

**TITLE 17****REFUSE AND TRASH DISPOSAL**<sup>1</sup>**CHAPTER****1. GARBAGE AND TRASH.****CHAPTER 1****GARBAGE AND TRASH****SECTION**

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<sup>1</sup>Municipal code reference

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**17-101. Definitions.** For the purpose of this chapter the following words phrases shall have the meanings herein:

(1) "Commercial refuse" shall mean all waste products not otherwise defined as industrial waste, generated by retail, wholesale, office business, institutional, or industrial businesses not producing industrial waste.

(2) "Garbage" shall include every accumulation of both animal and vegetable matter, liquid or otherwise, that attends the preparation use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables, and tin cans or other containers originally used for food stuffs.

(3) "Hazardous waste" means any chemical, compound, mixture, substance 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 or otherwise harmful. Hazardous waste includes, but is not limited to, any material classified as "hazardous" under municipal, state or federal law.

(4) "Industrial waste" shall mean all such waste produced by industrial, manufacturing or processing plants, including hazardous waste and not eligible for any of the other classifications.

(5) "Pathogenic waste" shall mean all or parts of organs, bones, muscles, other tissues and organic waste of human or animal origin, laboratory cultures, and infective dressings and other similar material.

(6) "Public place" shall include parks, water or open spaces adjacent thereto, public yards, grounds and areas and all open spaces between buildings and streets and in view of such streets.

(7) "Rubbish" includes all non-putrescible solid waste consisting of both combustible and non-putrescible waste such as paper, cardboard, plastic, glass, crockery, excelsior, sloth and similar materials. It shall not include:

(a) Bulky items such as stoves, refrigerators, water tanks, television sets, washing machines

(b) Tires, automobile or truck parts,

(c) Discarded lawn items such as gym-playground equipment, lawnmowers, grills, or lawn furniture, and

(d) Similar bulky materials having a weight greater than fifty (50) pounds and/or a volume greater than thirty (30) gallons.

(8) "Yard refuse" shall include leaves, small shrubs, lawn clippings, branches and trees cut down by property owners or occupants. (Ord. #803, June 2020)

**17-102. Jurisdiction.** (1) The removal and disposition of all garbage, rubbish, yard refuse, commercial refuse, pathogenic waste and industrial waste

from premises in the city shall be under the jurisdiction of the city administrator or his/her designee.

(2) Each single family, duplex and triplex dwelling unit in South Pittsburg shall be required to use the city sanitation service for garbage removal. In no case shall any such residential units be combined into a single customer.

(3) Commercial customers shall use containers provided by the city, and each business, like residential customers, shall be considered a separate customer. Commercial customers, unless contracting for dumpster service from a permitted waste collector, shall be required to use the city's service. Multi-family dwellings four (4) or more residential units per building) shall be considered a commercial customer and may contract for private dumpster service.

(4) The city administrator or his/her designee may provide for the collection and removal of wastes subject to this chapter from any place or premises at times, in addition to those when regular collection service is provided. He/her shall also have the authority to provide for the collection and removal of such wastes above and beyond the extent of any regularly scheduled collection in time of emergency. (Ord. #803, June 2020)

**17-103. General discharge prohibitions.** No residential, commercial, industrial, office, institutional, or non-profit land user shall dispose of refuse, rubbish, garbage, yard refuse, pathogenic waste, industrial or hazardous waste other than as provided in this chapter. Any person, business, or organization found disposing of garbage, rubbish, or other wastes subject to this chapter except as herein provided shall be cited for violation of this chapter. (Ord. #803, June 2020)

**17-104. Rules and regulations to implement chapter.** The city administrator may make such rules and regulations as are not inconsistent with the provisions of this chapter as may be necessary or desirable to aid in the administration of and obtaining compliance with the provisions of this chapter. The city administrator shall, in the administration of this chapter, cause all persons to fully comply with all state and federal statutes and regulations which may be applicable to the disposal of all types of waste material subject to this chapter. The city administrator shall have no power to make any regulation inconsistent with any such state or federal statute or regulation. (Ord. #803, June 2020)

**17-105. Collection and disposal of industrial waste, hazardous waste, pathogenic waste, radioactive waste and salvageable materials for reclamation.** (1) Industrial and hazardous waste. All industrial and hazardous wastes shall be disposed of by the industry, generator, manufacturer or processing plant generating such waste under such methods and conditions

as shall be approved by the city administrator. Such industries may apply for a special permit as a private collector or may dispose of industrial waste by licensed private collectors. The disposal of industrial and hazardous waste subject to this chapter excludes, by definition, any waste subject to the terms of title 18, Sewer Use Ordinance. Garbage and rubbish not consisting of industrial, pathogenic or hazardous waste will be collected by the city.

(2) Pathogenic and radioactive waste. All pathogenic and radioactive wastes shall be disposed of by the hospital, institution or office generating such waste under such conditions as shall be approved by the city administrator and shall be in compliance with all applicable ordinances, and state and federal laws and regulations.

(3) Salvageable materials for reclamation. Persons engaged in collecting or purchasing for resale paper, cardboard, rags and scrap metals or other materials for reclamation purposes shall be exempted from the provisions of this chapter except as to those provisions and regulations of the city administrator and ordinances which pertain to maintaining standards of health and cleanliness. preventing nuisances, preventing interference with trash containers and preventing littering. (Ord. #803, June 2020)

**17-106. Container provided.** (1) Duty to have containers. It shall be the duty of every person in possession, charge or control of any premise where garbage or rubbish is created or accumulated, and in the case of multiple dwellings or multiple occupancy, the owner or renter of such premises, at all times to keep or cause to be kept a sufficient number of city owned containers for the deposit of garbage generated on the premises. Containers shall be approximately ninety-six (96) gallons in size.

(2) Container requirements. Containers used for the deposit of garbage or rubbish for collection by the city shall be in good condition and equipped with secure lids so that collection thereof shall not injure the person collecting the contents. Containers having ragged or sharp edges or other defects must be promptly replaced.

(3) Commercial containers. Commercial containers, other than dumpsters provided by permitted collectors, shall be approximately ninety-six (96) gallons in size and shall only be required from the city at a cost determined from time to time by the board of mayor and commissioners

(4) Commercial and industrial customers. Commercial and industrial customers shall place all eligible refuse in dumpsters provided by permitted collectors, or in containers owned by the city. Failure to do so could result in such commercial customer having to make arrangements for private refuse collection. (Ord. #803, June 2020)

**17-107. Safe premises for collection; location of containers.** (1) It shall be incumbent upon tenants, lessees, occupants and owners of premises to provide a safe, convenient and accessible location near the edge of city rights of

way for the purpose of collecting garbage, not closer than three feet (3') to any other object, such as mailbox, planter or otherwise. All containers to be emptied shall be placed within five feet (5') of paved streets. Containers shall be placed where collectors may pick up and empty them without attack from animals. Lids and covers of such containers shall be kept tightly closed at all times other than when garbage or rubbish are being deposited herein or removed therefrom. The city administrator may, by appropriate regulations, provide for the location of containers. City garbage collectors shall not enter houses or stores for the collection of garbage or rubbish.

(2) 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. (Ord. #803, June 2020)

**17-108. Garbage wrapped; mixing with ashes, rubbish.** There shall be no ashes, hazardous materials or toxic materials as may from time to time be defined by applicable state and/or federal law. All garbage shall be kept in a separate container conforming to the requirements of this chapter. (Ord. #803, June 2020)

**17-109. Dumps and fills, other places of disposal.** The city may establish or designate, through contract with other public or private agencies, sanitary landfills, transfer stations, incinerators or other places of disposal as may be necessary, and no person or entity shall use any other place of disposal except with the approval of the city administrator after advice and consent of the board of mayor and commissioners. (Ord. #803, June 2020)

**17-110. Collectible yard refuse: leaves, grass, trimmings, trees and paper.** (1) Leaves, grass cuttings, garden trimmings, weeds and roots from which all dirt has been removed shall be deposited within five feet (5') of the street line where garbage and rubbish service is normally provided. The city administrator may grant waivers of this section in cases of hardship. Leaves are not to be bagged and shall be placed adjacent to the property line from which collections are normally made.

(2) Leaves, grass cuttings, shrubs, branches, weeds and roots shall not be placed in containers along with residential or commercial waste .

(3) Shrubs and tree trimmings shall be separated from other refuse and neatly piled adjacent to the front property line.

(4) Limbs or logs in excess of six inches (6") in diameter must be cut into eighteen inch (18") length. Nothing larger than eighteen inches (18") in diameter will be collected.

(5) Christmas trees placed adjacent to the front property line will be picked up during the Christmas season and through the first day of February. (Ord. #803, June 2020)

**17-111. Collection schedules and requirements.** The city reserves the right to establish collection schedules and requirements as may be necessary. The city shall establish separate schedules for the collection of recycling, leaves, grass cuttings, shrubs, branches, and brush. In no case shall any user of the city's garbage collection service place their refuse for collection at the appropriate location prior to 4:00 P.M. on the day immediately before the day of scheduled service. (Ord. #803, June 2020)

**17-112. Removal of contractor's materials, debris, tree trimmings, etc. by contractor.** All contractor's materials including, but not limited to, trimmings from trees, cuttings, shrubbery, wallpaper, plaster or other debris from building operations, sackage, etc., shall be hauled away from the premises where work has been performed by said contractor and shall be properly disposed of by the contractor. For purposes of this section, a contractor shall include, but is not limited to, a person who performs what is commonly referred to as "yard work" or "landscaping" services which results in the generation of trimmings from trees., cuttings and shrubbery. (Ord. #803, June 2020)

**17-113. Exclusive collection.** It shall be unlawful for any person other than the city to engage in the business of collecting, removing or disposing of garbage and rubbish in the city except when specifically authorized by a city contract or permit. (Ord. #803, June 2020)

**17-114. Building debris; responsibility for removal.** Building debris such as scrap lumber, carpet, plaster, roofing, concrete/concrete blocks, brickbats, and sanding dust resulting from the construction, repair, remodeling or demolition of any building or appurtenances on private property will not be removed by the city, and the owner must privately move or cause to be moved such materials and waste. (Ord. #803, June 2020)

**17-115. Nuisances prohibited.** It shall be unlawful for any person in possession, charge of, or control of any premises to keep , cause to be kept, or allow the keeping on any premises within the corporate limits of the city of garbage, rubbish, or other waste subject to this chapter in such manner that it becomes offensive or deleterious to health or likely to cause disease, and such keeping is hereby declared a public nuisance. (Ord. #803, June 2020)

**17-116. Interference with containers.** No person other than the owner or person lawfully in control of any premises, or any authorized employee of the city or an authorized employee of a person licensed by the city for the collection or removal of garbage, rubbish, or other wastes subject to this chapter, shall interfere in any manner with a container used for the accumulation or handling of garbage, rubbish, or other such waste, or remove any such container from the location where it shall have been placed by the owner or person

lawfully in control of the premises; nor shall any such person remove the contents from any such container. (Ord. #803, June 2020)

**17-117. Place for disposal of waste materials.** (1) It shall be unlawful for any person to dispose of or cause to be disposed of any garbage, rubbish, or other waste subject to this chapter upon any property other than a garbage dump or sanitary landfill or as otherwise provided by the provisions of this chapter.

(2) It shall be unlawful for any person to deposit or permit or suffer his agents, servants or employees to deposit garbage, yard refuse or other waste subject to this chapter in or about the anti-litter cans or like receptacles provided by the city in various public places in the community. (Ord. #803, June 2020)

**17-118. Littering prohibited.** It shall be unlawful for any person to place any garbage, straw, dirt, chips, shells, nails, iron, glass, fruit peelings, melon rinds, paper shavings, rags or other rubbish, limbs, leaves, trimmings, stumps, or obnoxious substance on any street, sidewalk, alley, public park, parkway, drainage ditch, sewer easement, other utility easements, square or other place in the city, or on the property of another person, or to violate any of the requirements of this chapter. The violation of any of the requirements of this chapter shall be punishable as provided in this city code. (Ord. #803, June 2020)

**17-119. Open burning of garbage prohibited.** It is hereby declared to be a misdemeanor for any person to start or maintain, or cause to be started or maintained, any open ground fire or any fire in an open can, barrel or other open container for the purpose of burning or consuming refuse or garbage, upon any property, either public or private, within the city, except as provided in the fire prevention code of the city, and permitted under local and state air pollution control ordinances and regulations. (Ord. #803, June 2020)

**17-120. Premises to be kept clean.** All persons within the city 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. (Ord. #803, June 2020)

**17-121. Removal after emptying.** After the garbage, brush, limbs or other refuse has been emptied out of a receptacle by employees or contractors of the city, the person owning such receptacle shall remove same from the street or sidewalk as soon as possible and within twenty-four (24) hours after such emptying. (Ord. #803, June 2020)

**17-122. Brush pickup.** The City of South Pittsburg will pick up brush along city streets on the first (1st) and third (3rd) Wednesdays of each month in

the following areas: State Line to Eighth (8th) Street. The city will pickup brush along city streets on the second (2nd) and fourth (4th) Wednesdays from Eighth (8th) Street to city limits on Sweetens Cove Rd. The city administrator may change the schedule for pickup of brush upon approval in writing by the board of mayor and commissioners and reasonable advance notice to the public. (Ord. #803, June 2020)

**17-123. Old furniture and small appliance pickup.** The city will provide for the pickup of old furniture and small appliances (HHG) on the first (1st) and third (3rd) Thursdays of each month in the following areas; State Line to Eighth (8th) Street, and from Eight (8th) Street to city limits on Sweetens Cove Rd on the second (2nd) and fourth (4th) Thursdays of each month. (Ord. #803, June 2020)

**17-124. Items Prohibited for pick up.** (1) Bulky items such as stoves, refrigerators, water tanks, television sets, washing machines.

(2) Tires, automobile or truck parts,

(3) Discarded lawn items such as gym-playground equipment, lawnmowers, grills, or lawn furniture, and

(4) Similar bulky materials having a weight greater than fifty (50) pounds and/or a volume greater than thirty (30) gallons. (Ord. #803, June 2020)

**17-125. Sanitation fee assessment.** There shall be a sanitation fee charge of seventeen dollars(\$17.00) per household for one (1) ninety-six (96) gallon trash container. Customer will be billed monthly and fee collected by the Board of Water Works and Sewers for the City of South Pittsburg. Garbage rate will be listed on water, sewer and gas bill monthly. One (1) additional cart may be leased from the City of South Pittsburg for a deposit in the amount of one hundred dollars (\$100.00) payable to the City South Pittsburg Tennessee. The request for an additional ninety-six (96) gallon cart may be picked up at city hall and delivered to the address requested by the customer. When property owner or resident moves the additional ninety-six (96) gallon cart is to be returned to the City of South Pittsburg. The maximum number of authorized ninety-six (96) gallon carts per residential household is two (2). (Ord. #803, June 2020)

**17-126. Commercial and industrial operations.** Commercial and industrial operations will be provided two (2) ninety-six (96) gallon carts for a monthly fee of twenty-three dollars (\$23.00). An additional ninety-six (96) gallon cart can be leased for a one hundred dollar (\$100.00) deposit. The request for an additional trash container may be picked up at vity hall and will be delivered to business address. Commercial and industrial operations requiring more than three (3) trash containers (ninety-six (96) gallon carts) shall be required to have dumpster services. All solid waste shall be contained in a closed-lid city-approved trash container. (Ord. #803, June 2020)



**17-127. Violations and penalty.** Upon final adoption of this chapter, violation of any provision of this chapter is a misdemeanor and subject to a fifty dollar (\$50.00) fine for each violation of the chapter. (Ord. #803, June 2020)