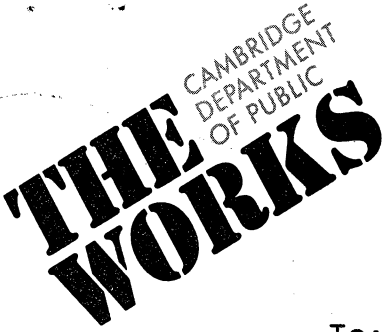




RECEIVED
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OFFICE OF THE CITY MANAGER

147 Hampshire Street
Cambridge
Massachusetts 02139
617-349-4800

To: Robert W. Healy, City Manager
From: Jeffrey Nutting, Deputy Commissioner, P.W.D.
Date: July 24, 1991
Subject: Council Order #35, dated 6/24/91
Re: Litter in the area of Howard Street
and Western Avenue

John
7/24/91

The public works department has taken the following action concerning the litter at the corner of Howard Street and Western Avenue.

- 1) All four corners were cleaned the week of July 15, 1991.
- 2) Pictures were taken, a citation issued and Inspectional Services called for #217-221 Western Avenue for uncovered rubbish and debris.
- 3) The RCCC was issued a ticket and asked to construct a gate to enclose the trash.
- 4) Pizza Shop was checked and is picked up daily.
- 5) We met with the owners and custodian for #217-221 Western Avenue and explained the ordinance on rubbish. It appears that the rubbish is put out too early, which we will monitor.

I would suggest that public works strictly enforce section 8.24.030 and 8.24.040 of the city ordinance in order to help alleviate the ongoing problems.

I look forward to your direction in this matter. If you have any questions please contact me at x4810.

Sincerely,

Jeffrey Nutting
Deputy Commissioner

enclosure



furnished either by the City or the owner, which includes the statement "No Littering Under Penalty of Law. Fine \$50.00."

C. "Authorized rubbish receptacles" means receptacles that contain rubbish awaiting collection and are kept outdoors and shall be constructed preferably of heavy plastic or of metal, with tight-fitting covers, and shall be flytight, rodent-proof, nonflammable and waterproof. Heavy plastic bags of not less than one and one-half mil may be used to line a receptacle with a tight-fitting cover or fastened tightly with wire, string, ties or tape. Specially treated, water-resistance paper or cardboard containers may also be used as temporary rubbish containers; provided, that they are tightly fastened with wire, string, ties or tape. Ordinary cardboard containers without special water-resistant treatment are not authorized rubbish receptacles. Authorized rubbish receptacles for City rubbish collection shall not exceed two feet, thirty-two gallon capacity, and shall not exceed one hundred thirty pounds gross weight. Limitation on size or weight do not apply to authorized rubbish receptacles for private collection.

D. "Collection establishment" means any person or owner as defined in subsection I of this section doing business for profit and occupying private property.

E. "Garbage" means the animal and vegetable waste from the handling, preparing, cooking and consumption of food.

F. "Litter" means all garbage and rubbish, and includes any other waste material which, if thrown or deposited as prohibited in this chapter tends to create a danger or nuisance to public health, safety or welfare.

G. "Nonprofit establishment" means not-for-profit corporation or association established for religious, educational, charitable or benevolent purposes and occupying private property.

H. "Occupant" means any person living, sleeping or cooking in, or conducting any commercial or nonprofit activity, or having actual possession of any building or part thereof.

I. "Owner" means any person or entity which alone or jointly or severally with others:

1. Shall have legal or equitable title to any private property with or without accompanying actual possession thereof; or

2. Shall have charge, care or control of any private property as owner or agent or as executor, administrator, trustee or guardian of the estate of the owner or any other person in a representative capacity.

J. "Rubbish" means combustible and non-combustible waste materials except garbage, and includes the residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust and other similar substances. (Prior code § 17-72)

8.24.030 Private property owners and occupants—Duties.

A. Residential Property.

1. Every owner or occupant, in the event of a written agreement, shall supply garbage disposal facilities or authorized garbage receptacles on the basis of at least one ten-gallon container per family, and authorized rubbish receptacles sufficient to contain all rubbish accumulated between collection days.

2. Every owner or occupant, in the event of a written agreement, or the occupant of a single-family dwelling shall cause the shared or common areas of the dwelling, its premises and yard area, and the adjoining sidewalk and gutter to be maintained in compliance with Sections 8.24.040 and 8.24.240 of this chapter.

3. Every occupant shall dispose of all garbage and rubbish in a clean and sanitary manner in compliance with Sections 8.24.060, 8.24.080, 8.24.090, 8.24.110, 8.24.130 through 8.24.170, 8.24.210 and 8.24.220 of this chapter.

4. Every owner of a multiple dwelling in which he does not reside, he shall designate a responsible person as his agent. This person and

the owner shall be severally and jointly responsible for maintaining the entire premises including the yard area and the adjoining sidewalk and gutter in compliance with Section 8.24.040 and 8.24.240 of this chapter.

B. Private Property Occupied by Commercial or Nonprofit Establishments. Every owner or occupant, in the event of a written agreement shall supply a sufficient quantity of authorized garbage and rubbish receptacles in compliance with Sections 8.24.060, 8.24.080, 8.24.090, 8.24.110, 8.24.130 through 8.24.170, 8.24.210 and 8.24.220 of this chapter. If garbage and rubbish is not collected by the City, arrangements shall be made for adequate and regular private collection of garbage and rubbish in compliance with Sections 8.24.060 through 8.24.160, 8.24.210 and 8.24.220 of this chapter. (Prior code § 17-74)

8.24.040 Private property owners and occupants—Keeping premises and adjacent areas free of litter.

A. Maintenance of Private Property. Every owner or occupant of private property shall maintain his property free of any accumulation of litter, and shall prevent any litter from escaping to any other public or private property.

B. Maintenance of Sidewalks.

1. Every owner or occupant of private property bordering on a street where there is a public or private sidewalk or footway shall maintain such sidewalk or footway and the adjoining gutter to the center of the street free of litter.

2. Every owner or occupant of private property shall cut and dispose of weed in any yard area or vacant lot, or around any public or private property.

3. No person shall sweep into or deposit in any gutter, street, square or other public place the accumulation of litter from any building or lot, or from any public or private sidewalk, footway or driveway.

C. Litter From Commercial or Nonprofit Establishments.

1. Litter from commercial or nonprofit establishments shall not be thrown or deposited in any public litter receptacles.

2. Commercial or nonprofit establishments may maintain authorized litter receptacles for the use of the general public outdoors on private property or on the adjoining sidewalk in a manner not to inconvenience the use of the sidewalk by pedestrians. The establishments are encouraged to identify such authorized litter receptacles as described in Section 8.24.030 of this chapter and the establishment shall cause the receptacles to be emptied regularly. (Prior code § 17-75)

8.24.050 City's duties and responsibilities.

A. The City shall maintain regular schedules of street cleaning, and shall post signs city-wide and otherwise publicize by all appropriate means the schedules of regular street cleaning times.

B. The City shall maintain regular schedules of garbage and rubbish collection subject to the provisions of Sections 8.24.060, 8.24.080, 8.24.090, 8.24.100, 8.24.140 and 8.24.150 of this chapter, and shall publicize the schedules by all appropriate means.

C. The City shall publicize dates for the collection of large items of rubbish and of shrub and tree trimmings subject to the provisions of Sections 8.24.130, 8.24.160, 8.24.210 and 8.24.220 of this chapter, and shall publicize the schedules by all appropriate means.

D. The City shall maintain and service authorized litter receptacles in all parts of the City.

E. The City shall plow snow from the streets in all parts of the City.

F. The City shall require all federal, state and local government organizations to comply with the regulations in Sections 8.24.040, 8.24.060 through 8.24.160, 8.24.210, 8.24.220 and 8.24.240 of this chapter, for owners of private property and for commercial or nonprofit establishments. (Prior code § 17-81)



City of Cambridge

Meeting

35.

IN CITY COUNCIL

June 24, 1991

VICE MAYOR REEVES

WHEREAS: Residents of all Cambridge neighborhoods have a right to a clean and well maintained public space; and

WHEREAS: People have expressed their concern about the neighborhood blight created in the area of Howard Street and Western Avenue by garbage which is either put out on the sidewalk too soon before trash collection, or placed outside without adequate containers; and

WHEREAS: The presence of this trash on the sidewalk and in the street is disturbing to the general well-being of the neighborhood; now therefore be it

RESOLVED: That the City Manager be and hereby is requested to investigate this matter and require that the Department of Public Works take whatever action necessary to rid this neighborhood of this blight; and be it further

RESOLVED: That the City Manager be and hereby is requested to report back within one week regarding whether ticketing will resolve the existing problem.

In City Council June 24, 1991.

Adopted by the affirmative vote of nine members.

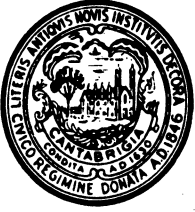
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

Joseph E. Connarton

ATTEST:-

Joseph E. Connarton
City Clerk



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

August 7, 1991
XXXXXXXXXXXXXXXXXX
July 29, 1991

To The Honorable, The City Council:

In reference to Awaiting Report Item No. 56, regarding litter in the area of Howard Street and Western Avenue, please find attached a response from Jeffrey Nutting, Deputy Commissioner of Public Works, relative to this matter.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

CONSENT AGENDA ITEM # 32

5-903
Awaiting Report Item # 56, regarding litter
in the area of Howard Street and Western
Ave.

In City Council,

August 7, 1991

Placed on file