

**ORDINANCE 2004-62**

**TO BE ENTITLED: "AN ORDINANCE TO AMEND SECTION 17-111 OF THE FRANKLIN MUNICIPAL CODE TO REGULATE COMMERCIAL DUMPSTERS ON PUBLIC PROPERTY"**

**WHEREAS**, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, desire to regulate commercial dumpsters on public property and to maintain safe passage for travel within the City of Franklin,

**NOW THEREFORE:**

**SECTION I: BE IT ORDAINED** by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that Section 17-111, of the Franklin Municipal Code shall be amended to add the following subsection (7):

**17-111. Commercial Solid Waste.**

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(7)(a) In no event shall public or private commercial dumpsters, roll off containers or other bulk containers be placed on a public street, right-of-way or public property

- 1) without express written consent of the streets department director upon application, approval and tender of a permit fee of \$100.00 for a commercial dumpster permit;
- 2) without posting a \$1,000.00 cash bond or certified check deposit to secure payment for any damage to the street, right-of-way or public property;
- 3) for longer than thirty (30) days unless the commercial dumpster permit is renewed and approved by the streets department director; and
- 4) such that it poses a hazard to public safety or a health and sanitation nuisance under the provisions of Title 13, Chapter 1 of this code.

(b) Failure to secure a commercial dumpster permit or to abide by its conditions shall subject the violator the penalties in section 17-114 of this code. In addition, the streets department is authorized to remove any dumpster or container which is not in compliance with this section. Prior to any removal, the streets director shall give a notice of intent to remove a dumpster to the permittee or refuse collector by first class mail and by posting a copy of the notice on the dumpster or container. The notice shall set out the conditions that render the dumpster or container to be non-compliant. If such conditions are not corrected to the director's satisfaction within five (5) days from the date of the notice, the director or his designees shall remove the dumpster at the expense of the permittee or refuse collector.

**SECTION II. BE IT FINALLY ORDAINED** by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the public health, safety and welfare requiring it.

**ATTEST:**

**CITY OF FRANKLIN, TENNESSEE**

BY: \_\_\_\_\_  
**JAMES R. JOHNSON**  
City Recorder/Administrator

BY: \_\_\_\_\_  
**THOMAS R. MILLER**  
Mayor

PASSED FIRST READING

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PASSED SECOND READING

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