



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON  
CITY CLERK

(617) 349-4260

JOHN E. FLYNN  
DEPUTY CITY CLERK

April 17, 1992

Mr. Russell B. Higley  
City Solicitor  
City Hall  
Cambridge, MA 02139

Dear Sir:

Enclosed you will find a copy of a proposed amendment to the Municipal Code of the City of Cambridge regarding recycling which was passed to be ordained at the City Council meeting held on April 13, 1992.

Would you kindly review this amendment and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,  
*Joseph E. Connarton*

Joseph E. Connarton  
City Clerk

JEC/dl

Enc. (1) Ordinance # 1137

c.c. Councillor Wolf, Chair, Committee on Ordinances  
Joseph Cellucci, Inspectional Services Commissioner  
Birge Albright, Law Dept.

Final publication number 2584.

ORDINANCE NO. 1137.

First publication in the Chronicle on April 2, 1992.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Ninety-Two.

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 8.24.070 (Mandatory Recycling) is hereby amended

8.24.070 Mandatory Recycling

- A. Purpose and declaration of policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
- J. Enforcement and penalties
- K. Repeal of inconsistent laws
- L. Severability
- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

### C. Definitions

The following definitions shall apply in this section:

1. Aluminum - Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation or cooking of food.
2. Cans - All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers that contain paint or petroleum based solvents, and any pressurized aerosol cans.
3. Commercial establishment - Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile service, hotels and motels, restaurants, or shipping and receiving areas.
4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.
5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.
6. Household recycling receptacle - A rectangular plastic box of approximately 10 to 20 gallons, designed for use by one household.
7. Leaves - Deciduous and coniferous seasonal deposition.
8. Magazines - publications printed on glossy, clay coated paper.

9. Multi-family dwelling - Any place of residence with thirteen or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

10. Newspaper - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics and enclosures. This does not include newspaper soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

11. Nonprofit organization - An established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, and health care functions.

12. Occupier of land - Any owner, lessee or tenant of any residential dwelling, commercial establishment or nonprofit organization in Cambridge.

13. Paper leaf bag - A paper leaf bag shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty (50) pound wet strength with decomposing glue and reinforced self-supporting square bottom closure.

14. Plastic - Clear and colored bottles and jugs made from high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, excluding caps and lids.

15. Recyclable materials - Any type of refuse designated by the Cambridge Commissioner of Public Works through rules and regulations issued under this section to be separated for recycling.

16. Refuse - All solid waste generated by occupiers of land in Cambridge.

17. Residential dwelling - Any residential building, including single-family homes, apartment buildings, buildings containing cooperatives and condominiums, group houses, rooming houses or boarding houses.

18. Sorted office paper - Printed or unprinted sheets, shavings and cuttings of colored or white sulphite or sulphate ledger, bond, writing and other paper which have a similar fiber and filler content, and which are free of treated, coated, padded and heavily printed paper, carbon paper and non-paper materials.

19. Toter - A barrel of approximately 60 to 100 gallons with wheels and a lid used for storage of recyclables, and compatible with collection equipment used by the City's recyclables collection contractor.

20. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

21. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

b) As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or toters to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or toters to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and toters and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or toters.

c) During the leaf and yard waste collection season, owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be

provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclables materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member

shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

A penalty will be assessed under this section only after the violator receives a written warning regarding the violation indicating the method of correction.

K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

This section and the various parts, sentences and clauses thereof are hereby declared to be severable. If any part, sentence or clause is adjudged to be invalid, the remainder of this section shall not be affected thereby.

M. Effective date of this section

This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

Passed to be ordained at the City Council meeting held on April 13, 1992 by a yeas and nays vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.





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9. Multi-family dwelling - Any place of residence with thirteen or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

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D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

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provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

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The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

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Passed to be ordained at the City Council meeting held on April 13, 1992 by a yeas and nays vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.



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The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

b) As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or toters to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or toters to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and toters and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or toters.

c) During the leaf and yard waste collection season, owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be

provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclables materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member

shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

A penalty will be assessed under this section only after the violator receives a written warning regarding the violation indicating the method of correction.

K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

This section and the various parts, sentences and clauses thereof are hereby declared to be severable. If any part, sentence or clause is adjudged to be invalid, the remainder of this section shall not be affected thereby.

M. Effective date of this section

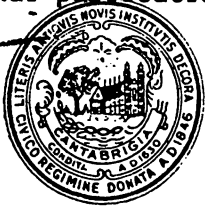
This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

Passed to be ordained at the City Council meeting held on April 13, 1992 by a yeas and nays vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.

Final publication number 2584. ORDINANCE NO. 1137. First publication in the Chronicle on April 2, 1992.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Ninety-Two.

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 8.24.070 (Mandatory Recycling) is hereby amended

8.24.070 Mandatory Recycling

- A. Purpose and declaration of policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
- J. Enforcement and penalties
- K. Repeal of inconsistent laws
- L. Severability
- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

### C. Definitions

The following definitions shall apply in this section:

1. Aluminum - Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation or cooking of food.

2. Cans - All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers that contain paint or petroleum based solvents, and any pressurized aerosol cans.

3. Commercial establishment - Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile service, hotels and motels, restaurants, or shipping and receiving areas.

4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.

5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.

6. Household recycling receptacle - A rectangular plastic box of approximately 10 to 20 gallons, designed for use by one household.

7. Leaves - Deciduous and coniferous seasonal deposition.

8. Magazines - publications printed on glossy, clay coated paper.

9. Multi-family dwelling - Any place of residence with thirteen or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

10. Newspaper - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics and enclosures. This does not include newspaper soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

11. Nonprofit organization - An established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, and health care functions.

12. Occupier of land - Any owner, lessee or tenant of any residential dwelling, commercial establishment or nonprofit organization in Cambridge.

13. Paper leaf bag - A paper leaf bag shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty (50) pound wet strength with decomposing glue and reinforced self-supporting square bottom closure.

14. Plastic - Clear and colored bottles and jugs made from high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, excluding caps and lids.

15. Recyclable materials - Any type of refuse designated by the Cambridge Commissioner of Public Works through rules and regulations issued under this section to be separated for recycling.

16. Refuse - All solid waste generated by occupiers of land in Cambridge.

17. Residential dwelling - Any residential building, including single-family homes, apartment buildings, buildings containing cooperatives and condominiums, group houses, rooming houses or boarding houses.

18. Sorted office paper - Printed or unprinted sheets, shavings and cuttings of colored or white sulphite or sulphate ledger, bond, writing and other paper which have a similar fiber and filler content, and which are free of treated, coated, padded and heavily printed paper, carbon paper and non-paper materials.

19. Toter - A barrel of approximately 60 to 100 gallons with wheels and a lid used for storage of recyclables, and compatible with collection equipment used by the City's recyclables collection contractor.

20. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

21. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

b) As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or toters to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or toters to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and toters and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or toters.

c) During the leaf and yard waste collection season, owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be

provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclable materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member

shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

A penalty will be assessed under this section only after the violator receives a written warning regarding the violation indicating the method of correction.

K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

This section and the various parts, sentences and clauses thereof are hereby declared to be severable. If any part, sentence or clause is adjudged to be invalid, the remainder of this section shall not be affected thereby.

M. Effective date of this section

This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

Passed to be ordained at the City Council meeting held on April 13, 1992 by a yeas and nays vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.

# City of Cambridge

MASSACHUSETTS

In City Council April 13 1998

*C. Duehay - Moved Ordination of Unfinished Business to 5<sup>th</sup>*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Kenneth E. Reeves	✓			

9 0 0

# City of Cambridge

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In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 8.24.070 (Mandatory Recycling) is hereby amended as follows:

8.24.070 Mandatory Recycling

- A. Purpose and declaration of policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
- J. Enforcement and penalties
- K. Repeal of inconsistent laws
- L. Severability
- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

c. Definitions

The following definitions shall apply in this section:

1. Aluminum - Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation or cooking of food.
2. Cans - All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers that contain paint or petroleum based solvents, and any pressurized aerosol cans.
3. Commercial establishment - Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile service, hotels and motels, restaurants, or shipping and receiving areas.
4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.
5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.
6. Household recycling receptacle - A rectangular plastic box of approximately 10 to 20 gallons, designed for use by one household.
7. Leaves - Deciduous and coniferous seasonal deposition.
8. Magazines - publications printed on glossy, clay coated paper.

9. Multi-family dwelling - Any place of residence with thirteen or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

10. Newspaper - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics and enclosures. This does not include newspaper soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

11. Nonprofit organization - An established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, and health care functions.

12. Occupier of land - Any owner, lessee or tenant of any residential dwelling, commercial establishment or nonprofit organization in Cambridge.

13. Paper leaf bag - A paper leaf bag shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty (50) pound wet strength with decomposing glue and reinforced self-supporting square bottom closure.

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18. Sorted office paper - Printed or unprinted sheets, shavings and cuttings of colored or white sulphite or sulphate ledger, bond, writing and other paper which have a similar fiber and filler content, and which are free of treated, coated, padded and heavily printed paper, carbon paper and non-paper materials.

19. Toter - A barrel of approximately 60 to 100 gallons with wheels and a lid used for storage of recyclables, and compatible with collection equipment used by the City's recyclables collection contractor.

20. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

21. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

b) As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or totes to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or totes to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and totes and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or totes.

c) During the leaf and yard waste collection season, owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be

provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

Waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclables materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member

shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

A penalty will be assessed under this section only after the violator receives a written warning regarding the violation indicating the method of correction.

K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

This section and the various parts, sentences and clauses thereof are hereby declared to be severable. If any part, sentence or clause is adjudged to be invalid, the remainder of this section shall not be affected thereby.

M. Effective date of this section

This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

Passed to a second reading at the City Council meeting held on March 30, 1992 and on or after April 13, 1992 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

# City of Cambridge

---



In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 8.24.070 (Mandatory Recycling) is hereby amended as follows:

8.24.070 Mandatory Recycling

- A. Purpose and declaration of policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
- J. Enforcement and penalties
- K. Repeal of inconsistent laws
- L. Severability
- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

C. Definitions

The following definitions shall apply in this section:

1. Aluminum - Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation or cooking of food.

2. Cans - All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers that contain paint or petroleum based solvents, and any pressurized aerosol cans.

3. Commercial establishment - Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile service, hotels and motels, restaurants, or shipping and receiving areas.

4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.

5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.

6. Household recycling receptacle - A rectangular plastic box of approximately 10 to 20 gallons, designed for use by one household.

7. Leaves - Deciduous and coniferous seasonal deposition.

8. Magazines - publications printed on glossy, clay coated paper.

9. Multi-family dwelling - Any place of residence with thirteen or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

10. Newspaper - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics and enclosures. This does not include newspaper soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

11. Nonprofit organization - An established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, and health care functions.

12. Occupier of land - Any owner, lessee or tenant of any residential dwelling, commercial establishment or nonprofit organization in Cambridge.

13. Paper leaf bag - A paper leaf bag shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty (50) pound wet strength with decomposing glue and reinforced self-supporting square bottom closure.

14. Plastic - Clear and colored bottles and jugs made from high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, excluding caps and lids.

15. Recyclable materials - Any type of refuse designated by the Cambridge Commissioner of Public Works through rules and regulations issued under this section to be separated for recycling.

16. Refuse - All solid waste generated by occupiers of land in Cambridge.

17. Residential dwelling - Any residential building, including single-family homes, apartment buildings, buildings containing cooperatives and condominiums, group houses, rooming houses or boarding houses.

18. Sorted office paper - Printed or unprinted sheets, shavings and cuttings of colored or white sulphite or sulphate ledger, bond, writing and other paper which have a similar fiber and filler content, and which are free of treated, coated, padded and heavily printed paper, carbon paper and non-paper materials.

19. Toter - A barrel of approximately 50 to 100 gallons with wheels and a lid used for storage of recyclables, and compatible with collection equipment used by the City's recyclables collection contractor.

20. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

21. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

b) As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or totes to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or totes to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and totes and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or totes.

c) During the leaf and yard waste collection season, owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be

provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclables materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member

shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

A penalty will be assessed under this section only after the violator receives a written warning regarding the violation indicating the method of correction.

K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

This section and the various parts, sentences and clauses thereof are hereby declared to be severable. If any part, sentence or clause is adjudged to be invalid, the remainder of this section shall not be affected thereby.

M. Effective date of this section

This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

Passed to a second reading at the City Council meeting held on March 30, 1992 and on or after April 13, 1992 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

# City of Cambridge

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In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 8.24.070 (Mandatory Recycling) is hereby amended  
as follows:

8.24.070 Mandatory Recycling

- A. Purpose and declaration of policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
- J. Enforcement and penalties
- K. Repeal of inconsistent laws
- L. Severability
- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

C. Definitions

The following definitions shall apply in this section:

1. Aluminum - Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation or cooking of food.
2. Cans - All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers that contain paint or petroleum based solvents, and any pressurized aerosol cans.
3. Commercial establishment - Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile service, hotels and motels, restaurants, or shipping and receiving areas.
4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.
5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.
6. Household recycling receptacle - A rectangular plastic box of approximately 10 to 20 gallons, designed for use by one household.
7. Leaves - Deciduous and coniferous seasonal deposition.
8. Magazines - publications printed on glossy, clay coated paper.

9. Multi-family dwelling - Any place of residence with thirteen or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

10. Newspaper - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics and enclosures. This does not include newspaper soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

11. Nonprofit organization - An established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, and health care functions.

12. Occupier of land - Any owner, lessee or tenant of any residential dwelling, commercial establishment or nonprofit organization in Cambridge.

13. Paper leaf bag - A paper leaf bag shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty (50) pound wet strength with decomposing glue and reinforced self-supporting square bottom closure.

14. Plastic - Clear and colored bottles and jugs made from high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, excluding caps and lids.

15. Recyclable materials - Any type of refuse designated by the Cambridge Commissioner of Public Works through rules and regulations issued under this section to be separated for recycling.

16. Refuse - All solid waste generated by occupiers of land in Cambridge.

17. Residential dwelling - Any residential building, including single-family homes, apartment buildings, buildings containing cooperatives and condominiums, group houses, rooming houses or boarding houses.

18. Sorted office paper - Printed or unprinted sheets, shavings and cuttings of colored or white sulphite or sulphate ledger, bond, writing and other paper which have a similar fiber and filler content, and which are free of treated, coated, padded and heavily printed paper, carbon paper and non-paper materials.

19. Toter - A barrel of approximately 60 to 100 gallons with wheels and a lid used for storage of recyclables, and compatible with collection equipment used by the City's recyclables collection contractor.

20. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

21. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

b) As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or toters to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or toters to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and toters and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or toters.

c) During the leaf and yard waste collection season, owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be

provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
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Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclables materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member

shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

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K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

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M. Effective date of this section

This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

Passed to a second reading at the City Council meeting held on March 30, 1992 and on or after April 13, 1992 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

# City of Cambridge

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In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 8.24.070 (Mandatory Recycling) is hereby amended as follows:

8.24.070 Mandatory Recycling

- A. Purpose and declaration of policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
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- K. Repeal of inconsistent laws
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- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

C. Definitions

The following definitions shall apply in this section:

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4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.

5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.

6. Household recycling receptacle - A rectangular plastic box of approximately 10 to 20 gallons, designed for use by one household.

7. Leaves - Deciduous and coniferous seasonal deposition.

8. Magazines - publications printed on glossy, clay coated paper.

9. Multi-family dwelling - Any place of residence with thirteen or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

10. Newspaper - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics and enclosures. This does not include newspaper soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

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19. Toter - A barrel of approximately 50 to 100 gallons with wheels and a lid used for storage of recyclables, and compatible with collection equipment used by the City's recyclables collection contractor.

20. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

21. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

b) As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or toters to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or toters to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and toters and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or toters.

c) During the leaf and yard waste collection season, owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be

provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclables materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member

shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

A penalty will be assessed under this section only after the violator receives a written warning regarding the violation indicating the method of correction.

K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

This section and the various parts, sentences and clauses thereof are hereby declared to be severable. If any part, sentence or clause is adjudged to be invalid, the remainder of this section shall not be affected thereby.

M. Effective date of this section

This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

Passed to a second reading at the City Council meeting held on March 30, 1992 and on or after April 13, 1992 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON  
CITY CLERK

(617) 349-4260

JOHN E. FLYNN  
DEPUTY CITY CLERK

April 1, 1992

Mr. Russell B. Higley  
City Solicitor  
City Hall  
Cambridge, MA 02139

Dear Sir:

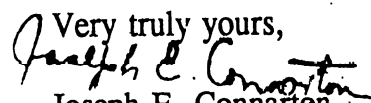
Enclosed you will find copies of three proposed amendments to the Municipal Code of the City of Cambridge which were passed to be ordained at the City Council meeting held on March 30, 1992 as follows:

1. City Clerk Department fees.
2. Petroleum License fees.
3. Lodginghouse fees.

Enclosed also you will find a copy of a proposed amendment to the Municipal Code of the City of Cambridge regarding recycling which was passed to a second reading at the City Council meeting held on March 30, 1992.

Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

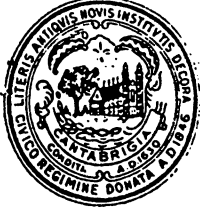
Your kind attention in this matter will be greatly appreciated.

Very truly yours,  
  
Joseph E. Connarton  
City Clerk

JEC/dl

Encs. Ordinance Numbers 1133, 1134, 1135 and first publication number 2583.

c.c. Councillor Wolf, Chair, Committee on Ordinances  
Joseph Cellucci, Inspectional Services Commissioner  
Birge Albright, Law Dept.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to the Municipal Code of the City of Cambridge.

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Section 2.24.050 entitled "Fee Schedule" of Chapter 2.24 entitled "City Clerk" of the Municipal Code is hereby amended by striking out the present section 2.24.050 and substituting in place thereof a new section 2.24.050 which reads as follows:

Effective on passage the fees for the City Clerk Department shall be as follows:

For filing and indexing assignment for the benefit of creditors	\$10.00
For entering amendment of a record of the birth of an illegitimate child subsequently legitimized	10.00
For correcting errors in a record of birth	10.00
For furnishing certificate of a birth	5.00
For furnishing an abstract copy of a record of birth	3.00
For entering delayed record of birth	5.00
For filing certificate of a person conducting business under any title other than his real name	15.00
For filing by a person conducting business under any title other than his real name of statement of change of his residence, or of his discontinuance, retirement or withdrawal from, or of a change of location of such business	5.00
For furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuances, retirement or withdrawal from such business	5.00
For recording the name and address, the date and number of the certificate issued to a person registered for the practice of podiatry in the commonwealth	15.00
For correcting errors in a record of death	10.00
For furnishing a certificate of death	5.00

For furnishing an abstract copy of a record of death	3.00
For entering notice of intention of marriage and issuing certificates thereof	\$15.00
For entering certificate of marriage filed by persons married out of the commonwealth	\$5.00
For issuing certificate of marriage	\$5.00
For furnishing an abstract copy of a record of marriage	\$2.00
For correcting errors in a record of marriage	\$10.00
For recording power of attorney	\$5.00
For recording certificate of registration granted to a person to engage in the practice of optometry, or issuing a certified copy thereof	\$15.00
For recording the name of the owner of a certificate of registration as a physician or osteopath in the Commonwealth	\$15.00
For examining records or papers relating to birth, marriage or deaths upon the application of any person, the actual expense thereof, but not less than	\$5.00
For copying any manuscript or record pertaining to a birth, marriage or death	\$4.00
For receiving and filing of a complete inventory of all items to be included in a <u>closing out sale, etc.</u>	\$2.00
For filing a copy of a written instrument or declaration of trust by the trustees of an association or trust, or any amendment thereof	\$10.00
Recording any other documents	\$5.00
	\$2.00

In City Council March 30, 1992.

Passed to be ordained by a yeas and nays vote:- Yeas 9; Nays 0;  
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to the Municipal Code of the City of Cambridge.

*Be it ordained by the City Council of the City of Cambridge as follows:*

The Section 8.08.020 entitled "Petroleum license--Annual fees of Chapter 8.08 entitled "Explosives and Flammable Liquids" of the Municipal Code is hereby amended by striking out the present section 8.08.020 and substituting in place thereof a new section 8.08.010 which reads as follows:

8.08.020 Petroleum license--Annual fees.

A. Garages and Keeping and Storage for Sale of Gases or Petroleum Products.

1. Fees for the licenses for garages and for the keeping and storage for sale petroleum products or any other inflammable fluids or gases or petroleum products, required under Chapter 148 of the General Laws, Section 13, as amended, are established as follows:

Aggregate Car Storage Capacity for each Garage	Fee for Original License and Certificate of Registration
4 to 10 cars	\$ 31.00
11 to 50 cars	60.00
51 to 100 cars	121.00
101 and over	181.00

2. No fee for certificates of registration shall be required for garages having a capacity of not more than three cars.

3. Fees for licenses for keeping and storage for sale of petroleum produces or any other inflammable fluids or gases are established as follows, except where the license is issued for the keeping and storage for direct consumption on the premises licensed or direct consumption by motor vehicles owned by the licensee or his assignee.

Aggregate Storage  
Capacity for Entire Parcel  
of  
Land Licensed (in gallons)

Fee for Original  
License and Certificate  
of Registration

1 to 5,000	\$ 60.00
5,001 to 15,000	121.00
15,001 to 30,000	242.00
30,001 to 50,000	363.00
50,001 to 100,000	484.00
100,001 to 200,000	605.00
200,001 to 300,000	726.00
300,001 to 400,000	847.00
400,001 to 500,000	968.00
500,001 to 1,000,000	1089.00
1,000,000 and over	1210.00

4. If a license is applied for solely for the purpose of keeping and storage, for direct consumption on the premises licensed or for direct consumption by motor vehicles owned by the licensee or his assignee, and not for the sale of petroleum products or any other inflammable fluids or gases or petroleum products, the fee shall be twelve dollars and ten cents, provided that such petroleum products, inflammable fluids or gases are not used in the manufacture of a product which is then sold at a profit.

5. Certificates or registration must be filed on or before April 30th of each year.

B. Special Garages. Special parking garages constructed without exterior walls shall for the purposes of this chapter be construed as open air parking and the fee for such parking shall be as follows: Twelve dollars and ten cents for each car.

C. Gases in Cylinders.

1. The keeping and storage of inflammable gases in cylinders aboveground by any individual shall require payment of the following fees:

Aggregate Storage (in cubic feet)	Fee for Original License and Certificate of Registration
10,000 to 20,000	\$ 48.00
20,001 to 30,000	97.00
30,001 to 40,000	193.00
40,001 and over	363.00

2. No fee for certificate of registration shall be required for storage of inflammable gases under ten thousand cubic feet. A permit shall be issued by the Fire Department for any storage of such gases less than ten thousand cubic feet.

In City Council March 30, 1992.

Passed to be ordained by a yea and nay vote:- Yeas 8; Nays 0;  
Absent 1.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to the Municipal Code of the City of Cambridge.

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Section 5.44.010 entitled "Lodginghouses" of Chapter 5.44 entitled "Miscellaneous Business License Fees and Regulations" of the Municipal Code is hereby amended by striking out the present section 5.44.010 and substituting in place thereof a new section 5.44.010 which reads as follows:

5.44.010 Lodginghouses.

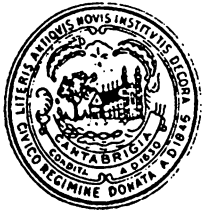
As authorized under the provisions of 4 G.L., c. 140, s. 23, the fee for each license granted for lodginghouses in the City shall be eighteen dollars and fifteen cents per annum.

In City Council March 30, 1992.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 0;  
Absent 1; Present 1.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 8.24.070 (Mandatory Recycling) is hereby amended as follows:

8.24.070 Mandatory Recycling

- A. Purpose and declaration of policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
- J. Enforcement and penalties
- K. Repeal of inconsistent laws
- L. Severability
- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

### C. Definitions

The following definitions shall apply in this section:

1. Aluminum - Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation or cooking of food.

2. Cans - All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers that contain paint or petroleum based solvents, and any pressurized aerosol cans.

3. Commercial establishment - Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile service, hotels and motels, restaurants, or shipping and receiving areas.

4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.

5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.

6. Household recycling receptacle - A rectangular plastic box of approximately 10 to 20 gallons, designed for use by one household.

7. Leaves - Deciduous and coniferous seasonal deposition.

8. Magazines - publications printed on glossy, clay coated paper.

9. Multi-family dwelling - Any place of residence with thirteen or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

10. Newspaper - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics and enclosures. This does not include newspaper soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

11. Nonprofit organization - An established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, and health care functions.

12. Occupier of land - Any owner, lessee or tenant of any residential dwelling, commercial establishment or nonprofit organization in Cambridge.

13. Paper leaf bag - A paper leaf bag shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty (50) pound wet strength with decomposing glue and reinforced self-supporting square bottom closure.

14. Plastic - Clear and colored bottles and jugs made from high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, excluding caps and lids.

15. Recyclable materials - Any type of refuse designated by the Cambridge Commissioner of Public Works through rules and regulations issued under this section to be separated for recycling.

16. Refuse - All solid waste generated by occupiers of land in Cambridge.

17. Residential dwelling - Any residential building, including single-family homes, apartment buildings, buildings containing cooperatives and condominiums, group houses, rooming houses or boarding houses.

18. Sorted office paper - Printed or unprinted sheets, shavings and cuttings of colored or white sulphite or sulphate ledger, bond, writing and other paper which have a similar fiber and filler content, and which are free of treated, coated, padded and heavily printed paper, carbon paper and non-paper materials.

19. Toter - A barrel of approximately 60 to 100 gallons with wheels and a lid used for storage of recyclables, and compatible with collection equipment used by the City's recyclables collection contractor.

20. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

21. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.

b) As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or toters to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or toters to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and toters and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or toters.

c) During the leaf and yard waste collection season, owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be

provided by the owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid

waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclables materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member

shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

A penalty will be assessed under this section only after the violator receives a written warning regarding the violation indicating the method of correction.

K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

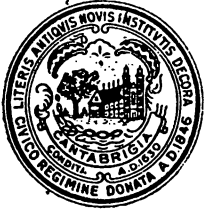
This section and the various parts, sentences and clauses thereof are hereby declared to be severable. If any part, sentence or clause is adjudged to be invalid, the remainder of this section shall not be affected thereby.

M. Effective date of this section

This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

Passed to a second reading at the City Council meeting held on March 30, 1992 and on or after April 13, 1992 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

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In the Year One Thousand, Nine Hundred

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 8.24.070 (Mandatory Recycling) is hereby amended by making the following additions and deletions. Additions are indicated by bold type, and deletions are stricken with a broken line.

8.24.070 Mandatory Recycling

- A. Purpose and declaration of policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
- J. Enforcement and penalties
- K. Repeal of inconsistent laws
- L. Severability
- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

C. Definitions

The following definitions shall apply in this section:

1. Aluminum - Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation or cooking of food.

2. Cans - All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers that contain paint or petroleum based solvents, and any pressurized aerosol cans.

3. Commercial establishment - Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile service, hotels and motels, restaurants, or shipping and receiving areas.

4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.

5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.

6. Household recycling receptacle - A rectangular plastic box of approximately 10 to 20 gallons, designed for use by one household.

7. Leaves - Deciduous and coniferous seasonal deposition.

8. Magazines - publications printed on glossy, clay coated paper.

9. Multi-family dwelling - Any place of residence with ~~ten~~ **thirteen** or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

10. Newspaper - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics and enclosures. This does not include newspaper soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

11. Nonprofit organization - An established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, and health care functions.

12. Occupier of land - Any owner, lessee or tenant of any residential dwelling, commercial establishment or nonprofit organization in Cambridge.

13. Paper leaf bag - A paper leaf bag shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty (50) pound wet strength with decomposing glue and reinforced self-supporting square bottom closure.

14. Plastic - Clear and colored bottles and jugs made from high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, excluding caps and lids.

15. Recyclable materials - Any type of refuse designated by the Cambridge Commissioner of Public Works through rules and regulations issued under this section to be separated for recycling.

16. Refuse - All solid waste generated by occupiers of land in Cambridge.

17. Residential dwelling - Any residential building, including single-family homes, apartment buildings, buildings containing cooperatives and condominiums, group houses, rooming houses or boarding houses.

18. Sorted office paper - Printed or unprinted sheets, shavings and cuttings of colored or white sulphite or sulphate ledger, bond, writing and other paper which have a similar fiber and filler content, and which are free of treated, coated, padded and heavily printed paper, carbon paper and non-paper materials.

19. Toter - A barrel of approximately 60 to 100 gallons with wheels and a lid used for storage of recyclables, and compatible with collection equipment used by the City's recyclables collection contractor.

20. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

21. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section:

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

~~a) In buildings which receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the City. As long as funds are available, the City will provide one household recycling receptacle to each dwelling unit in buildings with twelve or fewer units that receive city trash collection. The City shall retain ownership of all its household recycling receptacles and the resident of each dwelling unit shall take proper care to protect such receptacle from loss or damage. Receptacles that are lost or stolen will be replaced by the City as long as the City's supplies last. After City supplies are depleted, it shall be the responsibility of the resident of each dwelling unit to obtain a suitable replacement within 45 days. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles.~~

~~b) The City shall retain ownership of all its recycling receptacles and the owner, lessee or tenant of the building shall take proper care to protect such receptacle from loss or damage. If the receptacle is lost, it shall be the responsibility of the owner or owners of the building to obtain a suitable replacement within 75 days. As long as funds are available, the City will provide a suitable number of household recycling receptacles and/or toters to buildings with thirteen or more units that receive City trash collection. The number of household recycling receptacles and/or toters to be provided shall be determined by the City for each individual building. The City shall retain ownership of all its household recycling receptacles and toters and the owner or owners of the building shall take proper care to protect such containers from loss or damage. If the containers are lost or stolen, it is the responsibility of the owner or owners of the building to obtain a suitable replacement within 45 days in~~

accordance with rules and regulations to be issued by the Commissioner under this section. In such buildings, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in said household recycling receptacles and/or totes.

c) During the leaf and yard waste collection season, residents owners, lessees or tenants shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be provided by the resident owner, lessee or tenant. However, if the owner, lessee or tenant employs a commercial landscaping company, the landscaping company is responsible for hauling away the leaves and yard waste from the owner's property.

d) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

e) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place and on days specified by the Commissioner in rules and regulations to be issued under this section.

f) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

g) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

## 2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be

responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

~~1. All property owners required to submit recycling plans to the Commissioner shall do so within six months of the effective date of this section. The owner or owners may request in writing from the Commissioner and extension of up to six months, which shall be granted. No further extensions shall be granted. All property owners required to submit recycling plans to the Commissioner shall do so by the date set for plan submissions in the rules and regulations promulgated by the Commissioner under this section. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.~~

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclables materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee



This 8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

6.



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300  
FAX. 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

March 30, 1992

To the Honorable, the City Council:

Attached please find proposed revisions to the Mandatory Recycling Ordinance for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Healy", written over a horizontal line.

Robert W. Healy  
City Manager

Attachment

Proposed revisions to the Mandatory  
Recycling Ordinance.

4/13/92 Passed to be  
ordained  
9-0-0

4/16/92 - Chronicle - published

3/30/92 Passed to a  
second reading

In City Council,

March 30, 1992