

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 18, ARTICLE VI, SECTIONS 18-101, 18-102, 18-103, 18-104 AND 18-105, AND ARTICLE VII, RELATIVE TO GARBAGE AND REFUSE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 18, Article VI, Sections 18-101, 18-102, 18-103, 18-104 and 18-105, *Sanitary Landfills*, is amended by deleting said Sections in their entirety and inserting in lieu thereof the following:

Article VI. Sanitary Landfills

Sec. 18-101. Disposal sites; rules and regulations; fees.

It shall be unlawful for any person to dispose of refuse at any place other than a refuse disposal site designated by the Director. Refuse disposal sites shall be available for use subject to reasonable rules and regulations and disposal fees recommended by the Director and approved by the mayor, and all billing shall be processed in accordance with section 18-50.

Sec. 18-102. Ownership, etc. of sanitary landfills.

- (a) The city shall own, operate, and maintain sanitary landfills in such a manner as to satisfy all local, state, and federal requirements.
- (b) It shall be unlawful for any person to work in, assort or disturb in any manner, or to carry away any article or substance of any kind deposited in the City's sanitary landfill.

Sec. 18-103. Control of access.

Access to the Landfill will be denied by locking the entrance gate. The hours of operation will be determined by the Director. The Landfill will be closed on holidays as specified by the Director. The public shall use the stations provided at the landfill entrances.

Sec. 18-104. Handling of special waste.

Dead animals, sewage solids or liquids, or other materials which are either hazardous or difficult to manage shall be disposed of in the landfills only when special provisions are made for such disposal and are approved by the State. Hazardous materials include, but are not limited to, materials such as sewage solids, radioactive waste, pathogenic waste, explosive materials, and toxic chemicals.

Sec. 18-105. Fees.

- (a) Residents of the City delivering eligible municipal solid waste, excluding construction and demolition waste, and bulky waste, originating from their primary residence in passenger automobiles, standard size pick-up trucks, and single-axle trailers shall be charged no fee for dumping at the sanitary landfill.
- (b) All non-residents, private collectors, municipalities, government agencies, contractors or others depositing waste shall be charged a market rate per ton as determined by the Director based on the customers estimated volume and composition of waste.
- (c) In addition to any and all other landfill fees provided herein regardless of waived tipping fees, there shall be imposed a surcharge of one dollar and fifty cents (\$1.50) per ton for each ton of municipal solid waste received at the Landfill.
- (d) Private non-profit corporations that are generating municipal solid waste through their thrift store operations may be allowed to dispose of thusly generated waste free of charge; provided the waste desired to be disposed of is delivered in a vehicle owned by the non-profit and not through a waste disposal service provider and provided that each entity has been individually approved by action of the City Council. Any waste generated through normal business operations of a non-profit outside the thrift store operations shall be subject to the tipping fees in effect at the time of disposal.
- (e) Non-residents delivering bagged refuse shall be charge at the rate of two dollars (\$2.00) per bag of waste. Bagged construction or demolition or bulky waste shall not be accepted under this provision and must be disposed of in a properly approved construction and/or demolition landfill.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 18, Article VII, entitled “*Refuse Transfer Station*” be and is hereby amended by repealing Sections §§ 18-121 - 18-140 Section and deleting all such sections.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage as provided by law.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

KOF/mms