil filters, used transmission fluid, and used petroleum products of any kind, in any container for collection and transportation by the town to any sanitary solid waste landfill. All commercial enterprises within the town which generate or collect used petroleum products and/or parts contaminated with used petroleum products are also subject to the provisions of the "Used Oil Collection Act of 1993, codified at Tennessee Code Annotated, § 68-211-1001 et seq. and are required to comply with the terms of state law regarding the disposal of used petroleum products at appropriate collection centers.

(2) No person or business entity shall discharge any liquid waste generated by any commercial or industrial activity directly into the environment within the municipal limits of the town without first complying with all federal and state regulations affecting said discharge. No person or business entity shall dispose of any used petroleum products in any manner except as provided by the "Used Oil Collection Act of 1993." No person or business entity shall allow used petroleum products to flow, drain, or otherwise escape into the environment prior to their proper disposal as specified by state law. (Ord. #93-010, Jan. 1994)

17-111. Garbage collection fee. (1) A garbage collection fee of nine dollars (\$9.00) per month shall be charged to each residential customer within the corporate limits. However, those property owners whose parcel is not one hundred percent (100%) within the town limits shall have the option of taking the garbage service or not as the case may be. The domestic garbage collection fee shall be included on every customer's monthly water and sewer bill or on a separate bill for those who are not served by city water and/or sewer.

(2) The failure of any residential customer to pay for each of the utility charges as billed shall result in the termination of water service to that resident or business pursuant to the terms of the ordinances of the town which require termination of water service for non-payment of that service.

(3) Households which currently do not receive town water shall be billed on a monthly basis for the garbage pick-up service. If a delinquency in the monthly garbage collection fee exists in excess of two (2) months garbage collection service shall be terminated to said household.

(4) In the event that the town must institute legal proceedings in order to collect any unpaid utility bills including unpaid garbage collection bills, the delinquent resident shall also be charged a reasonable attorney's fees and court costs. (Ord. #94-010, Nov. 1994, as amended by Ord. #2000-016, Dec. 2000, Ord. #2007-008, Aug. 2007, Ord. #2008-016, Feb. 2009, and Ord. #2013-009, Sept. 2013)

17-112. Penalty. A violation of the terms of this chapter shall be punishable by a fine not to exceed fifty dollars (\$50.00) for each day that the generator/producer of garbage, trash, refuse, or liquid industrial waste or used petroleum products fails to comply with the terms of this chapter. (Ord. #93-010, Jan. 1994)

17-113. Collection of brush from residential customers. (1) Each residential customer shall get one free brush pick-up per month without charge.

(2) No grass clippings will be picked up.

(3) The size of brush shall be no larger than two inches (2") in diameter.

(4) All brush shall be deposited curb side by the residential customer for pick-up by the town and shall not be placed in any part of the street.

(5) After the residential customer has been credited with the one free brush pick-up per month, each additional load shall be picked-up at a rate of seven dollars and fifty cents (\$7.50) per load. (Ord. #97-003, May 1997, as amended by Ord. #97-008, Aug. 1997)

17-114. Collection of brush from commercial customers. (1) Each commercial customer shall get one (1) free brush pick-up per year without charge on an improved commercial lot.

(2) No grass clippings will be picked up.

(3) The size of the brush shall be no larger than two inches (2") in diameter.

(4) All brush shall be deposited curb side by the commercial customer for pick-up by the town and shall not be placed in any part of the street or highway.

(5) This section shall apply to developed commercial lots only. In other words, undeveloped commercial lots are specifically excluded for this service. (as added by Ord. #2008-002, March 2008)