

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

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17-101. Premises to be kept clean. All persons, firms, and corporations within the corporate limits of the City of Dyersburg, Tennessee, are required to keep their premises in a clean and sanitary condition, free from any accumulation of refuse, offal, filth, or trash. Such persons firms and corporations are hereby required to store such refuse in sanitary containers of the type described in this chapter between intervals of collection. (1978 Code, § 8-101)

17-102. Definitions. The following words and terms shall have the meanings indicated when used in this chapter:

(1) "Refuse." The term "refuse" as hereinafter referred to in this chapter shall include garbage, rubbish, ashes, and all other putrescible and nonputrescible, combustible and noncombustible materials originating from the preparation, cooking, and consumption of food, market refuse, wastes from the handling and sale of produce, and other similar unwanted materials, but

¹Municipal code reference

Property maintenance regulations: title 13.

shall not include sewage, body wastes, or recognizable industrial by-products, from all residences and establishments, 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, but excluding recognizable industrial by-products from all public and private residences and establishments.

(3) "Rubbish." The term "rubbish" shall include all nonputrescible waste materials except ashes from all public and private residences and establishments.

(4) "Ashes." The term "ashes" shall include the waste products from coal, wood, and other fuels used for cooking and heating from all public and private residences and establishments.

(5) "Collector." The term "collector" shall mean any person, firm, or corporation that collects, transports, or disposes of any refuse within the corporate limits of Dyersburg, Tennessee.

(6) "Health officer." (See § 13-101 in this code.) (1978 Code, § 8-102)

17-103. Storage of refuse. Each owner, occupant, tenant, sub-tenant, lessee, or other person using or occupying any building, house, structure, or grounds within the corporate limits of the City of Dyersburg, Tennessee, where refuse materials or substances as defined in this chapter accumulate or are likely to accumulate, shall provide an adequate number of suitable containers of a type approved by the health officer, for the storage of such refuse. Such containers shall be strong and durable, not readily corrodible, rodent and insect proof, of a capacity not exceeding thirty (30) gallons and not less than twenty (20) gallons, except that the maximum capacity shall not apply in cases where the city is 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 of such design as to preclude the free access of flies and other insects and to prevent the containers from collecting water during rains. The lid or cover shall be kept in place at all times except when refuse is being deposited therein or removed therefrom by an official collector. The storage containers should be placed in such a convenient, accessible location for trucking as may be designated by the official refuse collecting agency.

Refuse storage containers (as defined above) for all apartments with more than two units must be kept in garbage can racks or stored within a screened area.

Wet garbage or refuse must be drained of all liquids and wrapped in paper or other equivalent material prior to placing it into the storage receptacle. The containers shall be maintained in a clean and sanitary manner and shall be thoroughly cleaned by washing or other methods as often as necessary to prevent the breeding of flies and the occurrence of offensive odors. (1978 Code, § 8-103, as amended by Ord. #BB-492, Feb. 1999)

17-104. Confiscation of unsatisfactory storage containers. The official refuse collecting agency of the city is authorized to confiscate or to remove unsatisfactory storage containers from the premises of residences and establishments, public and private, when the health officer determines that such containers are not suitable for the healthful and sanitary storage of refuse substances. Such unsatisfactory containers shall be removed and disposed of at a place and in a manner designated by the official collecting agency only after the owner or owners of such containers have been duly notified of such impending action. (1978 Code, § 8-104)

17-105. All refuse must be properly stored if it is to be picked up. In no case will it be the responsibility of the refuse collecting agency of the city to shovel or pick up from the ground any accumulations of refuse including leaves, lawn clippings, brush, or packing material. All such materials are to be placed in containers of the type described above or of a type and design which will meet with the approval of the health officer and the requirements of the official refuse collecting agency. (1978 Code, § 8-105)

17-106. Collection of garbage and refuse. All refuse (including garbage and rubbish) as heretofore defined shall be collected sufficiently frequently to prevent the occurrence of nuisances and public health problems and in any event at intervals of at least once in seven (7) days. The collection of refuse within the City of Dyersburg, Tennessee, shall be under the jurisdiction of the street department and under the direct supervision of the sanitation department of the city.

No person, firm, or corporation shall engage in the business of collecting refuse or removing the contents of any refuse container (other than his own) for any purpose whatsoever, who does not possess a permit to do so from the City of Dyersburg, Tennessee. Such permit may be issued only after the applicant's capability of complying with the requirements of this chapter has been fully determined. Such permit may be suspended or revoked for the violation of any of the terms of this chapter.

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 drainage of liquids from the refuse onto the streets and public thoroughfares. Provisions shall also be made to prevent the scattering of refuse over the streets and thoroughfares. Effective coverings or closed truck beds shall be used. (1978 Code, § 8-106)

17-107. Disposal of garbage and refuse. The disposal of refuse in any quantity by any individual, householder, establishment, firm, or corporation in any place, public or private, other than the site or sites designated by the

constituted authority of the City of Dyersburg, Tennessee, is expressly prohibited. All disposal of refuse and garbage shall be by methods approved by the department of health. Such methods shall include the maximum practical rodent, insect, and nuisance control at the place of disposal. No garbage shall be fed to swine unless said garbage has first been heated to at least 212°F., and held there at least thirty (30) minutes in apparatus and by methods approved by the health officer. Animal offal and carcasses of dead animal shall be buried or cremated under circumstances approved by the health officer, or shall be rendered at 40 psi. steam pressure or higher, or similarly heated by equivalent cooking. (1978 Code, § 8-107)

17-108. Dumping in streams, sewers, and drains, etc., 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 Dyersburg, Tennessee. (1978 Code, § 8-108)

17-109. Service of orders. It shall be the duty of the health officer or his authorized representative to issue orders requiring the proper handling of garbage and refuse on private and public premises to owners, occupants, tenants or lessees of such properties where violations of this chapter are known to exist and such violations shall be corrected within the time specified by the health officer. (1978 Code, § 8-109)

17-110. Dempster dumpster refuse disposal service. (1) Use of system regulated. All persons, firms, or corporations using, desiring, or required to use, the Dempster Dumpster refuse disposal service shall comply with the provisions of this chapter and with such written rules and regulations as may be prescribed by the sanitation committee of the board of mayor and aldermen when such rules and regulations have been approved by the board of mayor and aldermen.

(2) Service charges. There shall be charged for the use and service of the Dempster Dumpster refuse disposal service now in existence and to be furnished a service charge in accordance with this section.

All monthly service charges shall be assessed by the sanitation committee of the board of mayor and aldermen within the limits hereinafter established based upon the anticipated volume of refuse provided by the user, the size of the container required to service a particular user or group of users, and the number of users assigned to an individual container.

The minimum and maximum monthly charges for users shall be in accordance with the usual and customary fees as promulgated and amended from time to time by the board of mayor and aldermen of the City of Dyersburg.

For the current monthly charges consult the schedule of fees on file with the city recorder.

Any user who is aggrieved by the service charge made by him may submit the grievance to the board of mayor and aldermen for consideration of the particular circumstances involved and if in the opinion of the board the request for an adjustment is reasonable and an adjustment is in order the board shall so inform the user and the city recorder of the adjustment; provided, however, that any user submitting a request under this section shall continue to pay the regular rates until the adjustment is approved by the board of mayor and aldermen.

The monthly service charges shall be paid at the same time, same place, and in the same manner as water charges. The payment of said service charges shall be subject to the same rules and regulations as are now applicable to water charges.

(3) Discontinuance or refusal of service. The city shall have the right to discontinue service or to refuse service without notice upon the failure of the user to comply with the written rules and regulations prescribed by the sanitation committee or in the event the bill of the user is not paid on or before fifteen (15) days after the due date.

Such right to discontinue service shall apply to all service received through a single container, even though more than one user is furnished service therefrom, and even though the delinquency or violation is limited to only one such user.

Discontinuance of said service by the city for any cause shall not release the user from liability for service already received. (1978 Code, § 8-110, modified)

17-111. Violations. Any person who shall violate any of the provisions of this chapter or who shall fail or refuse to obey any notice issued by the department of health or the superintendent of the refuse collection department, with reference to the storage, accumulation, or disposal of refuse, shall be guilty of a misdemeanor and shall be subject to a fine under the general penalty clause for this code. (1978 Code, § 8-111)