

ORDINANCE NO. 2024-05

**AN ORDINANCE TO AMEND TITLE 17, CHAPTER 1,
REFUSE, SECTION 17-111, SIGNAL MOUNTAIN
MUNICIPAL CODE.**

WHEREAS, the Town Council of the Town of Signal Mountain, Tennessee, adopted Ordinance No. 2008-04 to establish and update the Commercial Refuse Fee Schedule and amended by Ordinance No. 2008-12; and

WHEREAS, the Town Council of the Town of Signal Mountain, Tennessee, has determined an additional section to cover Commercial Refuse Fees is a necessary addition.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, that:

SECTION 1. Title 17, Chapter 1, Refuse, Section 17-111, is deleted in its entirety, and substituting instead Exhibit A attached hereto.

SECTION 2. This ordinance shall become effective immediately from and after its passage as provided by law.

Passed First Reading April 8, 2024

Passed Second Reading April 22, 2024



Mayor



Town Recorder

TITLE 17

REFUSE AND TRASH DISPOSAL

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

- 17-101. Refuse defined.
- 17-102. Definitions--premises to be kept clean.
- 17-103. Storage.
- 17-104. Placement of containers for collection.
- 17-105. Disturbing containers.
- 17-106. Collection.
- 17-107. Collection vehicles.
- 17-108. Disposal.
- 17-109. Sale of useable scrap.
- 17-110. Leaves and grass clippings.
- 17-111. Residential garbage pickup services within existing residences adjoining private streets within Stonewood and Jamestown condominium developments.

17-101. Refuse defined. Refuse shall mean and include garbage, rubbish, leaves, grass clippings, 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. (1985 Code, § 8-201, as amended by ord. No. 92-14)

17-102. Definitions--premises to be kept clean.

(1) Definitions.

- (a) "Debris." The remains of something broken or destroyed.
- (b) "Rubbish." Something that is worthless, useless waste or rejected matter.
- (c) "Unlawful clutter." Non-waste toys, tools, papers of every description, auto parts, furniture, appliances, discarded sand, broken limbs, discarded gravel, ashes, brick bats, tin cans, empty glass containers, trash, garbage, old firewood not neatly stacked, lumber, mattresses, building materials, yard maintenance items, usable items left in the yard for days at a time, discarded materials of every kind, all of which is left in front, back or side yards, not under roof, more than one

week; or non-waste building material left in front, back or side yards for more than thirty days.

(2) Premises to be kept clean. All persons within the town 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. No person shall allow old automobiles, rusty iron, or vehicles of any type to accumulate on their property so as to create an unsightly nuisance. No person shall allow or leave any debris, rubbish, or unlawful clutter (as defined above) on their property for longer than the above-stated time periods. All yards, side, front and back must be kept clean as above outlined. (1985 Code, § 8-202, as amended by Ord. #98-10, April 1998)

17-103. Storage. Each owner, occupant, or other responsible person using or occupying any building or other premises within this town where refuse accumulates or is likely to accumulate, shall provide and keep covered an adequate number of refuse containers. The refuse containers shall be strong, durable, and rodent and insect proof. They shall each have a capacity of not less than twenty (20) nor more than thirty-two (32) gallons, except that this maximum capacity shall not apply to larger containers which the town handles mechanically. Furthermore, except for containers which the town handles mechanically, the combined weight of any refuse container and its contents shall not exceed seventy-five (75) pounds. No refuse shall be placed in a refuse container until such refuse has been drained of all free liquids. (1985 Code, § 8-203)

17-104. Placement of containers for collection. Where alleys are used by the municipal refuse collectors, containers shall be placed on or within six (6) feet of the alley line in such a position as not to intrude upon the traveled portion of the alley. Where streets are used by the town refuse collectors, containers shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there be no curb, after sundown, the night before the calendar day of collection or on the calendar day of collection. By the end of the calendar day of collection, after such containers have been emptied, the containers shall be moved by the owner to a place on his premises behind the front building line, or if a corner lot behind a second building line for the second street frontage so garbage cans cannot be out on the street to the side of the house. (1985 Code, § 8-204, as replaced by Ord. #94-6, § 1, Aug. 1994; and further replaced by Ord. #95-13, § 1, Nov. 1995)

17-105. Disturbing containers. No unauthorized person shall uncover, rifle, pilfer, dig into, turn over, or in any other manner disturb or use any refuse container belonging to another. This section shall not be construed to prohibit the use of public refuse containers for their intended purpose. (1985 Code, § 8-205)

17-106. Collection. All refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of such officer as the town council shall designate. Collections shall be made regularly in accordance with an announced schedule. (1985 Code, § 8-206)

17-107. 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 and alleys. Furthermore, all refuse collection vehicles shall utilize closed beds or such coverings as will effectively prevent the scattering of refuse over the streets or alleys. (1985 Code, § 8-207)

17-108. Disposal. (1) The disposal of refuse in any quantity by any person in any place, public or private, other than at the site or sites designated for refuse disposal by the town council is expressly prohibited. No person shall place anything in or on the town sanitary landfill without the express permission of such officer as the town council shall designate.

(2) It shall be unlawful for any person not a resident of the town to throw or dump refuse upon any sanitary landfill owned or operated by the town.

(3) It shall be unlawful for any person engaged commercially in the collection or hauling of refuse to use the town dump without having a contract with the town for such use. (1985 Code, § 8-208)

17-109. Sale of useable scrap. The town shall take proper steps to bale scrap that can be used and that such scrap be processed and sold at the best market price obtainable. (1985 Code, § 8-209)

17-110. Leaves and grass clippings. All grass clippings to be picked up by the town shall be placed in plastic bags or any other approved containers on the curb of a public street of the Town of Signal Mountain.

Leaves may be placed in plastic bags, garbage cans and other approved containers or piled loose along the curb or side of any public road in the Town of Signal Mountain, Tennessee.

No leaves or grass clippings will be picked up from private driveways or private roads unless such areas are:

(1) Accessible (ingress and egress) to the standard equipment and crew which performs such work;

(2) The standard equipment's vehicles will not cause undue damage to the private road; and,

(3) All property owners on the private road sign waivers from pursuing damage claims from the town for damage to the private road or other private property traversed by the crew and equipment in providing such services. (as added by Ord. No. 92-13 and replaced by Ord. #97-3, April 1997)

17-111. Commercial refuse fees. The town may provide pickup services for limited amounts of refuse from commercial businesses within the town for established rates which shall be collected by the town manager. All fees for commercial refuse pickup shall be paid in accordance with Title 5, Chapter 5, Town Fee Schedule, Section 5-517:

(as added by Ord. #2008-4, April 2008, as replaced by Ord. #2008-12, Oct. 2008, as replaced by Ord. #2024-05, April 2024)