

TITLE 17

REFUSE AND TRASH DISPOSAL

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. All disposal of refuse shall be by methods approved by the City of White House and the Tennessee Department of Health. (1979 Code, § 8-201, as replaced by Ord. #05-35, Nov. 2005)

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. (1979 Code, § 8-202, as replaced by Ord. #05-35, Nov. 2005)

17-103. Residential and small commercial refuse collection.
 (1) **Residential solid waste.** The term "residential solid waste" shall mean solid waste resulting from the maintenance and operation of dwelling

units, excluding multiple housing facilities. The City of White House shall be the sole provider of residential solid waste collection in the city limits.

(2) Small commercial waste. The term "small commercial" shall be defined as an entity that produces no more refuse than would fill two (2) containers per week. Small commercial establishments may participate in the city's refuse collection program, remove their own solid waste, or contract with a private collector having a valid permit or license to do business with the city.

(3) Commercial solid waste. The term "commercial solid waste" shall mean solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities or any entity that produces more refuse than will fill no more than two (2) containers per week. Commercial establishments shall be responsible for removal of their solid waste or shall contract with a private collector having a valid permit or license to do business with the city. (1979 Code, § 8-203, as replaced by Ord. #05-35, Nov. 2005, as amended by Ord. #07-18, June 2007, and Ord. #16-23, Jan. 2017)

17-104. Sanitation procedures. (1) The public services director, or his/her authorized representative, shall have the authority to make and modify regulations as necessary concerning the days of collection, transporting and disposal of solid waste refuse; provided that such regulations are not in violation of the provisions of this chapter.

(2) The public services director, or his/her authorized representative, shall be responsible for the enforcement of this chapter.

(3) All employees operating vehicles or collecting refuse and garbage shall at all times be courteous and shall not use profane language, nor be loud or boisterous.

(4) The city will provide and service one residential and small commercial refuse container once a week per separate street address. The container must be placed no further than three (3) feet from the curbside and in an area that is free from obstruction from trees, shrubs, mailboxes, vehicles, etc., or in an alternate location approved by the public services director. Only refuse in the container will be collected. If additional refuse is left on or around the container the city will not pick it up. Extra household refuse will be picked up by appointment only and a fee will be charged. (See § 17-113)

(5) Commercial establishments shall be responsible for removal of their solid waste.

(6) Employees collecting refuse will be required to follow the regular walk for pedestrians as nearly as practicable while on private property. No unnecessary trespassing by employees will be permitted, and due care shall be exercised to prevent damage to private property, including flowers, shrubs, and other plantings. After dumping containers, employees shall return them to the same location from which they were taken, and shall replace the covers. Space about the containers shall be left free from any refuse spilled during the

collection. This section shall not be interpreted to mean that the collector of refuse is responsible for cleaning up unsanitary conditions about the refuse containers caused by the carelessness of the tenant. Care shall be taken by the employees to prevent damage to containers by rough treatment.

(7) Employees shall not be required to expose themselves to the danger of vicious animals in order to accomplish refuse collection in any case where the owner or tenant has such an animal at large. Customers must restrain animals beyond the reach of the refuse containers and prevent any interference with pickup men on this account.

(8) After loading trucks, refuse handlers shall leave all alleys and streets in a clean and sanitary condition. No refuse shall be permitted to drop from any collection vehicle in or on any of the public ways of the city. Collection vehicles must not at any time be driven over our streets or highways in an overloaded or crowded condition. Collections must be made as quietly as possible, especially in the early morning hours.

(9) All junk or salvage of any kind or nature encountered in the refuse being collected shall become the property of the collector.

(10) Housing areas and military establishments which are operated within the city limits under the jurisdiction of the Federal Housing Authority shall be considered as being outside the city limits and will not be affected by these rules and regulations until government ownership is relinquished in favor of private enterprise at which time the areas will assume a normal position in the domestic refuse collection system. Areas added to the city by extension of the city limits shall be included in the refuse collection system.

(11) Every commercial establishment shall place all refuse in a city approved container, and shall maintain the container and the surrounding area in a clean, neat and sanitary condition.

Nothing in this section shall prohibit commercial establishments from removing their own solid waste or from contracting with a private collector for such removal; provided said private collector shall have a valid permit or license to do business with the city. (1979 Code, § 8-204, as replaced by Ord. #05-35, Nov. 2005, and amended by Ord. #16-23, Jan. 2017)

17-105. Location of containers. All residents, except those approved for special assistance due to age, handicap or illness (See § 17-105(4)) shall place their wheeled container at curbside or street-side no later than 6:30 A.M. on the date of anticipated collection. As soon as practicable after such containers have been emptied they shall be removed by the owner or occupant to within, or to the rear of their premises and away from the street line until the next scheduled time for collection.

(1) Each owner, occupant, or other responsible person, as foresaid, shall be responsible for keeping the refuse container clean and sanitary in compliance with health and sanitation requirements and shall keep container

lids closed at all times. No refuse shall be placed in container until such refuse has been drained free of all liquids and securely placed in plastic bags.

(2) The container must not be painted, abused, mutilated, altered or modified in any manner. Each owner, occupant, or other responsible person shall be responsible for replacing the refuse container if it is damaged or destroyed by the resident or as a result of his negligence, by the payment of the purchase price expended by the city for the purchase of said unit.

(3) The city shall replace any and all wheeled refuse containers that are worn out by normal wear and tear or if they are stolen or damaged by persons other than the residents to whom they are assigned. If container is stolen, resident must notify the police department and the public works department.

(4) Application for back door service may be made by any resident who qualifies for one (1) of the following:

(a) Resident(s) is/are unable to place the container at the curb due to age, infirmity, illness or handicap. A doctor's statement shall be required by the public services department.

(b) A residence that is located three hundred feet (300') or more from the street. (1979 Code, § 8-205, as replaced by Ord. #05-35, Nov. 2005, and amended by Ord. #16-23, Jan. 2017)

17-106. 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. Furthermore, all refuse collection vehicles shall utilize closed beds or such covering as will effectively prevent the scattering of refuse over the streets. (1979 Code, § 8-206, as replaced by Ord. #05-35, Nov. 2005)

17-107. Leaf and limb removal service. It shall not be the responsibility of the refuse collecting agency of the city to shovel or pick up leaves or lawn clippings, unless the same shall be bagged and piled at curbside for the collection truck. It shall be the responsibility of the property owner to bag their lawn clippings and leaves in a city approved, eco-friendly, compostable bag. The city shall make the approved eco-friendly bags available to the residents at no additional cost. The approved bags will be made available at city hall (105 College Street) and at the public services facility (427 Industrial Drive). Additional distribution locations may become available after program initiation. Bagged material that is not in the city approved bags shall not be collected, or accepted, at the public services drop-off facility. Furthermore, it shall not be the responsibility of the collecting agency of the city to remove any trunks or limbs of trees unless said brush shall have been cut into lengths of not more than six (6) feet. The trunks or limbs of trees measuring six (6) inches or more in diameter shall be cut into lengths of no more than two (2) feet and of a weight

of no more than fifty (50) pounds, and all of said material shall be piled at curbside. The city will be responsible for limb and leaf collection at a minimum of once per month. (1979 Code, § 8-207, as replaced by Ord. #05-35, Nov. 2005, and amended by Ord. #16-23, Jan. 2017)

17-108. Nurserymen; duty to remove trash. Every nurseryman or other person who cuts trees or trims shrubs or grass as an independent contractor of the occupant of the premises, shall remove or cause to be removed all such trash from the premises serviced by him. (1979 Code, § 8-208, as replaced by Ord. #05-35, Nov. 2005)

17-109. Prohibited substances and practices. (1) The following substances are hereby prohibited and shall not be deposited in garbage containers:

- (a) Flammable liquids, solids or gases, such as gasoline, benzene, alcohol or other similar substances.
- (b) Any material that could be hazardous or injurious to city employees or which could cause damage to city equipment.
- (c) Construction and Demolition (C&D) waste which shall include materials from construction, demolition, remodeling, construction site preparation, including but not limited to rocks, trees, debris, dirt, bricks, fill, plaster, and types of scrap building materials.
- (d) Hot materials such as ashes, cinders, etc.
- (e) Human or animal waste shall be prohibited from being placed in garbage container.
- (f) Infectious waste, hypodermic needles, syringes, Pasteur pipettes, broken glass, scalpel blades, etc. used in patient care or which have come into contact with infectious agents unless placed in approved medical waste containers.
- (g) Animal carcasses, body parts (including fluids), and bedding of animals.
- (h) No televisions, computer parts or components will be accepted.
- (i) No carpet, padding or associated materials shall be accepted.
- (j) No household hazardous waste shall be accepted.
- (k) No appliance or machinery containing any gaseous substances will be taken.

(2) It shall be unlawful for any person, other than the occupant-user, to move remove, upset, scatter, tamper, use, carry away, deface, mutilate, destroy, damage or interfere with the garbage container.

(3) It shall also be unlawful for any person to dump waste or grass upon any street, alley, or public place or public way.

(4) The disposal of refuse in any quantity by any person in any place, public or private, other than at a site or sites designated for refuse disposal is

expressly prohibited. (1979 Code, § 8-209, as replaced by Ord. #05-35, Nov. 2005, and amended by Ord. #16-23, Jan. 2017)

17-110. Dumping in streams, sewers, and drains prohibited. It shall be unlawful for any person, firm or corporation to dump refuse in any form into any stream, ditch, storm sewer, sanitary sewer, or other drain within the City of White House. (1979 Code, § 8-210, as replaced by Ord. #05-35, Nov. 2005)

17-111. Burning without a permit. It shall be unlawful for any person, firm or corporation to burn or attempt to burn refuse on private or public property within the corporate limits of the City of White House without first securing the approval of the appropriate city departments having jurisdiction. (1979 Code, § 8-211, as replaced by Ord. #05-35, Nov. 2005)

17-112. Failure to comply. (1) Any person violating any of the provisions of this chapter shall be served by the city with written notice stating the nature of the violation and providing up to but not limited to ten (10) days time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Service will be discontinued until such time as the violation is corrected.

(2) Any person who shall continue any violation beyond the time provided for in § 17-111(a) shall be guilty of a misdemeanor and shall be punishable under the general penalty clause of this code.

(3) Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned by city personnel or equipment by reason of such violation. (1979 Code, § 8-212; as replaced by Ord. #05-35, Nov. 2005)

17-113. Fee schedule. (1) Refuse collection fee. Each customer who owns or rents property within the corporate limits shall pay a refuse collection fee of seventeen dollars (\$17.00) per month per container for curbside pickup. Any commercial business with more than two (2) containers must contract refuse pickup with a private hauler.

(2) Special events service:

\$5 per container with a \$100 minimum (this will include delivery, pickup and disposal of refuse) Prior approval by public works director is required.

(3) Fee schedule for disposal at public works facility:

Single item: \$15

Pick-up truck load: \$50

Tires (on or off rim): \$10

Any load containing tires or an item that would fit in the single item category will be charged \$50 plus the cost of additional item(s).

Customer requested pickup will be double the above amounts.

(4) Brush and limbs will be accepted at the public works facility free of charge.

(5) Residents and commercial accounts that have city provided solid waste disposal service shall be allowed two (2) free disposal drop-offs per calendar year at the public services trash transfer station. The material load shall be limited to a pickup truck, or a trailer no larger in size than four by eight feet (4' x 8'). (as added by Ord. #05-35, Nov. 2005, and amended by Ord. #07-18, June 2007, Ord. #14-12, June 2014, and Ord. #16-23, Jan. 2017)

17-114. City empowered to collect refuse. The city is hereby empowered to carry out all the terms and provisions of this chapter and to collect and dispose of refuse in the manner provided herein. (as added by Ord. #05-35, Nov. 2005)