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Private Acts of 1987 Chapter 84

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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Private Acts of 1987 Chapter 84

SECTION 1. This Act shall be known and cited as the "Hamilton County Liquid Waste Pumpers and Haulers Act".

SECTION 2. The county legislative body of Hamilton County is hereby authorized and empowered to regulate all liquid waste haulers, septic tank pumpers, and companies and vehicles which have the capacity and ability to remove sludge and industrial and commercial liquid wastes from any source, including, but not limited to, food processing plants, service stations, carpet cleaning operations, restaurants, dwellings, chemical toilets, boats, and airplanes; to designate dumping sites within Hamilton County; to require water tight tanks and hoses; and to require that equipment be maintained in clean and sanitary condition so as to prevent leakage. Any person or company found violating these requirements shall be subject to a civil fine of not less than two hundred fifty dollars (\$250) and not more than five hundred dollars (\$500) for each day such violation is committed.

SECTION 3. The Chattanooga-Hamilton County Health Department shall designate sites for and otherwise supervise the dumping of liquid wastes in Hamilton County. Any person or company dumping liquid wastes in areas or sewer plants not approved by the health department shall be subject to a civil fine of not less than two hundred fifty dollars (\$250) and not more than five hundred dollars (\$500). Each day such dumping is done or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 4. All vehicles used to pump and haul liquid wastes must have the name of the operator or business under which the business is conducted in letters at least four (4) inches high in bold print on a background of contrasting colors.

SECTION 5. All persons or businesses involved in the pumping, hauling, or disposal of liquid waste shall obtain a permit from the health department. The annual fee for such a permit shall be seventy-five dollars (\$75.00). Permits shall not be transferred or assigned and shall become invalid upon a change of ownership. The health department may deny, suspend, or revoke a permit for pumping, hauling, or disposing of liquid waste upon the determination by the health department that the operation is not being conducted in the manner prescribed by this Act. The health department will notify the liquid waste hauler or contractor in writing that their permit is denied, suspended, or revoked and a hearing shall be granted by the health department within ten (10) days after the health department has received a written request from the liquid waster contractor requesting such a hearing.

SECTION 6. Prior approval in writing for disposal of liquid waste on land shall be obtained from the health department. Liquid waste shall not be deposited in existing or abandoned wells, caves, sink holes, ditches, streams, water courses, lakes, or ponds and shall not be deposited within five hundred (500) feet of any highway or habitable building. When land disposal of liquid waste is contemplated, written permission from the land owner must be furnished to the health department.

SECTION 7. All companies involved with the removal, pumping, and hauling of liquid waste shall be required to post a surety bond amounting to two thousand five hundred dollars (\$2,500) with the Hamilton County clerk within thirty (30) days of the passage of this Act as provided in Section 10.

SECTION 8. All liquid waste operators shall keep a record on a monthly basis of all liquid waste pumped and its disposal site. Forms as provided by the health department shall be completed and returned to the health department not later than the tenth (10th) day of the following month. Failure to submit reports on a timely basis or of reporting false information shall be a misdemeanor punishable under the provisions of this Act.

SECTION 9. The county legislative body of Hamilton County shall have the power and authority to make other reasonable rules and regulations concerning the collecting, hauling, and disposal of liquid wastes in Hamilton County.

SECTION 10. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Hamilton County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 11. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, this Act shall take effect upon being approved as provided in Section 10.

Passed: April 23, 1987.

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