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TO: Eileen Donoghue, City Manager *EMD*
FROM: R. Eric Slagle, Director of Development Services
Christine Clancy, DPW Commissioner

DATE: April 9, 2020

RE: Motion by C. Nuon - Req. City Mgr. Have Proper Department Clean Up The Waste From Illegal Dumping At Sites Across The City And To Create A Plan To Reduce Further Illegal Dumping.

Motion by C. Nuon - Req. City Mgr. Have Proper Departments (Public Works, Parks) Initiate A Drop-Off Program For Unwanted Household Items That Cannot Be Put In The Trash Or Recycled Under The Current Waste Management System.

This memorandum addresses the requests from Councilor Nuon regarding strategies to deal with illegal dumping and trash drop-off throughout the City.

In an effort to better police trouble spots around the City to prevent illegal dumping, we have taken several steps to enhance our enforcement. Such an investigation involves two specific parts. First, staff investigates the actual items located onsite to see if there is any identifying information located on the items. At times we have had success with this method by discovering trash with an address, bill, or some other information that specifically identifies the owner. This allowed the City to work with the LPD to file a criminal complaint against the individual who dumped the item. The LPD then follows up at Lowell District Court.

Second, Development Services staff increase our camera usage at the sites. Our Sanitary Code Officer installs hidden cameras with motion detectors to try and video capture license plate information of any illegal dumpers. This part of the investigation can take a longer period of time, as our attempts to capture images of any perpetrators can be hit or miss. For security reasons, we do not publicize the dates of our video investigation or locations of any hidden video cameras, though we do try to keep them onsite for one to two weeks at a time. We typically cycle cameras through trouble spots, because when we begin to enforce against one spot, other unmonitored areas may become more of a problem.

Additionally, to help combat illegal dumping, in 2017, upon the motion of Councilor Rourke, the City Council amended the Fee Ordinance to increase the fines for illegal dumping. The new fine structure created a series of tiers for fines, from \$500 to \$2,500, depending on the severity of the illegal dumping. When we are able to determine the responsible party in an illegal dumping case, we have used this tool since it was implemented. Since the implementation of these new fines, Development Services has brought in over \$50,000 in fine revenue for illegal dumping.

As the Council is also aware, donation bins become ripe targets for illegal dumping. As a matter of policy, we hold property owners responsible for dumping that occurs at these donation bins. When we receive a complaint of dumping or overloaded donation bins, we send an inspector out to investigate the claim. Once the complaint is corroborated, the inspector will reach out to the both the property owner and the company that is operating the donation bin. The entities are both told that the bin is a problem, that the City will pursue fines for continued dumping at the bins, and that they have the following options. If the overflow appears to be of appropriate donation material, we suggest that they increase pick-ups at the bins so that there is adequate space in the bin for all of the donated material. If the items appear to be material that is not appropriate for the bin, we instruct the entities to reassess the location of the bin to be visible to the business operator, and consider installing cameras to be able to prosecute dumpers. Finally, if the property owner and/or the bin operator are not willing or able to make these changes, or if these changes are ineffective, we instruct the entities that the bin will need to be removed.

The possibility of establishing a drop-off program for unwanted household items has previously been explored and was again recently explored in response to this motion by the Department of Public Works (DPW). The DPW has looked at other municipalities as examples. Such examples provide locations where residents can drop-off material for disposal for a fee. Communities that have these locations still experience illegal dumping from either residents that do not want to pay the drop-off fees or from other neighboring towns or cities that enter a community specifically to illegally dump unwanted materials. This behavior is similar to Lowell in which illegal dumping is often found to be from a neighboring community.

There are cost related obstacles for establishing such a program. The estimated start-up cost to set up a facility is \$400,000. This includes locating a City owned space of at least 15,000 square feet and providing the necessary facilities such as pavement, fencing, lights, and security cameras. Additional annual costs are associated with staffing, transportation, and disposal of the materials. Disposal costs associated with these locations tend to be higher due to contaminated materials, waste ban items and hazardous materials that are illegally dumped into the receptacles.

The DPW continues to maintain a recycle drop off at the 1365 Middlesex location. The location is typically accessible Monday through Friday during office hours and is open to the residents of Lowell. Given the recent COVID-19 situation, the location is available by scheduling an appointment with the DPW Solid Waste and Recycle office (978-674-4309 or recycle@lowellma.gov). This allows the DPW to sanitize the recycling drop-off location before and after each use.

If a resident is eligible for City trash service, bulky items can be coordinated for pick up directly with Waste Management. Due to the COVID-19 crisis, pickup of bulky items was recently on hold but this service was reinstated as of April 8, 2020. We strongly encourage that businesses/landlords pursue proper disposal of bulk items or other material if they are ineligible for City trash service.

We also suggest that anyone with unusual circumstance or difficulties contact the Solid Waste and Recycle office (978-674-4309 or recycle@lowellma.gov) to explore options that may be available.

ES

03/05/2020

CC/CH

4/9/2020