

**ORDINANCE 2022-04**  
**AN ORDINANCE REVISING ESTABLISHED REGULATIONS**  
**FOR GARBAGE AND RECYCLING DISPOSAL SERVICES AND FEES WITHIN THE**  
**CITY OF OAK HILL**

**WHEREAS**, the City of Oak Hill’s Board of Commissioners have determined that changes to the City’s garbage/recycling services are needed to achieve the desired objectives of the City of Oak Hill; and

**WHEREAS**, the Board of Commissioners believes that it is in the best interest of the citizens of Oak Hill to have regulations for the pickup and disposal of garbage and recycling materials including fee requirements to manage the cost of providing these services; and

**WHEREAS**, the Board of Commissioners have determined that offering garbage and recycling services on a fee basis is the most cost-effective way to provide these services to the citizens of Oak Hill.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY OF OAK HILL, TENNESSEE, AS FOLLOWS:**

**Section 1.** That the following regulations for the City of Oak Hill garbage and recycling disposal services are adopted.

**Section 2.**

**Section 17-109 (a). Add           AUTHORITY OF CITY TO COLLECT OR CONTRACT FOR COLLECTION.**

- i. The City of Oak Hill may at any time, through a resolution adopted by the Board of Commissioners, declare the privilege of collecting, handling, disposing, and removing of refuse, garbage, rubbish, and litter within the City to be the exclusive right and privilege of the City of Oak Hill, in which event the Board of Commissioners, through the City Manager, shall be empowered to secure suitable trucks and other equipment for the collection and removal of garbage, refuse, etc., for the City, or shall after taking bids have the right to enter into contracts with private persons to collect such garbage, refuse, etc., within the City.

- ii. If a contract is entered into with one (1) or more suitable entities/persons for the collection, removal, and disposal of garbage and recycling, the City shall require such contractor to give a good and sufficient bond in such form and amount as the Board of Commissioners shall designate, conditioned for the faithful performance of such contract.

**Section 17-109 (b). Add Requirements for garbage and recycling pick up service.**

The City of Oak Hill shall charge for and collect a sanitation fee for the collection of garbage, refuse, rubbish, solid waste, and recycling. The sanitation fee is hereby assessed against each owner, occupant, or other responsible person occupying any building, house, home, structure, apartment, or dwelling unit located in the City. The sanitation fee on all properties located within the City may be amended from time to time by the Board of Commissioners as it deems necessary by amending this ordinance.

- i. No person shall permit rubbish, trash, garbage, or other debris to remain on their property, as such becomes a nuisance or hazard to other citizens of the City.
- ii. No person shall deposit any garbage or other debris on the property of others.
- iii. Garbage shall be collected once a week according to a collection schedule established by the contractor, which schedule shall provide for routine pick up as well as holiday schedules.
- iv. Preparation of Garbage:
  - a) All garbage shall be placed in black or white garbage bags.
  - b) All garbage shall be thoroughly drained of all liquids.
  - c) All sharp objects shall be blunted.
  - d) All garbage bags shall be available for pickup no later than 5 am.
- v. Preparation of Recycling Materials:
  - a) All recycling materials except cardboard shall be placed in blue or clear bags.
  - b) Recycled items include newsprint, cardboard, tin cans, aluminum cans, steel cans, plastic containers number 1 – 5 and 7.
  - c) All recycling shall be available for pickup no later than 5 am.
- vi. Back Door Service: All single-family residential properties will have their respective garbage and recycling picked up at their back door.

- vii. Second Day Pick Up Fee: Any household that desires to have their garbage and/or recycling picked up a second time each week may sign up for this service through the contractor.
- viii. Once a week pick up service for garbage is limited to six (6) 32-gallon bags.
- ix. Soft and Hard Yard Waste Excluded: No residential waste hauler duly licensed by the City hereunder shall be required to collect and dispose of hard yard waste (tree and shrub branches and trimmings) or soft yard waste (grass clippings, leaves, prunings of small diameter, green stemmed shrubs, and plant stalks).
- x. Hazardous Waste: The applicable state regulations shall govern the removal and disposal of all hazardous waste.
- xi. Construction Debris: The removal of construction debris shall be the responsibility of the owner of the premises and the person or building contractor performing the construction work.
- xii. White Goods (Appliances) will be picked up on a case-by-case basis for a fee of fifty dollars per item (\$50.00). The resident is responsible to pay this fee to the Contractor prior to collection.
- xiii. Furniture and mattresses will be picked up on a case-by-case basis for a fee of twenty-five dollars (\$25.00) per item. The resident is responsible to pay this fee to the Contractor prior to collection.

**Section 17-109 (c). Add. Billing rates and penalties established.**

- i. Rates Established: Garbage/Recycling rates for a calendar year for garbage and recycling collection shall be set at \$300 per year and billed in November which will cover the following 12 months, thru October 31<sup>st</sup>.
- ii. Assistance Program: Any household unable to pay the annual fee may apply with the City for payment assistance or to arrange a suitable monthly payment.
- iii. Penalty Established: A penalty of ten percent (10%) will be added to statements if not paid by the due date.
- iv. Electronic Payments: The City will offer online electronic payments as an option.
- v. Violations:
  - a) Improper Garbage Preparation
  - b) Improper Garbage Packaging
  - c) Interference with Garbage Collection
  - d) Accumulation of Garbage
  - e) Improper Disposal of Electronic or Hazardous Materials

- f) Non- Payment of Garbage Fees
  - g) Throwing and Dumping Wastes Prohibited:
    - 1. No Person shall throw, dump, or deposit any waste in any street or public property in the City.
    - 2. No Person shall cast or leave exposed any waste in or on any lot or street, or about any storm sewer in the City.
  - h) Burning and Burying of Certain Waste Prohibited:
    - 1. No Person shall burn or bury any waste in the city except that leaves, shrubs, and brush trimmings may be burned by residential owners or lessees thereof subject to the requirements of Metro Nashville/Davidson County.
- vi. Remedies and Penalties:
- a. Upon discovery of a violation outlined in this chapter, the city, by any duly authorized agent, shall serve or cause to be served a notice of violation upon the owner or occupant of any premises on which there is a violation and shall demand that the violation be remedied, including removal of any garbage collected, disposed of, or stored in violation of this section, within seventy-two (72) hours of the notice.
  - b. In the event any violation is not completely abated within seventy-two (72) hours, the city may proceed to abate the violation, including removal of the garbage. The owner shall be responsible for all costs of such abatement including all legal and administrative fees. The minimum charge for such abatement shall be one hundred dollars (\$100.00). Neither the City nor any of its agents shall be liable for any damage to property that results in the enforcement of this section.
  - c. In addition to the above remedies, any person found to have committed a violation shall be fined fifty dollars (\$50.00). Each day a violation continues shall be considered a separate violation.

d. The remedies and penalties provide for in this section are in addition to and are not exclusive of any other remedies or penalties available under law or equity.


vii. Trash Discontinuance of Pickup and Cut off Procedures:

- a. This chapter is based on the metropolitan government utility cut-off procedures.
- b. Notice: Service Discontinuance- Garbage Service may be discontinued for nonpayment when:
  1. Advance notice has been mailed by the City of Oak Hill to the property owner stating that service shall be discontinued within 15 days; and a good faith effort shall be made to notify the user by the City of Oak Hill that service shall be discontinued on a certain date
  2. Placing a telephone call or sending electronic mail by the City of Oak Hill constitutes a good faith effort; provided, however, that the City need not place a telephone call or send electronic mail to any residence where garbage service has been discontinued within the previous four (4) years.
  3. After such notification procedures have been taken and a user does not make payment of the arrearage or make payment arrangements acceptable to the City, then service to such user may be discontinued.
  4. Any unpaid fees that remain unpaid for 60 days may be referred to collections and/or legal action.

  
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Mayor Dale Grimes

  
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City Recorder Victoria Talbott

Approved as to form and legality:

  
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City Attorney Marshall Albritton