



July 03, 2024

Garbage Collection

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Garbage Collection

Private Acts of 1961 Chapter 395

SECTION 1. That Hamilton County, Tennessee, through its County Council, is hereby authorized and empowered to regulate the operation of garbage trucks and vehicles in the unincorporated territory of said County and the flow of traffic of garbage trucks on the streets and highways to the designated dumps, by requiring that any one in the garbage business within the unincorporated territories of Hamilton County, Tennessee, whether an individual or corporation, operating for profit, must use enclosed and/or covered garbage trucks or vehicles to prevent refuse from being blown, dropped or spilled and that any person or corporation guilty of violating this requirement shall be guilty of a misdemeanor and fined \$25.00 and costs. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

As amended by: Private Acts of 1967-68, Chapter 259

SECTION 2. That all employers, either individuals or corporations, engaged in such operation of garbage trucks or vehicles within the unincorporated territory of Hamilton County, Tennessee, shall register with the county clerk evidence of surety bond of not less than two thousand five hundred dollars (\$2,500) for each employer payable to Hamilton County.

As amended by: Private Acts of 1986, Chapter 171

SECTION 3. That this Act shall have no effect unless the same be approved by a two-thirds (2/3) vote of the legislative body of Hamilton County, Tennessee to which this Act applies within thirty (30) days after its passage. The presiding officer of such body shall proclaim its approval or non-approval and certify the same to the Secretary of State.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 17, 1961.

Private Acts of 1967-68 Chapter 259

COMPILER'S NOTE: Section 1 of this act specifically amended Private Acts of 1961, Chapter 395, Section 1 (see previous page), and is therefore not printed here in full. The remainder of this act provides non-specific amendments to Private Acts of 1961, Chapter 395, and must be read in conjunction with that act.

SECTION 2. That the Hamilton County Council delegate the authority to the Department of Public Health of Hamilton County to supervise all dumping of garbage, refuse, rubbish and ashes accumulated in the unincorporated area of Hamilton County and to approve where each and every operator of such truck shall dump his collected refuse. Dumping of refuse in other than areas approved by the Department of Public Health shall be a misdemeanor and any person or corporation guilty of violating this requirement shall be guilty of a misdemeanor and fined \$25.00 and costs. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 3. That the Hamilton County Commission shall have the power and authority to make all such other reasonable rules and regulations concerning individual collecting, disposal and transporting of refuse over county roads by any "garbage collectors", as it shall find necessary. The county commission may set fines for violations of any rules and regulations established by it. The county commission has the power and authority to charge a reasonable fee not to exceed one hundred dollars (\$100) for licenses and/or permits for any "garbage collectors" operating in Hamilton County. The Hamilton County commission may award franchises to garbage collectors to serve certain unincorporated areas of the county. However, the county commission shall not have the power or authority to grant a monopoly to any individual or corporation engaged in such business.

As amended by: Private Acts of 1967-68, Chapter 498

Private Acts of 1986, Chapter 171

SECTION 4. That if any clause, sentence, paragraph, section or any part of this Act shall be held or declared to be unconstitutional or void, it shall not effect the remaining parts of this Act, it being hereby declared to be the legislative intent to have passed the remainder of this Act, notwithstanding the part held to be invalid, if any.

SECTION 5. That this Act shall have no effect unless the same be approved by two-thirds (2/3) vote of the legislative body of Hamilton County, Tennessee, to which this Act applies within thirty (30) days after its passage. The presiding officer of such body shall proclaim its approval or non-approval and certify the

same to the Secretary of State.

SECTION 6. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: May 25, 1967.

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