

TITLE 17

REFUSE AND TRASH DISPOSAL

CHAPTER

1. MUNICIPAL COLLECTION SYSTEM.
2. STORAGE, CONTAINERS, COLLECTION, ETC.
3. SCHEDULE OF CHARGES AND COSTS.

CHAPTER 1

MUNICIPAL COLLECTION SYSTEM

SECTION

- 17-101. Definitions.
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17-101. Definitions. For the purpose of this chapter, the following terms, phrases, words and their derivatives shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Apartment-condominium." Structure located within the City of Jackson, housing more than two (2) family units.

(2) "City." The City of Jackson, Tennessee.

(3) "Commercial business." All places of business located within the City of Jackson, Tennessee, except manufacturing plants, including trailer courts consisting of eight (8) or more units, apartments and condominiums, served by containers of not less than two (2) cubic yards.

(4) "Director of health and sanitation" or "director." The director of health and sanitation of the city.

(5) "Garbage." Food waste products, ashes, residue from fires, and refuse, waste paper, rags, castoff clothing, crockery, bottles, tin cans, yard trimmings, weeds, leaves and similar materials that may be broken up and placed in waste receptacles so that the cover may be tightly closed, excluding trash and radioactive, pathological, volatile, hazardous waste or other waste which cannot be lawfully disposed of in a landfill.

(6) "Municipal disposal grounds." Any area owned or controlled by the City of Jackson designated by the city council as the area for disposal of garbage, refuse and rubbish collected within the City of Jackson.

(7) "Plastic bag." A bag made of plastic approximately two (2) feet in diameter and four (4) feet in length and of sufficient strength to contain the weight of the contents without splitting. Such bags must be securely tied.

(8) "Refuse." Any combination of garbage, ashes and rubbish.

(9) "Residence." Structure located within the City of Jackson, housing not more than two (2) family units.

(10) "Special waste receptacle." A square or round-type container with a swing-type cover and removable inner container.

(11) "Standard container." A water-tight receptacle or metal container with handles or bails with tight-fitting cover, weighing not more than thirty-five (35) pounds empty and having a capacity of not more than thirty-two (32) gallons, and which will not weigh more than seventy-five (75) pounds when filled.

(12) "Trash and bulky waste." Loose brush, loose limbs, furniture, appliances, large machines, construction material and similar items. Professional tree trimmers and contractors will be required by city ordinance to pick up their own trash and bulky waste and dispose of same in accordance with city ordinance. (1972 Code, 13-1; Ord. no. 1980-2, 1)

17-102. Garbage and refuse collection required. Every residence, industry, commercial business, apartment-condominium or structure or activity within the City of Jackson which causes or creates on its premises garbage and/or refuse shall provide to same the garbage and/or refuse collection service established under the provisions of this chapter. (1972 Code, 13-2; Ord. no. 1980-2, 2)

17-103. Collection--to be made by city; exception. All garbage and/or refuse, trash and bulky waste shall be collected, conveyed and disposed of by the city. The city may contract for the collection of such garbage and/or refuse and trash and bulky waste or any part thereof. No person shall convey over any of the streets or alleys of the city, or dispose of any refuse accumulated in the city, except as noted hereafter:

(1) Exception for actual producers. This chapter shall not prohibit the actual producer of garbage or refuse or trash and bulky waste, or the owners of premises upon which garbage or refuse or trash and bulky waste has accumulated, from personally collecting, conveying and disposing of same; provided, however, such producers or owners shall first apply to the director for a permit granting them such right. Such application must be in writing and shall contain an agreement by the applicant to comply with the requirements of this chapter concerning containers, methods of conveyance and point of disposal.

(2) Exception for trash and bulky waste. Any producer of trash and bulky waste, as defined in this chapter, may personally transfer such trash and bulky waste and dispose of same in the city landfill without the necessity of the permit required in subparagraph (1) above.

(3) Exception for outside collectors. This chapter shall not prohibit collectors of garbage, refuse and trash and bulky waste collected outside of the city from hauling such trash and bulky waste over city streets; provided such collectors are hauling same in containers and vehicles of an approved type under the provisions of this chapter. (1972 Code, 13-1, Ord. no. 1977-18, 1; Ord. no. 1980-2, 3)

17-104. To be supervised by director. All garbage, refuse and trash and bulky waste accumulated in the city shall be collected, conveyed and disposed of by the city under the supervision of the director of health and sanitation. The director shall have the authority to make regulations concerning the days of collection, type and location of waste containers, and such other matters pertaining to the collection, conveyance and disposal as are necessary, and to change and modify the same, provided that such regulations are not contrary to the provisions of this chapter.

Any person aggrieved by a regulation or charge of the director, shall have the right to appeal to the city council which shall have the authority to confirm, modify or revoke any such regulation or charge, such decision to be final. (1972 Code, 13- 4, Ord. no. 1980-2, 4; modified)

17-105. Special requirements.

(1) Generally. All garbage and refuse shall be removed from private residences twice each week or as often as is deemed necessary by the director. Garbage and refuse shall be removed from commercial business, industry and apartment-condominium locations as often as is deemed necessary by the director.

(2) Contagious disease garbage and refuse. The removal of wearing apparel, mattresses, other bedding or other garbage and refuse from homes or other places where highly infectious or contagious diseases have prevailed shall be performed under the supervision of the director. Such garbage and refuse shall not be placed in containers for regular collection.

(3) Inflammable or explosive garbage and refuse. Highly inflammable or explosive materials, poisons, acids, caustics, or reactive agents shall not be placed in containers for regular collection but shall be disposed of at the expense of the owner or possessor as directed by the director of health and sanitation.

(4) Construction garbage and refuse. Quantities of garbage and refuse materials resulting from the repair, excavation, construction or destruction of buildings, such as, but not limited to, broken concrete, dirt, sand, gravel, trees, tree limbs, woolen wastes or any other nonputrescible materials, shall be removed and disposed of by the contractor, owner or person having same in charge by a method satisfactory to the director of health and sanitation.

(5) Industrial wastes. Solid wastes resulting from industrial processes shall be disposed of by the owner or possessor thereof under methods outlined by the director.

(6) Dead animals. Dead animals shall not be placed in garbage containers for regular collection. Such animals will be removed by special pickup on call to the sanitation department.

(7) Materials not prepared in accordance with this chapter. Unless garbage and refuse shall be prepared for collection as provided in this chapter, it will be considered not acceptable for collection. (1972 Code, 13-5; Ord. no. 1980-2, 5)

(8) Tires. Tires shall not be placed in garbage containers, trash piles, dumpsters, or approved waste container for regular collection. (Ord. no. 1995-23)

17-106. By actual producers and outside collectors.

(1) Requirements for vehicles. The actual producers of garbage and refuse, or the owners of premises upon which garbage and refuse is accumulated, who desire to dispose of waste material not included in the definition of garbage and refuse, and collectors of garbage and refuse from outside the city who desire to haul over the streets of the city, shall use a vehicle or container provided with a cover so to prevent offensive odors escaping therefrom and refuse or liquid from being blown, dropped or spilled.

(2) Disposal. Disposal of garbage and refuse by persons so permitted under paragraph (1) of this section shall be made at the city landfill unless otherwise authorized by the director. The use of the city landfill by outside collectors shall be subject to the appropriate charge for such privilege.

(3) Other requirements. The director shall have the authority to make such other reasonable regulations concerning individual collection and disposal and relating to the handling of garbage and refuse over city streets as may be necessary, subject to the right of appeal as set forth in section 17-104.

(4) Garbage and refuse property of city. Ownership of garbage and refuse material set out for collection and/or deposited at the municipal disposal grounds shall be the property of the city; and scavenging, scattering, collection and pilfering the garbage and refuse in any way is prohibited except by written permission from the director. (1972 Code, 13-6; Ord. no. 1980-2, 6; Ord. no. 1984-8, 1(A))

17-107. Inspections. The director of health and sanitation or his authorized agent is hereby directed to make all necessary inspections and investigations of any and all premises to see that the terms of this chapter are complied with. (1972 Code, 13-8)

CHAPTER 2

STORAGE, CONTAINERS, COLLECTION, ETC.

SECTION

17-201. Preparation.

17-202. Collection points.

17-203. Containers.

17-204. Storing of garbage and refuse restricted.

17-201. Preparation. All garbage and refuse before being placed in garbage cans or bags for collection shall have drained from it all free liquids. Garbage placed in a can shall be wrapped in paper or other equivalent material. (1972 Code, 13-7; Ord. no. 1980-2, 8, modified)

17-202. Collection points. Garbage and refuse containers shall be placed for collection at ground level on the property not within the right-of-way of a street or alley, and shall be accessible to and not more than forty (40) feet from the side of the street or alley from which collection is made, provided that containers may be placed for collection at other than ground level and at a distance of more than forty (40) feet when approved by the director. (1972 Code, 13-7; Ord. no. 1980-2, 8; modified)

17-203. Containers.

(1) Residential.

(a) Duty to provide and maintain in sanitary condition. Garbage and refuse containers shall be provided by the owner, tenant, lessee or occupant of the premises. Garbage and refuse containers shall be maintained in good order and repair. Any container that may have jagged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof, shall be properly replaced upon notice. The director shall have the authority to refuse collection services for failure to comply herewith. All containers shall be kept clean and free from accumulation of any substance remaining attached to the inside of the container which would attract or breed flies, mosquitoes or other insects or rodents.

(b) Garbage containers. Garbage containers shall be only a standard container, a plastic bag or a special waste receptacle, as defined in section 17-101.

(2) Industrial and commercial. Containers for use by industrial and commercial customers shall be those furnished by the City of Jackson or its contractors, and only approved containers may be used by commercial and industrial activities in every instance where same is practicable as determined by the city. Any industrial and commercial activity may furnish its own containers or containers provided same is of an approved type established by the city. It shall be the duty of the person, firm or corporation furnishing such container to keep same clean and free from accumulation of any substance on the inside or the outside which would attract or breed flies, mosquitoes or other insects or rodents and free of noxious odors. The person, firm or corporation furnishing such container shall likewise have the duty of keeping same in a good and safe condition and repair. Any commercial or industrial activity so located that the use of the standard Dempster-Dumpster type container of two (2) cubic yards or more is impracticable in the opinion of the city shall furnish a container or containers as provided above for residential use. (1972 Code, 13-7, Ord. no. 1980-2, 8)

17-204. Storing of garbage and refuse restricted.

(1) Public places. No person shall place any garbage and refuse in any street, alley or other public place, or upon any private property whether owned by such person or not, within the city except it be in proper containers for collection or under express approval granted by the director. Nor shall any person throw or deposit any garbage and refuse in any stream or other body of water in the city.

(2) Scattering of garbage and refuse. No person shall cast, place, sweep or deposit anywhere within the city any garbage and refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or unoccupied vacant lot or other public place, or into any occupied premises within the city. (1972 Code, 13-7, Ord. no. 1980-2, 8)

CHAPTER 3

SCHEDULE OF CHARGES AND COSTS

SECTION

- 17-301. Charges for use of city landfill.
- 17-302. Charges for garbage collection.
- 17-303. Failure to pay for garbage service.

17-301. Charges for use of city landfill.

(1) Any person, firm or corporation disposing of garbage and refuse as provided in section 17-106 of this code shall pay to the City of Jackson for the use of the city landfill a charge of sixteen dollars and fifty cents (\$22.50) per ton. This charge shall not apply to any person, firm or corporation depositing garbage and refuse in the city landfill under a lawful contract with the City of Jackson.

(2) Any person, firm or corporation disposing of demolition material as provided in section 17-106 of this code shall pay to the City of Jackson for the use of the city landfill a charge of one dollar and fifty cents (\$1.50) per cubic yard as determined by the agent in charge of such city landfill. This charge shall not apply to any person, firm or corporation depositing demolition material in the city landfill under a lawful contract with the City of Jackson. (1972 Code, 13-6.1; Ord. no. 1980-2, 7; Ord. no. 1982-9, 2, Ord. no. 1992-14.1, Ord. no. 1994-52)

17-302. Charges for garbage collection.

(1) For services rendered each private family, the following charges shall be made:

Residential collection	\$9.50
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(2) For services rendered each commercial activity, business, industry, apartment-condominium and trailer courts, consisting of eight (8) or more units the following charges shall be made:

(a) For commercial activities and industries where the use of containers is impracticable and handloading is required, the following charges based on volume will be paid:

VOLUME	PRICE
0.5 cubic yard per week	\$17.50
1.0 cubic yard per week	\$35.00
1.5 cubic yards per week	\$52.50
2.0 cubic yards per week	\$70.00
2.5 cubic yards per week	\$87.50

(b) For commercial activities and industries using containers, the following charges based on volume will be paid:

SIZE OF CONTAINER	CHARGE FOR EACH PICK UP
2 cubic yards (loose)	\$ 10.70
3 cubic yards (loose)	\$ 11.00
4 cubic yards (loose)	\$ 12.00
6 cubic yards (loose)	\$ 16.00
8 cubic yards (loose)	\$ 18.00
20 cubic yards (loose)	\$189.00
30 cubic yards (loose)	\$198.00
40 cubic yards (loose)	\$226.00

40 cubic yards (compacted)	\$270.00
8 cubic yards (compacted)	\$ 92.00

In addition to the foregoing charges, a monthly rental for containers furnished shall be paid by the customer in accordance with the following schedule:

SIZE OF CONTAINER	MONTHLY RENTAL
2 cubic yards	\$ 15.20
3 cubic yards	\$ 17.00
4 cubic yards	\$ 25.00
6 cubic yards	\$ 32.00
8 cubic yards	\$ 39.00
20 cubic yards	\$ 135.00
30 cubic yards	\$ 141.00
40 cubic yards	\$ 147.00
40 cubic yards (compaction box)	\$ 227.00

(c) A charge of four dollars (\$4.00) per customer per month will be paid to cover the cost of inspection and billing. (1972 Code, 13-9; Ord. no. 1975-20, 1; Ord. no. 1976-15, 1; Ord. no. 1976-16, 1; Ord. no. 1982-9, 1; Ord. no. 1984-8, 1(B); Ord. no. 1989-21, 1; Ord. no. 1991-18, 1)

17-303. Failure to pay for garbage service.

(1) Delinquent accounts. All accounts shall be considered delinquent if not paid within ten (10) days from the date of bill. All delinquent accounts are subject to a late charge of 5% per month. All delinquent accounts are also subject to a stoppage of service without notice. If a delinquent account is not paid within thirty (30) days from date of bill, the director shall cease all refuse collection for that account unless otherwise directed by the City Council.

(2) Legal remedy. The stoppage of service herein before authorized for nonpayment of collection charges, shall be in addition to the right of the city to proceed for the collection of such unpaid charges. (1972 Code, 13-10; modified)