

CHAPTER 46 – SOLID WASTE

Sec 46.1 – Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial solid waste means all types of solid waste generated by stores, offices, restaurants, warehouses and other non-manufacturing activities, excluding residential and industrial wastes.

Composting means the controlled biological decomposition of organic matter in to a stable odor-free humus.

Leachate collection system means a system at a landfill for collection of the leachate which may percolate through the waste and into the soils surrounding the landfill.

Municipal solid waste means any solid waste derived from households, including garbage, trash and sanitary waste in septic tanks, and includes solid waste from single-family and multifamily residences, hotels and motels, bunkhouses, campgrounds, picnic grounds and day use recreation areas. The term “municipal solid waste” also includes yard trimmings and commercial solid waste but does not include solid waste from mining, agricultural or silvacultural operations or industrial processes or operations.

Municipal solid waste disposal facility means any facility or location where the final deposition of any amount of municipal solid waste occurs, whether or not mixed with or including commercial or industrial solid waste, including but not limited to municipal solid waste landfills.

Municipal solid waste landfill means a disposal facility where any amount of municipal solid waste, whether or not mixed with or including commercial or industrial solid waste, industrial waste, non-hazardous sludge, or small quantity generator hazardous waste, is disposed of by means of placing an approved cover thereon.

Yard trimmings means leaves, brush, grass clippings, shrub and tree prunings, discarded Christmas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping development and maintenance, other than mining, agricultural and silvacultural operations (Ord. of 10-24-1996, § II)

Sec 46.2 – Yard Trimmings

Purpose. The purpose of this section is to set forth the handling of yard trimmings within the Town, and shall be subject to the provisions of O.C.G.A. § 12-8-40.2

Placement and disposal of yard trimmings; prohibitions. It shall be unlawful to place or mix yard trimmings with municipal solid waste within the Town. Yard trimmings shall not be disposed of at any municipal solid waste disposal facility having a liner or a leachate collection system, or requiring vertical expansion located within the Town.

Sorting, storing, composting and collecting yard trimmings. Yard trimmings shall be collected, sorted and stored in compliance with O.C.G.A. § 12-8-40.2, as follows:

- (1) Yard trimmings shall not be placed in or mixed with municipal solid waste.
- (2) Yard trimmings shall be sorted and stored for collection in such a manner as to facilitate collection, composting or other handling; and
- (3) Yard trimmings shall be sorted and stockpiled or chipped, composted, used as mulch or otherwise beneficially reused or recycled to the maximum extent feasible.

(Ord. of 10-24-1996, §§ I, II, IV)

Sec 46-3 - Maintenance, etc., of garbage and trash receptacles

- (1) Any person using or occupying and building a house or structure within the Town shall provide and maintain in good order and repair garbage or trash receptacles in a sufficient number to contain the garbage or trash that will accumulate on the premises. It shall be unlawful for any person other than a duly authorized employee of the Town to collect or remove any trash or garbage from trash or garbage receptacles used in the regular Town collection service, or from any container utilized in the Town collection service. Any receptacle used for storage

or refuse material should be watertight, or as such specifications are from time to time amended, and such requirements as set forth by the Mayor.

- (2) Dead animals, poisons, explosives or dangerous or corrosive chemicals, hazardous substances, asbestos, building debris, construction debris, clothing taken from persons with infectious diseases, heavy metals, metal parts, lumber dirt rocks, brick, concrete blocks, tires, crates and any other refuse from any construction or remodeling, shall not be placed in receptacles used for collection services, and shall not be placed adjacent to the Town right-of-way. It shall be unlawful for any person to place, or permit another to place, any garbage or trash in any receptacle or in any refuse collection point or any refuse container used in the Town for such items. It shall further be unlawful for any refuse item to be placed, or to permit another to place, any garbage or trash in any receptacle not from the premises from which the receptacle point is located.
- (3) The owner or occupant of any building, structure, house or land shall cause to be removed any refuse items of the nature which are prohibited and which are located on or deposited on the property or adjacent to the public right-of-way shall be prima facie evidence that such owner or occupant failed to remove such refuse or item as provided by this section. The owner shall, at its own expense, cause the refuse or any other items or items so stored or located thereon to be removed within three days of notice by the Town.
- (4) Failure to abide by this section shall be a violation of same and shall be punishable by a penalty of not less than Twenty Five Dollars (\$25.00)

(Ord. of 6-25-1998)

Sec.. 46-4 - Storage of Garbage

- (1) The owner, agent, and/or occupant of any premises, improved or unimproved, in the Town, wherein garbage shall be created, shall provide a metal, or other approved, water-tight container or containers, each with a tight fitting cover, such container or containers to be of such size as to be easily manhandled, and of such number as to receive the garbage accumulation of nine (9) days from each premise. owner, agent, and/or occupant shall place or cause to be placed such container or containers, in the rear or other designated area of said premises, for the purpose of having their contents removed. It shall be unlawful for such owner, agent, and/or occupant of any such premises to have, maintain, or keep garbage on any premises except in such garbage containers as are herein required. Said owner, agent, and/or occupant shall also keep clean and free from rubbish and similar loose material all premises whether improved or unimproved as well as all open lots and areas.
- (2) Containers of garbage shall be kept tightly covered at all times except when momentarily opened to receive garbage or to have the contents removed. Said containers shall be kept clean and in good repair (30 gallon maximum).
- (3) Garbage shall not be burned. Papers, cardboard and wooden boxes and other dry combustible materials may be burned provided they are burned in an approved burning rack or incinerator. Old garbage drums cannot be used for such burning.
- (4) The provisions of this section shall apply to all public and private markets, as well as all places of business, hotels, motels, restaurants, and all other premises, whether used for business or residential purposes.
- (5) For the purpose of enforcing this section, any person living on any premises shall be deemed an occupant, and any person receiving the rent, in whole or in part, of any premises shall be deemed an agent, and the person in charge of any market, or stall in any market or place of business, or hotels, motels, restaurants and all other premises, whether used for business or residential or other purposes, shall be deemed an occupant.

Sec. 46-5 – Tree and Brush Removal.

- (a) *Intent.* This section is not intended to compete with commercial tree services for trimming, removing, and otherwise known as the commercial removal of trees and brush on properties in the Town of Trion. The Town of Trion recognizes that many large trees exist in the Town of Trion that benefit the Town and its citizens.
- (b) *Trees within rights-of way.* The trees that are within the Town street right-of-ways may be removed by the Town of Trion at any time. The trees that fall from the Town right-of-way will be removed by the Town of Trion at the discretion of the Town of Trion workforce. The Town of Trion will endeavor to preserve and protect the trees within its right-of-way.

- (c) *Private property.* Trees and brush that are on private property within the Town of Trion that fall across or along the Town right-of-way may be removed by the Town of Trion in order to protect the thoroughfares, streets and sidewalks of the Town of Trion for the use by its citizens.
- (d) *Entry on private property.* The Town of Trion shall have no obligation to enter onto private property to remove trees that fall within private property or on private property. The Town of Trion shall only be obligated to remove trees and brush that fall within the right-of-way at their sole discretion.
- (e) *Citizen duty.* Citizens of the Town of Trion shall be responsible for the removal of trees within their respective boundaries.
- (f) *Commercial tree services.* The Town of Trion will not remove brush and trees in connection with commercial tree services. Commercial tree services shall be required to remove brush in connection with their license to do business in the Town of Trion. Brush removal companies that fail to remove the product of their labor will have their license revoked to do business within the Town of Trion.
- (g) *Additional policies.* This section is not intended to cover all circumstances with respect to the removal of brush and trees within the Town of Trion. The Town of Trion may institute additional policies or programs to beautify the Town, including the providing of Town services for the removal of brush and trees that are owned by property owners.

(Ord. of 6-26-2008).

Secs. 46-6 – 46-60 – Reserved.