

CHAPTER 16. GARBAGE & REFUSE SERVICES
(Amended by Ordinance No. 2020.01.16A)

In General

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§ 16.01 Definitions

For the purposes of this article, the following words shall have the meanings respectively ascribed to them:

Garbage. All animal or vegetable matter, such as waste materials and refuse from kitchens, residences, grocery stores, butcher shops, restaurants, cafes, hotels, and rooming and boarding houses, and other deleterious substances.

Trash. Rubbish such as feathers, coffee grounds, ashes, tin cans, paper, boxes, glass, grass, shrubs, yard cleanings, grass clippings, leaves and tree trimmings, and any waste substances not constituting garbage as defined in this section.

§ 16.02 Collection and disposal generally

The collection, removal and disposal of all garbage, trash and rubbish shall be carried on in a systematic manner, keeping the entire city in a clean and sanitary manner.

§ 16.03 Containers required

- (a) Carts provided by the solid waste provider are required to be used for solid waste.
- (b) One solid waste cart will be provided to resident and commercial users.
- (c) Utility Customers may purchase an additional trash can to be used for additional garbage / trash or can add an additional ninety-five (95) gallon cart(s) to their utility account from

the city.

- (d) No persons shall place or throw any garbage or dry refuse of any kind or character upon any street, sidewalk, alley, public way, parking lot or open space in the city, but all such garbage, refuse and rubbish shall be placed in a receptacle as hereinafter described.

§ 16.04 Specifications for garbage receptacles

- (a) One ninety-five (95) gallon cart will be provided for solid waste
- (b) Additional carts are available for an extra cost as determined by the solid waste provider.
- (c) Broken and damaged carts must be reported to the city's utility billing department to make arrangements for a new cart from the solid waste provider.
- (d) The city **does not** provide curb side recycling; however, the city provides two recycling dumpsters for citizen use at City Hall.

§ 16.05 Prevention of scattering; cleanliness of containers

- (a) The contents of all carts shall be protected so that contents are not allowed to scatter over the streets, alleys and premises of the city.
- (b) The lids or covers of all carts shall at all times be kept secure so that flies and other insects may not have access to the contents thereof, and such lids or covers shall only be removed while such receptacles are being filled or emptied as the case may be. All garbage receptacles must be scrubbed and kept clean.

§ 16.06 Placement of containers or receptacles for collection

Residential and commercial carts are to be placed at the edge of the street three (3) feet apart from other carts, mailboxes, parked cars, meters, fire hydrants and utility poles no earlier than 6:00 p.m. on the day before service; carts must be removed from the curbside no later than 12:00 p.m. (Noon) the day following service and stored within, or within ten (10) feet of, a building on the property.

§ 16.07 Meddling with contents of containers

Meddling with garbage or trash containers or in any way pilfering, scattering the contents or junking the contents therein in any alley or street within the city is prohibited.

§ 16.08 Disposal of dead animals

Dead animals such as cats, dogs, reptiles, cows, horses, rabbits, mules, etc. shall be delivered to a sanitary landfill, or other designated places, in the manner and by the method directed by the Rusk or Smith County Health Department and at the expense of the owner or person having charge of such animal.

§ 16.09 Disposal of heavy accumulations

Bulk item disposal is provided once per year at City Hall during the Overton City Wide Clean Up, typically held in April each year. Notification of the Annual Clean Up Day is posted on the city website www.cityofoverton.com and on the monthly utility bill. A current utility bill is required to be allowed to use the dumpsters on that day.

§ 16.10 Improper preparation or placement of waste

- (a) The city will not make collections of garbage or trash where it is not prepared for collection and placed as designated by the terms of this article, and failure to comply with such provisions will be an offense.
- (b) All solid waste must be bagged, tied and placed inside a cart provided by the current solid waste provider. No loose garbage is allowed to be placed in a receptacle. Recycling should not be bagged.

§ 16.11 Unauthorized Private Collections Prohibited

It shall be unlawful for any person to transport garbage or refuse for hire which has been collected from any premises within the city over any public street within the city. This section shall not apply to any person who at the time of such activity is operating under a valid contract or franchise granted by the city which authorizes said person to use the public street to conduct such activity.

§ 16.12 Disposal to be at sanitary landfill

The disposal of garbage or trash in any place within the city or for one-half (1/2) mile outside of the city limits except at the sanitary landfill is prohibited.

§ 16.13 Out of the city services

The city is not required to furnish garbage services to consumers beyond the corporate limits, or to continue to supply, once begun such services. The city reserves the right to provide such services to such consumers it deems advisable and to at any time, wholly or partially, discontinue such services to any consumers located outside the corporate limits.

§ 16.14 Offenses

A person commits an offense if he violates any provision of this ordinance as outlined above.

§ 16.15 Enforcement

The City Manager or his designee shall be authorized to enforce all provisions of this ordinance and upon finding a violation the code enforcement officer may issue a citation to the utility account customer.

§ 16.16 Penalties for violations

Any person who violates any provision of the Ordinance may be punishable by a fine of up to two thousand (\$2,000) dollars. Each day during which a violation continues shall be a separate offense.

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