

ORDINANCE NO. 31

An Ordinance providing for the removal and disposal of garbage, trash, refuse, cinders, ashes and other forms of waste from all dwellings, including apartments, duplexes, located within the City of Belle Meade; and providing that such removal or disposal may be accomplished by the City, or by an individual or company under contract with the City; and providing for the general requirement of such contract; and authorizing the City Manager to enter into such contract, after advertisement, and with the approval and consent of the Commissioners; and providing funds for payment thereof.

BE IT ORDAINED by the City of Belle Meade as follows:

Section 1. The City of Belle Meade shall provide for the removal and disposal of garbage, trash, refuse, cinders, ashes and other forms of waste from all dwellings, including apartments and duplexes, within the City of Belle Meade.

Section 2. Removal and disposal of garbage, trash, and other forms of waste as set forth in Section 1 of this ordinance shall be accomplished either, (a) by entering into a contract between the City of Belle Meade and an individual, or company, in which such individual or company shall agree to remove and dispose of said garbage, trash, refuse, cinders, ashes and other forms of waste, or (b) by the City of Belle Meade with its own equipment and personnel, whichever the Board of Commissioners of the City of Belle Meade shall deem to be in the best interest of the said City.

Section 3. In the event the Board of Commissioners of the City of Belle Meade shall deem it to the City's best interests as signified by appropriate resolution to that effect, to enter into a contract with an individual or company for the removal of garbage, trash, refuse, cinders, ashes and other forms of waste, such contract shall provide substantially as follows:

- A. That the individual or company entering into the contract with the City to remove garbage, trash, refuse, cinders, ashes and other forms of waste shall have on hand adequate equipment and personnel to carry out such removal and disposal in a prompt and sanitary fashion, and in strict compliance with all the requirements of the Davidson County Board of Health;
- B. That the individual or company shall execute bond, payable to the City of Belle Meade in the sum of \$10,000.00, secured by a regularly incorporated surety or indemnity company authorized to do and doing business in the State of Tennessee, and conditioned that said individual or company shall faithfully perform all the conditions and requirements of the contract and shall save the City harmless from any and all liability arising out of or in any way connected with the activities and functions of said individual or company in removing and disposing of said garbage, trash, refuse, cinders, ashes and other forms of waste.
- C. That the individual or company shall remove, or cause to be removed, not less frequently than twice each week, all garbage, trash, refuse, cinders, ashes and other forms of waste that can be contained in two 30-gallon (liquid) containers, or their equivalent, from each dwelling, not including apartments.

- D. That the term of such contract shall be not less than one (1) year nor more than twenty-five (25) years.
- E. Such other terms and conditions most favorable to the City of Belle Meade that can be secured.

Section 4. The City Manager of Belle Meade is hereby authorized to enter into a contract, on behalf of the City, under the most favorable terms to the City which he can secure, provided said contract shall be approved by resolution of the Board of Commissioners of said City, and further provided that advertisement for bids on said contract shall be placed in a daily newspaper of general circulation in Davidson County, Tennessee, at least five (5) days prior to opening of said bids for said contract.

Section 5. There is hereby appropriated the sum of \$13,000.00 from the general funds of the City of Belle Meade for payment for one year's operation under the terms of this ordinance, whether by contract or by equipment purchased and owned, and personnel employed by the City of Belle Meade, the City Treasurer having certified to the Board of Commissioners that said sum is in the City Treasury or safely assured to be forthcoming in time to comply with the requirement of this ordinance; and any unexpended balance thereof remaining in the Treasury one year from the date of the formal passage and adoption of this ordinance shall revert to the general fund of the City of Belle Meade.

Section 6. The Commissioners of the City of Belle Meade hereby make the statement that an emergency exists in that the collection of garbage by individuals not under supervision of, or under contractual agreement with, the City of Belle Meade has become so uncertain, and is done in such a haphazard fashion, that it constitutes or is likely to constitute a menace to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City of Belle Meade; and unless such system of collection is immediately altered and changed, so as to be established in conformity with the regulations of the Davidson County Public Health Commission, and the provision of this ordinance, both as to collection and disposal, a serious threat to the public health and well-being may arise.

In view of the foregoing, this ordinance shall take effect upon the date of its final passage.

Jo Gibson Jr
Mayor

W. T. Muller
Commissioner

W. T. Muller
Commissioner

W. T. Muller
Recorder

Passed on 1st Reading,
July 21, 1947.

Passed on Second Reading,
July 31, 1947.

Passed on Third Reading,
and Adopted.
August 7, 1947.