

ORDINANCE NO.

139

AN ORDINANCE REGARDING THE REMOVAL OF CUTTINGS,
LEAVES, ETC. AMENDING MT. CARMEL CODE TITLE 17

WHEREAS the health, safety, and welfare of all of the residents and citizens of the Town of Mt. Carmel calls for the orderly removal of tree stumps, trunks, limbs, roots, leaves, and other clippings and cuttings which result from normal maintenance and care of properties within the Town; and

WHEREAS, to the extent practical the Town wishes to provide services to the residents to help in the removal of such waste; and

WHEREAS, it appears that some private contractors attempt to take advantage of services provided by the City and perform the tasks of trimming, clipping, providing normal maintenance and care for lawns, landscaping, trees, etc. without removing said waste requiring additional manpower on the part of the City and all without proper business licenses;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF THE TOWN OF MT. CARMEL, TENNESSEE AS FOLLOWS:

SECTION ONE

Mt. Carmel Municipal Code Title 17 shall be amended by adding the following section:

17-110. REMOVAL OF CUTTINGS, CLIPPINGS, LEAVES, ETC.

(a) Tree stumps, trunks, limbs, roots, leaves and other clippings resulting from normal maintenance and care, annual life cycle, or from landscaping or beautification of property

will be removed by the Town of Mt. Carmel provided that the following conditions are met:

(1) All stumps, trunks, limbs, roots and other clippings must be cut into not more than six (6) foot lengths;

(2) No single piece may exceed fifty (50) pounds in weight;

(3) Each piece shall be placed on the resident's property where normal garbage and trash pick-up occurs; and

(4) Leaves and other clippings shall be removed by the Town of Mt. Carmel only if placed in appropriate containers.

(b) If residents hire a contractor for normal maintenance and care, for the purpose of landscaping or beautification of property, for the purpose of tree trimming and pruning, or for the purpose of limb, trunk or leaf removal, said contractor or resident shall be responsible for the removal and proper disposal of the waste generated. The Town of Mt. Carmel will not be responsible for the removal of such waste under such circumstances.

(c) It is hereby declared to be a violation of this section, subjecting violators to a fine of not more than Twenty-Five Dollars (\$25.00), for contractors or residents to place such waste curbside for Town pick-up and removal if the waste is generated by a private contractor.

SECTION TWO

LEGAL STATUS PROVISIONS

A. Conflict With Other Ordinances

In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mt. Carmel, the most restrictive shall in all cases apply.

B. Validity

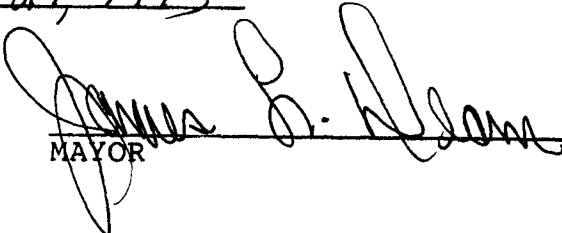
If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date

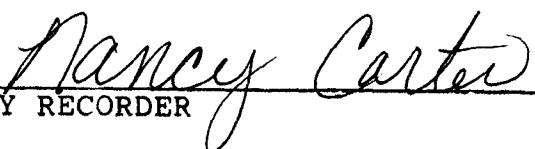
This ordinance shall take effect and be in force from and after its passage, the public welfare requiring.

Passed 1st Reading
Passed 2nd Reading

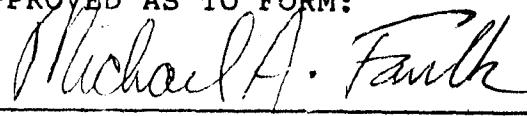
April 22, 1993
May 27, 1993


MAYOR

ATTEST:


CITY RECORDER

APPROVED AS TO FORM:


CITY ATTORNEY