



FROM THE DESK OF THE CHIEF OF POLICE

LITTER PROBLEMS

I want to take a minute to discuss a problem that we frequently encounter within Lake Tansi that concerns all property owners and affects property values. As you may know, Lake Tansi has several secluded back roads with dead ends. We frequently find trash dumped on these roads. Following, you will see the litter laws for the State of Tennessee.

39-14-502. Offense of littering.

(a) A person commits littering who:

(1) Knowingly places, drops or throws litter on any public or private property without permission and does not immediately remove it;

(2) Negligently places or throws glass or other dangerous substances on or adjacent to water to which the public has access for swimming or wading, or on or within fifty feet (50') of a public highway; or

(3) Negligently discharges sewage, minerals, oil products or litter into any public waters or lakes within this state.

(b) Whenever litter is placed, dropped, or thrown from any motor vehicle, boat, airplane, or other conveyance in violation of this section, the trier of fact may, in its discretion and in consideration of the totality of the circumstances, infer that the operator of the conveyance has committed littering.

(c) Whenever litter discovered on public or private property is found to contain any article or articles, including, but not limited to, letters, bills, publications, or other writings that display the name of a person in such a manner as to indicate that the article belongs or belonged to that person, the trier of fact may, in its discretion and in consideration of the totality of the circumstances, infer that the person has committed littering.

39-14-504. Offense of criminal littering.

(a) Criminal littering is littering in an amount more than five pounds (5 lbs.) in weight or seven and one-half (7.5) cubic feet in volume and less than or equal to ten pounds (10 lbs.) in weight or fifteen (15) cubic feet in volume.

(b) Criminal littering is a Class B misdemeanor.

(c) In addition to the penalties established in this section, the court shall require a person convicted under this section to remove litter from the state or local highway system, public playgrounds, public parks or other appropriate public locations for not more than eighty (80) hours. The court, in its discretion, may also require a person convicted under this section to work in a recycling center or other appropriate location for any stated period of time not to exceed eight (8) hours.

39-14-505. Offense of aggravated criminal littering.

(a) Aggravated criminal littering is littering:

(1) In an amount exceeding ten pounds (10 lbs.) in weight or fifteen (15) cubic feet in volume; or

(2) In any amount for any commercial purpose.

(b) Aggravated criminal littering is a Class A misdemeanor; provided:

(1) If the amount of litter exceeds one hundred pounds (100 lbs.) in weight or thirty (30) cubic feet in volume, then the defendant is subject to imprisonment as provided by law or a fine not less than two thousand five hundred dollars (\$2,500), nor more than four thousand dollars (\$4,000), or both; and

(2) Aggravated criminal littering is a Class E felony upon:

(A) The third conviction in any amount exceeding ten pounds (10 lbs.) in weight or fifteen (15) cubic feet in volume; or

(B) The second conviction in any amount exceeding one thousand pounds (1,000 lbs.) in weight or two hundred (200) cubic feet in volume or in any amount for any commercial purpose.

(c) In addition to the penalties established in this section, the court shall require a person convicted under subsection (a) to remove litter from the state or local highway system, public playgrounds, public parks or other appropriate public locations for not more than one hundred sixty (160) hours. The court, in its discretion, may also require a person convicted under this section to work in a recycling center or other appropriate location for any stated period of time not to exceed eight (8) hours.

The Lake Tansi Police department is very concerned about this issue and any time we can determine who is dumping, we take action to correct the situation. Please be aware that if trash is dumped illegally and we find mail or bills with the name of a person, we can and do make an effort to contact that person and citations can be issued. If you observe someone illegally dumping, please do not confront the person. Just be a good witness and attempt to get a tag number from the vehicle and a vehicle description and contact the Tansi Police Department as soon as possible. I would also like everyone to know that we are obtaining surveillance equipment to attempt to catch dumpers in problem areas. Your assistance in helping us by being a good witness is very important in our effort to keep Tansi a beautiful place.

Anthony Brown, Chief of Police