


Gunther Wellenstien, Solid Waste/Recycling Coordinator

James Donison, PE, Commissioner DPW

Date: September 26, 2018

TO: Eileen Donoghue, City Manager 

FROM: Gunther Wellenstein, Solid Waste/Recycling Coordinator and Jim Donison, P.E., DPW Commissioner

SUBJECT: 8/14/2018 Motion 3.3 C. Milinazzo - Req. City Mgr. provide an updated report on Trash Violations and Fines Collected to Date.

We are writing in response to the above motion made by C. Milinazzo. DPW/Solid Waste Division has investigated this request. This memo response has been prepared in three parts. Part 1 pertains to the current and future state of solid waste and recycling in Lowell; Part 2 pertains to an update on Solid Waste and Recycling (SW&R) Violations and Fines; and Part 3 pertains to two proposed changes to the City Ordinance.

Part 1 – Current and future state of SW&R:

A short PowerPoint presentation will be made with handouts about the “state” of solid waste and recycling in Lowell and the current and future status of the City’s solid waste contracts. Included will be:

- Updates on current contract with Wheelabrator for Municipal Solid Waste (MSW) disposal and current contract with Waste Management Inc. for collection of MSW, recyclables, yard waste and litter barrels throughout the city; which expires at the end of this calendar year.
- Discussion on why recycling fees will increase as part of new contract.
- Curbside recycling education and outreach efforts to reduce contamination in recycling carts/stream.

Part 2 – Update on SW&R Violations and Fines:

DPW has two full time SW&R Enforcement Coordinators and one part time [MassDEP Grant funded] Enforcement Technician, who are diligently inspecting the contents of curbside recycling carts throughout the City. Stickers and door hangers are issued on a daily basis for improper solid waste and recycling practices. YTD more than 5,000 warnings have been issued. Since August 27, 2018 a more concentrated effort was initiated, with Enforcement staff issuing \$25.00 fines for the Improper Disposal of Recyclables (Lowell Code Violation 270.5A). Since that date, more than 215 CITATIONS have been issued. The violator may choose to pay the fine or alternatively, is instructed to complete the back of the citation - thereby requesting a hearing before the City’s Municipal Hearing Officer (MHO). Either option is to be performed within a 21 day period.

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A request was made by the City Manager to City Council on 9/7/18 to send to sub-committee to investigate the option for the MHO to allow the violator who attends the hearing to attend a one hour education training class entitled "The Do's and Don'ts of Solid Waste and Recycling in the City of Lowell" which will be taught by DPW/SW&R staff. It is proposed to hold the education class at the City Senior Center monthly on a weeknight at 6:30 pm. A certificate will be provided to the attendee, who in turn can present the certificate to the MHO who will then have the option to waive the \$25.00 fine.

We are hopeful that the combination of the issuance of the violation citations and education class opportunities will be tools to better educate citizens of Lowell and decrease the recycling contamination issues that the City has been experiencing.

Part 3 - Two Proposed Changes to City Ordinance:

A request was made by the City Manager to City Council on 9/7/18 to send to sub-committee to discuss revisions to Ch 270 Waste & Recycling Ordinance including the following.

A. § 270-4 **Fees; abatement or opting out of waste disposal fee.**

B. (2) **Any owner over the age of 65 on December 31 of the previous year may apply with the Commissioner for an abatement of the waste disposal fee for the individual's owner-occupied dwelling unit.** If the abatement is granted, the owner-occupant shall be charged as provided in Chapter 150, Fees, per year, billed in quarterly increments. Abatement applications must be filed annually between January 1 and March 1 of the current year. **An owner-occupant who obtains this abatement will be issued a smaller cart for waste disposal.**

Discussion: pricing and cart size of "Elderly" refuse account.

B. § 270-8 **Storage of waste and curbside collection.**

C.**"Whoever allows uncollected waste or an empty recycling bin, cart, barrel, City bag or City-approved receptacle to remain on the curb the day after collection shall be subject to a fine of \$25 for the first violation."**

Discussion: Cart placement exceptions for properties with multiple steps (no driveway/walkway).

Please feel free to contact either of us, if you have any questions regarding this motion response.



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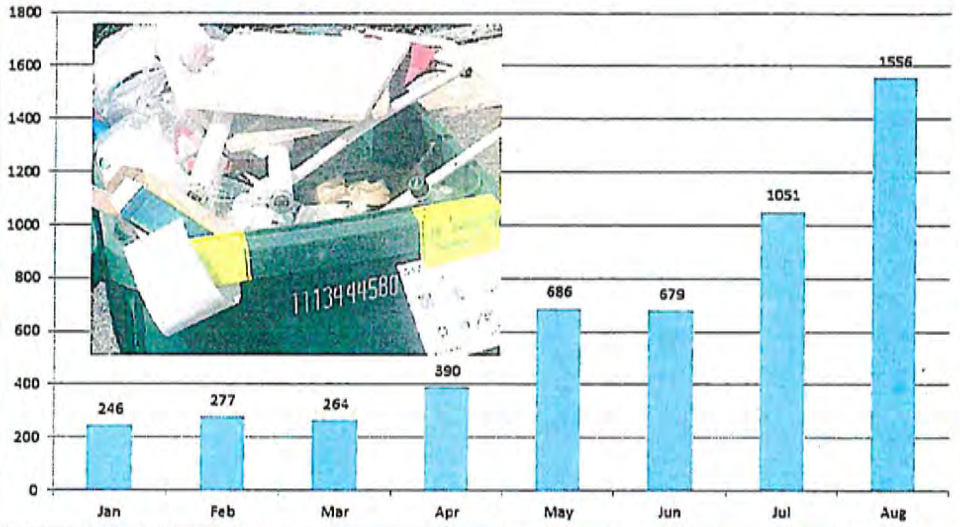
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