



HISTORIC
FRANKLIN
TENNESSEE

CHAPTER 17- Public Right-of Way Permits/Trash Containers

FRANKLIN, TN CODE OF ORDINANCES
CHAPTER 17 – Commercial Solid Waste

Section 17-111, 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:

- i. Without express written consent of the sanitation and environment services department Director upon application, approval and tender of a permit fee as specified in appendix A, comprehensive fees and penalties, for a commercial dumpster permit;
- ii. Without posting a cash bond or certified check deposit as specified in appendix A, comprehensive fees and penalties, to secure payment for any damage to the street, right-of-way or public property;
- iii. For longer than 30 days unless the commercial dumpster permit is renewed and approved by the sanitation and environment services department director; and
- iv. 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 to the penalties in section 17-114 of this Code. In addition, the sanitation and environmental services department is authorized to remove any dumpster or container which is not in compliance with this section. Prior to any removal, the sanitation and environment services department 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 noncompliant. If such conditions are not corrected to the Director’s satisfaction within five days from the date of the notice, the Director or his designee shall remove the dumpster at the expense of the permittee or refuse collector.

(1976 Code, § 8-110; Ord. No. 2002-31, 12- -2002; Ord. No. 2004-62, 8—2204; Ord. No. 2005-118, 1—2006; Ord. No. 2009-79, § V, 12-08-2009; Ord. No. 2010-58, §§ II, III, 9-28-2010; Memo of 12-3-2013)

Section 17-114. Penalties

- 1. Any person violating any of the provisions of this chapter or the conditions of any permit issued hereunder shall be served by the city with written notice stating the nature of the violation and providing up to 10 days time limit for the satisfactory correction thereof. The offender shall, within the time period stated in such notice, permanently cease all violations. Service will be discontinued until such time as the violation is corrected.
- 2. Any person who shall continue any violation beyond the time provided for in subsection 17-114(1) shall be guilty of a misdemeanor and shall be punishable under the general penalty clause of this Code.
- 3. Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned by city personnel or equipment by reason of such violation.

(1976 Code, § 8-113; Ord. No. 2002-31, 12—2002)