Ordinance No. \_\_\_\_\_\_\_\_

**AN ORDINANCE TO PROTECT THE BEAR POPULATION OF THE CITY OF TOWNSEND, TENNESSEE.**

**WHEREAS**, the City of Townsend, Tennessee acknowledges that both intentional and unintentional bear feeding directly contributes to an increase in bear interactions; and

**WHEREAS**, the City wishes to protect its citizens, its visitors, and its wildlife population; and

**WHEREAS**, pursuant to the authority granted by Townsend Charter Article 1, Section 4, subsections (s) and (v):

(s) To collect and dispose of drainage, sewage, ashes, garbage, refuse, or other waste, or license and regulate such collection and disposal, and the cost of such collection, regulation, or disposal may be funded by taxation or special assessment to the property owner;

(v) To define, classify, prohibit, prevent, abate, suppress, and regulate all acts, practices, conduct, conditions, business occupations, callings, trades, uses of property, structures, and all other things whatsoever that are public nuisances or detrimental or liable to be detrimental to the health, morals, comfort, safety, peace, good order, convenience, or general welfare of the inhabitants of the city, and to exercise general police powers;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Commissioners of the City of Townsend, Tennessee that:

**SECTION 1:** Title 17, Chapter 1, shall be adopted and added to the City of Townsend Municipal Code as follows:

**TITLE 17**

**REFUSE AND TRASH DISPOSAL**

**CHAPTER**

1. Refuse Containers

**CHAPTER 1**

**REFUSE CONTAINERS**

**SECTION**

17-101.  Definitions.

17-102.  Animal Resistant Refuse Containers

17-103.  Exceptions.

17-104.  Violation and penalty

**17-101.  Definitions.**  As used in this chapter:

(1) “Animal resistant refuse containers” means a container utilized for the collection and/or storage of refuse equipped with locks, latches, or other mechanisms that would prevent the contents from being access by an animal, either wild or domestic.

(2) "Refuse Container Enclosure" means a structure whose function is to protect refuse containers from being access by an animal, either wild or domestic.

**17-102.  Animal Resistant Refuse Containers**. All businesses in the City of Townsend shall utilize animal resistant refuse containers.

**17-103. Exceptions.** Refuse container enclosures shall be permitted where animal resistant refuse containers are not practical.

**17-104.  Violation and penalty**.  Any violation of this chapter shall be punishable by fine not to exceed fifty dollars ($50.00).

**SECTION 2:** Effective date. This Ordinance shall become effective immediately after its publication, in accordance with Section 4 of the Charter of the City of Townsend, Tennessee, the public welfare demanding it.

Approved and adopted by the City of Townsend, Tennessee, Mayor and Board of Commissioners.

Passed 1st Reading\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Passed 2nd Reading\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Mayor

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Attest: City Recorder