



October 4, 2017

Mayor Edward J. Kennedy, Jr.
and
Members of the City Council

Kevin J. Murphy
City Manager
Michael McGovern
Assistant City Manager

REFERENCE: **10.5 8/8/17 C. Milinazzo** – Req. City Mgr. provide an update report regarding fines collected year to date for trash violations.

This response is a follow-up to a previous motion made by Councilor Milinazzo back in early spring of 2017 regarding trash fines collected. The information supplied in the initial response explained the process of addressing the growing concerns of trash violations due to overflowing trash bins and/or ineligible items in recycling bins, and large items thrown at curbside throughout the city. The following information is a summary of the process at that time. Development Services housed the ticketing function for solid waste and recycling violations and minimum maintenance violations in the City. Sanitary Code enforcement staff issued such tickets. These tickets are typically paid either through the clerical staff at Development Services, or in a process implemented in the spring of 2016, rolled onto the property owner's tax bill if unpaid.

Development Services staff worked with DPW Solid Waste and Recycling staff where the DPW employees would conduct investigations of trash violations and would then meet periodically with a Development Services inspector, who would issue either a first or second warning or a fine to the property owner.

During a recent LowellSTAT examination of the Division of Development Services unveiled that the above process was simply not working. We discovered a total of 2,124 trash violations issued in a six month period between April 2017 and September 2017. The majority of violations fell into two categories - wrong day (50%) and overflow (21%). However, under the old process it took "three strikes" to reach the level of a fine, which yielded only 18 ticketable offenses.

The statistics were not acceptable. As a result, I directed Development Services, Solid Waste and Recycling (SW&R), and MIS staff to work jointly in an effort to develop a more effective process. Now Solid Waste and Recycling staff will have the ability to write and issue tickets directly versus having to relay the information to an inspector in Development Services. Most importantly, the number of strikes has been reduced from three down to two. The first violation will be a warning and the second violation will be a written ticket. SW&R staff will have access to the City's data and financial tracking program called MUNIS. The staff will also use tablets in the field to identify the level of violation in real time. All ticket processing will remain in the Division of Development Services because the department is best equipped to handle fines. The group will reconvene in two weeks to review and evaluate the new procedure

Sincerely,

Kevin J. Murphy
City Manager