

ENVIRONMENT PROTECTION

Part 71.000 Garbage, Trash and Rubbish



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Part 71

71.000

GARBAGE, TRASH AND RUBBISH

Ord. No. 52

Adopted: December 15, 1960

An ordinance regulating the storage, accumulation, collection, handling and disposal of refuse, including garbage, trash and rubbish within the City of Oak Hill, Tennessee; and to provide minimum standards for containers and trucks to be used in collecting and hauling garbage and rubbish; to prohibit the littering of public and private places within the city; and providing for enforcement of this ordinance and punishment for this violation.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF OAK HILL, TENNESSEE, AS FOLLOWS:

71.001

Declaration of necessity.

Sec. 1. The accumulation of refuse and the littering, scattering, throwing or depositing of rubbish, garbage, trash, circulars, handbills and other waste substances or refuse on the premises of private residences and on lots and in the streets, roads, and alleys of the City of Oak Hill, Tennessee, is declared to be obnoxious, unsanitary and unsightly, and greatly increases the danger of spread of infectious, contagious and epidemic diseases, and it is necessary for the preservation of health, safety, sanitation and public welfare that proper regulations be adopted to require property owners, tenants, occupants and lessees and handlers of garbage, trash and refuse to provide for the collection, handling and disposal of such matter.

71.002

DEFINITIONS.

Sec. 2.

- (1) *Refuse.* The term "refuse" shall include garbage, rubbish, ashes 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 of produce and other similar unwanted materials, but shall not include sewage or body wastes from residences and establishments both public and private.

- (2) *Garbage.* The term "garbage" shall include all putrescible wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals from all private residences and public and private establishments.
- (3) *Ashes.* The term "ashes" shall include the waste products from coal, wood, and other fuels used for cooking and heating from all private residences and public and private establishments.
- (4) *Rubbish.* The term "rubbish" is non-putrescible waste (excluding ashes) consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, and similar materials.
- (5) *Litter.* The term "litter" shall include refuse, rubbish, garbage, ashes, trash, debris, waste paper or materials, filth, weeds, leaves, grass, bottles, boxes, circulars, handbills, advertisements and any other waste, rejected or worthless matter or materials of any kind or character.
- (6) *Collector.* The term "collector" shall mean any person, firm or corporation that collects, handles, transports, or disposes of any refuse, garbage, rubbish, ashes, or litter within the corporate limits of Oak Hill.
- (7) *Health officer.* The term "Health Officer," in the absence of a specifically appointed or designated Health Officer for the City, shall mean City Manager, or his authorized agent or representative. The collection of refuse shall be under the jurisdiction of such officer.

71.003 Container regulations.

Sec. 3. Each owner, occupant, tenant, subtenant, lessee or others using or occupying any building, house, structure or grounds within the corporate limits of the City of Oak Hill where refuse, garbage, ashes, rubbish and litter, as defined in this ordinance, accumulates or is likely to accumulate shall provide an adequate number of suitable containers of a type approved by the Health Officer of Oak Hill for the storage of such refuse, etc.

Such containers shall be constructed of metal, strong and durable, not readily corrodible, rodent and insect proof, of a capacity not exceeding 30 gallons and not less than 20 gallons, except that the maximum capacity shall not apply in cases where collectors are equipped to handle containers of similar construction mechanically.

Such containers shall be equipped with handles to facilitate emptying and shall be equipped with tight-fitting lids or covers constructed of the same material [and] of such design as to preclude the free access of flies and other insects and to prevent the container from collecting water during rains.

The lid or cover shall be kept in place at all times except when refuse, etc., is being deposited therein or removed therefrom.

Wet garbage or refuse must be drained of all liquids. Containers shall be maintained in a clean and sanitary manner so as to prevent the breeding of flies and the occurrence of offensive odors.

71.004 Removal of unsatisfactory containers.

Sec. 4. The Health Officer of Oak Hill is authorized to confiscate or to have removed unsatisfactory storage containers from the premises of residences and establishments, public and private, when such containers are not suitable for the healthful and sanitary storage

of refuse, etc. However, the owner or user of such container shall be notified of such action prior to the removal of such containers.

71.005 Permit required for collection of refuse, etc.; fee.

Sec. 5. No person, firm or corporation shall engage in the business of collecting refuse, garbage, ashes, rubbish, litter or other waste materials, or remove the contents of any refuse container for any purpose whatsoever, who does not possess a permit to do so from the Health Officer of Oak Hill.

Such permits may be issued only upon the payment of an annual permit fee of Two (\$2.00) Dollars for each collection vehicle and after the applicant's good moral reputation and capability of complying with this ordinance has been determined. Such permits shall be renewed in December of each year for the succeeding year and may be suspended or revoked by the Health Officer upon the violation of any of the terms of this Ordinance.

71.006 Regulations governing collection vehicles.

Sec. 6. The collection of refuse, garbage, rubbish, etc., shall be by means of vehicles with beds constructed of impervious materials and easily cleanable and so constructed that there will be no leakage of liquids draining from the refuse, garbage, etc., onto the streets, alleys and public thoroughfares.

Provisions shall be made to prevent the scattering of refuse over the streets and thoroughfares by effective coverings of closed truck beds.

Such vehicles shall be operated so as to prevent offensive odors escaping therefrom and refuse, garbage, litter, etc., being blown, dropped or spilled.

71.007 Site and method of disposal generally.

Sec. 7. The disposal of refuse, garbage, rubbish or litter in any quantity by any individual or establishment, public or private, other than [at] the site or sites designated by the Health Officer of Oak Hill is expressly prohibited.

All disposal of refuse, garbage, trash, litter, etc., shall be by methods approved by the Health officer of Oak Hill and the Davidson County Health Department, and provided such methods shall include the maximum practical, rodent, insect and nuisance control at the place of disposal.

71.008 Disposal by producers of refuse, etc.

Sec. 8. This ordinance shall not prohibit the actual producers of refuse, garbage, trash, litter, etc., or the owners of premises upon which such has accumulated, from personally collecting, conveying and disposing of same, provided such producers or owners shall first apply to the Health Officer of Oak Hill for a permit granting them the right to do so. Such application shall be in writing and contain an agreement by the applicant to comply with the requirements of this ordinance concerning containers, methods of conveyance and point of disposal.

71.009 Authority of city to collect or contract for collection.

Sec. 9. The City of Oak Hill may at any time, through a resolution adopted by the Board of Commissioners, declare the privilege of collecting, handling, disposing and removing of refuse, garbage, rubbish and litter within said City to be the exclusive right and privilege of the City of Oak Hill, in which event the Board of Commissioners, through the City Manager, shall be empowered to secure suitable trucks and other equipment for the collection and removal of garbage, refuse, etc., from the City, or shall after taking bids

have the right to enter into contracts with private persons to collect such garbage, refuse, etc., within the City.

If a contract is entered into with one or more suitable persons for the collection, removal and disposal of garbage and refuse, the City shall require such contractor to give a good and sufficient bond in such form and amount as the Board of Commissioners shall designate, conditioned for the faithful performance of such contract.

71.010 Compliance with this ordinance by outside collectors hauling refuse, etc., over city streets.

Sec. 10. This ordinance shall not prohibit collectors of refuse, garbage, trash, litter, etc., collected outside of the City from hauling such over the streets and roads of Oak Hill, provided such collectors comply with this ordinance, and especially the provisions relating to the hauling of refuse, garbage, etc., in containers and vehicles of an approved type under the provisions of this ordinance.

71.020 Littering, dumping or rummaging prohibited.

Sec. 11. No person whether in or upon a vehicle or on foot shall cast, toss, place, drop, throw, sweep or deposit anywhere within the City of Oak Hill any refuse, garbage, trash, ashes, rubbish or litter in such a manner that it may be carried or deposited by the elements upon any road, street, sidewalk, sewer, drainage ditch, parkway or other public place, or into any occupied premises within the City.

No driver of any vehicle upon any road, street, alley or other public place in Oak Hill shall permit to drop or fall from such vehicle onto such road, street, alley or other public place, and permit to remain there any refuse, garbage, rubbish or litter.

No person shall in any road, street, alley or other public way rummage in or through refuse, garbage, rubbish or litter of any kind, or interfere with any receptacle containing such.

71.012 Declaration and abatement of public nuisances.

Sec. 12. Any dwelling or other place or structure in the City of Oak Hill about which refuse, garbage, rubbish, ashes or litter accumulates, which is not provided with refuse collection service, is hereby declared to be a public nuisance dangerous to the public health, safety, convenience and welfare and may be abated in the same manner as other public nuisances are abated.

71.013 Penalty for violation.

Sec. 13. That any person, firm or corporation who shall violate any of the provisions of this ordinance, or who shall fail or refuse to obey any notice issued by the Health Officer of Oak Hill under the provisions of this ordinance, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than Five (\$5.00) Dollars, nor more than Fifty (\$50.00) Dollars, for each offense. Each day such violation continues shall constitute a separate offense hereunder.

71.014 Severability.

Sec. 14. The provisions of this ordinance are declared to be severable. If any section or provision shall be declared to be invalid, such invalidity shall in no wise affect the validity of the remaining sections and provisions hereof.

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