

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE STORAGE AND COLLECTION.

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SECTION

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17-101. Refuse defined. Refuse shall mean and include garbage, rubbish, 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. (1963 Code, § 8-101)

17-102. Owner to maintain premises free of litter. The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this section shall not prohibit the storage of litter in authorized private receptacles for collection. (1963 Code, § 8-102, as replaced by Ord. #2002-7-1480-A, July 2002)

17-102(A). Litter on vacant lots. No person shall throw or deposit litter on any open or vacant private property within the city whether owned by such person or not. (as added by Ord. #2002-7-1480-A, July 2002)

¹Municipal code reference

Property maintenance regulations: title 13.

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 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 refuse container until such refuse has been drained of all free liquids. Tree trimmings, hedge clippings, and similar materials shall be cut to a length not to exceed four (4) feet and shall be securely tied in individual bundles weighing not more than seventy-five (75) pounds each and being not more than two (2) feet thick before being deposited for collection. (1963 Code, § 8-103, modified)

17-104. Location of containers. Where alleys are used by the municipal refuse collectors, containers shall be placed on or within six (6) feet 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 be 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. (1963 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. (1963 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. (1963 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. (1963 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 governing body is expressly prohibited. (1963 Code, § 8-108)

17-109. Refuse collection fees. Refuse collection fees shall be at such rates as are from time to time set by the city council by ordinance or resolution.¹

17-110. Penalties for violations. Pursuant to Tennessee Code Annotated, § 7-63-101, the building inspector is authorized to issue ordinance summons for violations of this chapter on private property. The building inspector shall upon the complaint of any citizen, or acting on his own information, investigate complaints of a violation on private property. If after such investigation the building inspector finds a violation on private property, he shall issue an ordinance summons. The ordinance summons shall be served upon the owner or owners of the property, or upon the person or persons apparently in lawful possession of the property, and shall give notice to the same to appear before the City Court of Lenoir City and answer the charges against him or them.

The penalty for violating this section shall be a fine up to and including fifty dollars (\$50.00) and costs for each offense and/or the judge of the municipal court may punish a violation in the same manner as any other city ordinance (Tennessee Code Annotated, § 6-54-306). Each day during which a littered and/or overgrown condition continues to exist following the initial citation shall be considered a separate offense.

In the event that any offender under this section refuses to sign the ordinance summons agreement to appear in court, the municipal enforcement officer in whose presence the violation is committed may have the summons issued by the clerk of city court or the municipal enforcement officer may seek the assistance of a police or peace officer to witness the violation, who may issue a citation in lieu of arrest for the violation or make an arrest for failure to sign the citation in lieu of arrest, Tennessee Code Annotated, § 7-63-104.

Failure of an offender to appear for trial in the city court after signing the ordinance summons agreement shall cause the court having jurisdiction thereof to issue a warrant against the offender, as provided in Tennessee Code Annotated, § 7-63-105. (as added by Ord. #2002-7-1480-A, July 2002)

¹Administrative ordinances and resolutions are of record in the office of the city recorder.