



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To : Mr. Robert W. Healy
City Manager

Date : June 10, 1986

From : Everett R. Kennedy
Commissioner of Public Works *ERK*

Reference

Subject : Report on Business Refuse Collection

Attached is the report of a study made by the Department during the month of May 1986. I believe it speaks for itself. However, I would like to clarify a few points. First, the work performed in the field during the winter and early spring was primarily to contact all businesses to determine whether or not they should be charged for refuse collection in accordance with present ordinances. The accuracy of charges, because of the nature of refuse and varying volumes, would have to be checked periodically. Second, there is a large percentage of businesses who have been billed who are not paying on any systematic basis, for whatever the reason. I believe that if we are to continue to charge for collection that all should pay in conformance with the ordinances. Third, the matter of revenue generated is an issue that can be discussed, but I did not include in this report because I felt it was not pertinent to the issues raised about charging procedures.

Attachment

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OFFICE OF THE
CITY MANAGER

REPORT ON BUSINESS REFUSE COLLECTION

INTRODUCTION AND BACKGROUND

The intent of the ordinances as they relate to the business refuse collection is to treat all businesses equally. There has been an ineffective collection process with no one individual in public works in charge over many years and proposition 2½ almost finished off any collections due to lack of manpower. In discussions in late 1985 with City Manager Robert W. Healy it was agreed that one person could be in charge of surveying of all business accounts in a concerted effort to bring all accounts up to date. This involved identification of business by address, the amount of material involved, the cost of collection for a particular business, if any. Since the employee began in early 1985, he has been systematically looking at every business location throughout the city.

Any question involving the \$25.00 minimum charge must be clarified at the beginning of this discussion. After reviewing the cost of collection and personally looking at a number of accounts I suggested that there be a minimum figure of \$25.00. This was based on a modest survey of existing pickups and on studies which were conducted by my office on and off beginning in 1981. Since the beginning of 1986 almost all businesses have been contacted with the actual measurements of volumes of material beginning May 1, 1986. The initial process was concentrated on the contract of all businesses being serviced by the City, not the exactness of charges in an effort to get as many businesses in compliance with the city ordinances, realizing full well that the accuracy of any charges would have to be reviewed on an ongoing basis. Since May 1, 1986, the number of surveyed businesses amounts to approximately 62% of the total being collected, and tabulations are listed. As of May 1, 1986, out of 381 identified accounts 183 roughly 48% were listed as not paying anything, reasons unknown. (See Exhibit #1).

REVIEW OF ORDINANCES

Basic ordinance states in part "there shall be charged by the city ..." a provision which sets forth exact charges for each barrel after two in number to be collected. (See Exhibits #2 and #3). For the purpose of this survey the size of the barrel is accepted as a standard for refuse and 32 gallon capacity or 4.28 cubic feet. (See Ordinance 798 amending Chapter 40 section 2.06). However, Ordinance 798 goes one step further, it gives the Commissioner of Public Works the authority to make a determination and direct the commercial establishments to dispose of their own refuse (see section 7.12). Although moot on this point, the Commissioner

presumably would have the authority to "pick and choose" those businesses to be provided city pickup. This I would refuse to do as being arbitrary and lacking fairness, if not legality.

It is evident from the City Ordinance that the city "shall charge" for commercial refuse collection based upon current valid ordinances.

RESULTS OF SURVEY

The survey conducted during May 1986 involved an individual review of 303 customers. Beginning on May 1st 43% of those customers were actually paying up to date. No attempt was made to separate paying versus non paying customers; the intent was to determine accuracy of charges.

The results were tabulated in Exhibit #4 indicating the distribution by exact measurement of each customer and results in the following:

20% would pay less than \$10

20% would pay more than \$10 and less than \$20

8% would pay more than \$20 and less than \$25

52% would pay more than \$25

Each business refuse was measured in the field with weight given to number of times picked up during the week, so that survey results indicate volumes and costs, per week. In addition to measurements, photographs were taken of approximately 150 accounts throughout the city. These are available for view. Tabulation of cost is based on schedule identified as Exhibit #5. (Example given for 100 cubic feet of refuse per week under existing ordinances would cost business \$32.85 per month.)

A point of interest is that actual collection and disposal costs to the city are approximately \$0.0375 per pound per week.* Thus the average 32 gallon container, holding 4.28 cubic feet at 11 pounds per cubic foot,** would cost the city $4.28 \times \$0.0375 \times 11 = \1.76 , more than 4 times costs being charged by the city. Thus all businesses are presently being subsidized by all taxpayers.

SUMMARY AND CONCLUSIONS

If the charges for refuse collection, as provided by ordinance, shall continue, the following conditions should be considered:

1. The City Council should reiterate its support of the ordinance fee structure as exists.
2. The Council could remove all the ordinance from the books, (that portion applying to fees) or move to change the ordinance in line with today's costs.
3. The Council could consider another formula for determining collection costs which more clearly defines collection practices, i.e., once, twice or three times a week and present day costs.

In any event, the Department of Public Works will continue to update its records to ensure a fair application of any costs in accordance with the ordinance. This has always been the intent in enforcing the fee structure and only the time of active review has not allowed the Department to be completely up to date. In any event, the Department feels that if the ordinance is to continue, all businesses should pay in accordance with the ordinance.

* Based on paper dated 1984

** Loose refuse generally calculated at 300 lbs./cubic yard
Compacted refuse generally calculated at 800 lbs./cubic yard

CITY OF CAMBRIDGE
COMMERCIAL RUBBISH PICK UP

APRIL 30, 1986

Accounts @ \$ 5.00/mo.	1
Accounts @ \$ 6.00/mo.	1
Accounts @ \$ 10.00/mo.	9
Accounts @ \$ 12.00/mo.	17
Accounts @ \$ 15.00/mo.	11
Accounts @ \$ 16.00/mo.	3
Accounts @ \$ 20.00/mo.	38
Accounts @ \$ 25.00/mo.	271
Accounts @ \$ 30.00/mo.	3
Accounts @ \$ 35.00/mo.	1
Accounts @ \$ 40.00/mo.	9
Accounts @ \$ 50.00/mo.	4
Accounts @ \$ 60.00/mo.	8
Accounts @ \$ 70.00/mo.	1
Accounts @ \$ 95.00/mo.	1
Accounts @ \$175.00/mo.	1
Accounts @ \$200.00/mo.	1
Accounts @ \$600.00/mo.	1

Accounts <u>under</u> \$25.00	80
Accounts <u>at</u> \$25.00	271
Accounts <u>over</u> \$25.00	30

381 Accounts
193 Accounts active
183 Accounts not paying

EXHIBIT #1

CITY OF CAMBRIDGE

COMMERCIAL RUBBISH PICK UP

APRIL 30, 1986

Accounts @ \$ 5.00/mo.	1
Accounts @ \$ 6.00/mo.	1
Accounts @ \$ 10.00/mo.	9
Accounts @ \$ 12.00/mo.	17
Accounts @ \$ 15.00/mo.	11
Accounts @ \$ 16.00/mo.	3
Accounts @ \$ 20.00/mo.	38
Accounts @ \$ 25.00/mo.	271
Accounts @ \$ 30.00/mo.	3
Accounts @ \$ 35.00/mo.	1
Accounts @ \$ 40.00/mo.	9
Accounts @ \$ 50.00/mo.	4
Accounts @ \$ 60.00/mo.	8
Accounts @ \$ 70.00/mo.	1
Accounts @ \$ 95.00/mo.	1
Accounts @ \$175.00/mo.	1
Accounts @ \$200.00/mo.	1
Accounts @ \$600.00/mo.	1

Accounts <u>under</u> \$25.00	80
Accounts <u>at</u> \$25.00	271
Accounts <u>over</u> \$25.00	30

381 Accounts
193 Accounts active
183 Accounts not paying

EXHIBIT #2

ORDINANCE NO. 795

Final Publication No. 1705. First Publication in Cambridge Chronicle-Sun, April 2, 1970

CITY OF CAMBRIDGE

In the Year One Thousand, Nine Hundred and Seventy

AN ORDINANCE

In amendment to an Ordinance entitled: "The General Ordinances of the City of Cambridge" Be it ordained by the City Council of the City of Cambridge as follows:

The General Ordinances of the City of Cambridge are hereby amended by adding after Chapter 40 the following:—

CHAPTER 41

PROPOSED GENERAL ANTI-LITTER, GARBAGE AND RUBBISH COLLECTION, AND SNOW REMOVAL ORDINANCE FOR CAMBRIDGE, MASSACHUSETTS

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Section 1: Purpose and Intent	Section 2: Definitions
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Section 7: Garbage and Rubbish Collection from Private Property	Section 8: Penalties
Section 9: Legal Duties of the City Administration	Section 10: Provisions for Publicizing and Enforcing this Ordinance
Section 1: PURPOSE AND INTENT OF ORDINANCE	

1.01 It is the intent of the City Council that this ordinance be liberally construed for the purpose of providing a sanitary and satisfactory method of the handling, collection, and disposal of rubbish and garbage in the City and for the maintenance of public and private property free of litter in a clean, orderly, and sanitary condition for the appearance, health, and safety of the community.

Section 2: DEFINITIONS

2.01 LITTER shall mean all garbage and rubbish, and shall include any other waste material which, if thrown or deposited as prohibited in this ordinance, tends to create a danger or nuisance to public health, safety, or welfare.

2.02 GARBAGE shall mean the animal and vegetable waste from the handling, preparing, cooking and consumption of food.

2.03 RUBBISH shall mean combustible and noncombustible waste materials except garbage, and the term shall include 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.

2.04 AUTHORIZED LITTER RECEPTACLES shall mean receptacles for the use of the general public placed outdoors by the City or by private persons or organizations on either public or private property. Such receptacles shall be constructed so as to prevent the escape of litter onto any public or private property. Such receptacles may be identified by an appropriate sign, furnished either by the City or the owner, which includes the statement: NO LITTERING UNDER PENALTY OF LAW. FINE \$50.00.

2.05 AUTHORIZED GARBAGE RECEPTACLES shall mean receptacles for private residences which shall be made of metal with tightfitting covers, with a capacity of not less than 10 gallons per family, and no container shall be larger than 15 gallons in capacity. Every garbage storage receptacle shall be cleaned by the user at least once weekly and shall be so maintained and located on the premises that no objectionable odors shall permeate any building. Limitations on size do not apply to authorized garbage receptacles for private collection.

2.06 AUTHORIZED RUBBISH RECEPTACLES shall mean receptacles that contain rubbish awaiting collection and that shall be constructed preferably of heavy plastic or of metal, with tightfitting covers, and shall be flytight, rodent-proof, nonflammable, and waterproof. Heavy plastic bags of not less than 1-1/2 mil used to line a receptacle with a tightfitting cover or fastened tightly with wire, string, ties or tape. Specialty treated, water-resistant 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 2 feet 32 gallon capacity, and shall not exceed 150 pounds gross weight. Limitation on size or weight do not apply to authorized rubbish receptacles for private collection.

2.07 OWNER shall mean any person or entity which alone or jointly or severally with others: (a) Shall have legal or equitable title to any private property with or without accompanying actual possession thereof; or

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

Any such person or entity representing the actual owner shall be bound to comply with the provisions of these regulations and of any which may be adopted pursuant thereto, to the same extent as if he were the owner.

2.08 PERSON shall mean and include any individual, firm, corporation, association, partnership, or trusteeship, or owner as defined in Section 2.07.

2.09 OCCUPANT shall mean any person living, sleeping, or cooking in, or conducting any commercial or non-profit activity, or having actual possession of any building or any part thereof.

2.10 COMMERCIAL ESTABLISHMENT shall mean any individual, firm, corporation, association, partnership, or trusteeship, or owner as defined in Section 2.07 doing business for

profit and occupying private property.

2.11 NON-PROFIT ESTABLISHMENT shall mean not-for-profit corporation or association established for religious, educational, charitable or benevolent purposes and occupying private property.

Section 3: LEGAL DUTIES OF PEDESTRIANS AND MOTORISTS

3.01 LITTER FROM PEDESTRIANS ON PUBLIC PROPERTY. No person shall throw or deposit litter in or upon any street, sidewalk, square, playground, park or other public place in this City except in authorized public or private litter receptacles.

3.02 LITTER FROM PEDESTRIANS ON PRIVATE PROPERTY. No person shall throw or deposit litter on any occupied, open or vacant private property in the City, whether or not occupied by such person, except in authorized private litter receptacles or authorized private rubbish receptacles.

3.03 LITTER FROM VEHICLES. No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street, sidewalk, square, playground, park, or other public place in the City.

3.04 LITTER FROM LOAD-CARRYING VEHICLES. No person shall drive or move any truck or other vehicle in the City unless such vehicle is so constructed and loaded as to prevent any load, contents, or litter from being blown off or deposited upon any street, sidewalk, square, playground, park, or other public place in the City.

3.05 ABANDONED VEHICLES. No person shall abandon an automobile, truck, motorcycle, or other motor vehicle for more than 72 hours upon a public or private way or on any property in the City without the permission of the owner or lessee of said property. Any person who wishes to junk such a vehicle must contract with a private disposal agency.

Section 4: LEGAL DUTIES OF OWNERS AND OCCUPANTS OF PRIVATE PROPERTY

4.01 RESIDENTIAL PROPERTY

4.01a It shall be the responsibility of the owner or his agent, or of the occupant, in the event of a written agreement, to supply garbage disposal facilities or authorized garbage receptacles on the basis of at least one 10-gallon container per family, and to supply authorized rubbish receptacles sufficient to contain all rubbish accumulated between collection days.

4.01b It shall be the responsibility of the owner or his agent, or of the occupant, in the event of a written agreement, or of the occupant of a single-family dwelling, to 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 5.01 through 5.04 and Section 6.

4.01c It shall be the responsibility of the occupant to dispose of all garbage and rubbish in a clean and sanitary manner in compliance with sections 7.01 through 7.11.

4.01d In every multiple dwelling occupied by two or more families in which the owner does not reside, there shall be a responsible person designated as such by the owner. 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 sections 5.01 through 5.04 and section 6.

4.02 PRIVATE PROPERTY OCCUPIED BY COMMERCIAL OR NON-PROFIT ESTABLISHMENTS

4.02a It shall be the responsibility of the owner or his agent, or of the occupant, in the event of a written agreement, to supply a sufficient quantity of authorized garbage and rubbish receptacles in compliance with Section 7.01 through 7.11. If garbage and rubbish is not collected by the City, arrangements must be made for adequate and regular private collection of garbage and rubbish in compliance with section 7.12.

4.02b It shall be the responsibility of the owner or his agent, or of the occupant, in the event of a written agreement, to comply with sections 5 and 6.

4.03 VACANT LOTS

4.03a It shall be the responsibility of the owner or his agent to comply with sections 5.01 through 5.04 and section 6.

Section 5: RESPONSIBILITIES OF OWNERS OR OCCUPANTS FOR LITTER ON PRIVATE PROPERTY AND THE ADJOINING SIDEWALKS AND GUTTERS

5.01 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.

5.02 MAINTENANCE OF SIDEWALKS

5.02a 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.

5.02b Every owner or occupant of private property shall cut and dispose of weeds in any yard area or vacant lot, or around any public or private property.

5.02c No person shall sweep into or deposit in any gutter, street, square, or other public place in this City, the accumulation of litter from any building or lot, or from any public or private sidewalk, footway, or driveway.

5.03 COMMERCIAL OR NON-PROFIT ESTABLISHMENTS: LITTER

5.03a Litter from commercial or non-profit establishments shall not be thrown or deposited in any public litter receptacles.

5.03b Commercial or non-profit 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. Said establishments are encouraged to identify such authorized litter receptacles as described in section 4 of this Ordinance and said establishment shall cause said receptacles to be emptied regularly.

Section 6: RESPONSIBILITIES OF OWNERS OR OCCUPANTS FOR SNOW AND ICE REMOVAL

6.01 REMOVAL OF SNOW FROM SIDEWALKS. The owner or occupant of private property bordering on a street where there is a sidewalk or footway shall, within twelve hours after snow ceases to fall in the daytime and before one o'clock on such sidewalk or footway to be removed therefrom. In the event of an unusually heavy snowfall, the time limit shall be extended at the discretion of the Commissioner of the Department of Public Works. The provisions of this section shall apply to snow which falls from buildings as well as to that which falls from the clouds.

6.02 REMOVAL OF ICE FROM SIDEWALKS. The owner or occupant of private property bordering on a street where there is a sidewalk or footway any portion of which is encumbered by ice shall within six hours after said sidewalk or footway becomes encumbered with ice cause such sidewalk or footway to be made safe and convenient by removing the ice therefrom, or by keeping the same covered with sand or some other suitable substance.

Section 7: GARBAGE AND RUBBISH COLLECTION FROM PRIVATE PROPERTY

7.01 GARBAGE AND RUBBISH RECEPTACLES. Every owner or occupant of private property may maintain authorized garbage and rubbish receptacles outdoors on said private property. Garbage and rubbish receptacles maintained on private property must be so located that they are screened from the view of public streets and sidewalks.

7.02 Garbage and rubbish that is to be collected by the City shall be separated in their respective receptacles at all times, and mixing of rubbish in authorized garbage receptacles is prohibited. Any person wishing to dispose of garbage who does not have access to an authorized garbage receptacle may deposit said garbage in an authorized rubbish receptacle provided that said garbage shall be drained of all liquid and shall be suitably wrapped in several thicknesses of paper.

7.03 GARBAGE COLLECTION. Whoever desires the removal of garbage from private property shall cause said garbage to be placed in authorized garbage receptacles. Said receptacles must be kept in some convenient and accessible place on the premises of the owner or occupant of private property, where said receptacles can be easily reached by the garbage collectors.

7.04 RUBBISH COLLECTION.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed on the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than 6 p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection in the area where the premises are located and shall be removed from the sidewalk no later than 6 p.m. of said day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

7.05 BULK RUBBISH. Rubbish that is larger than can be contained in authorized rubbish receptacles shall be securely tied in compact bundles, not to exceed one hundred pounds in weight. Newspapers, magazines, and other papers shall be securely tied in bundles unless they are placed in authorized rubbish containers. Large cardboard cartons shall be flattened and securely tied in bundles. Such bulk rubbish shall be set out in the same places and under the same restrictions as those for authorized rubbish receptacles in section 7.04.

7.06 GRASS CLIPPINGS, FALLEN LEAVES, SMALL SHRUB AND TREE TRIMMINGS, ETC. All grass clippings and fallen leaves to be collected by the City shall be stored in authorized rubbish containers. The use of heavy plastic bags tied securely at the top is encouraged for this type of rubbish. Small shrub and tree trimmings shall be stored in authorized rubbish containers or shall be tied securely in bundles not exceeding three feet in length, ten inches in diameter, or a total of one hundred pounds in weight. Such bundles of small shrub and tree trimmings shall be set out in the same places and under the same restrictions as those for authorized receptacles in section 4.04. The burning of leaves or other material outdoors is strictly prohibited.

7.07 LARGE ITEMS OF RUBBISH. Large bulky items of rubbish such as refrigerators, stoves, beds, crates, tree stumps, dead trees, etc., will be collected by the City only by special arrangement with the Commissioner of Public Works. Persons desiring such collection should notify the Commissioner by telephone or letter. The City Manager may at his discretion direct the Commissioner of Public Works to charge a fee for the collection of certain items, or the Commissioner may, at his discretion, determine that certain items are unsuitable for collection by the City, and may direct the owner to arrange for private collection.

7.08 PERIODIC FREE COLLECTION OF LARGE ITEMS OF RUBBISH. At least once each year, the Commissioner of Public Works shall set dates for the collection of large bulky items of rubbish, as defined in section 7.07, from every part of the city. Such dates shall be publicized by the City. No fee shall be charged and no notice shall be required from the owner or occupant of private property. The Commissioner of Public Works may, at his discretion, set a single collection period for the whole city or he may divide the city into suitable collection area and set a different collection period for each such area. Such large items of rubbish awaiting collection shall be stored in the same place as specified in section 7.04 for authorized rubbish containers; however, the Commissioner of Public Works may from time to time issue regulations directing other methods and placed for

storing such large items of rubbish awaiting collection, and all such regulations shall be publicized by the City. The Commissioner of Public Works may, at his discretion, determine that certain items are unsuitable for collection by the City, and may direct the owner to arrange for private collection.

7.09 PERIODIC FREE COLLECTION OF LARGE SHRUB AND TREE TRIMMINGS. At least once each year, the Commissioner of Public Works shall set dates for the collection of dead shrubs or trees or the large trimmings of shrubs or trees from every part of the city. Such dates shall be publicized by the City. No fee shall be charged and no notice shall be required from the owner or occupant of private property. The Commissioner of Public Works may, at his discretion, set a single collection period for the whole city or he may divide the city into suitable collection areas and set a different collection period for each such area. Such material awaiting collection shall be stored in the same places as specified in section 7.04 for authorized rubbish containers, or if the bulk is very large, in the street against the adjoining sidewalk; however, the Commissioner of Public Works may, from time to time issue regulations directing other methods and places for storing such material awaiting collection. Grass clippings, fallen leaves, and small shrub and tree trimmings must be stored in containers or bundles as specified in section 7.06.

7.10 CONTAINER COLLECTION OF LARGE ITEMS OF RUBBISH OR OF SHRUB AND TREE TRIMMINGS. The Commissioner of Public Works may preempt parking spaces for limited periods of time in any area of the city for the purpose of installing temporary containers for the collection of large items of rubbish or of shrub and tree trimmings.

7.11 PRIVATE GARBAGE AND RUBBISH COLLECTION. The Commissioner of Public Works shall have the right to specify the times and methods of storage, collection and disposal of garbage and rubbish by any private collector.

7.12 COMMERCIAL OR NON-PROFIT ESTABLISHMENTS: GARBAGE AND RUBBISH COLLECTION. The Commissioner of Public Works may in his discretion, and in the public convenience and necessity so requires, determine that the volume of garbage or rubbish from commercial or non-profit establishments is beyond the capacity of the Department of Public Works to collect or dump, and upon making such a determination, the Commissioner of Public Works shall so notify said commercial or non-profit establishments that the City will not collect garbage or rubbish from said establishments and that said establishments must arrange for private collection. All garbage receptacles for garbage awaiting private collection shall be made of metal with tightfitting covers, shall be cleaned by the user at least once weekly, and shall be so maintained and located on the premises that no objectionable odors shall permeate any building. All rubbish receptacles for rubbish awaiting private collection shall be flytight, rodentproof, non-flammable and waterproof, and shall be so constructed as to prevent the escape of litter onto public or private property. All such garbage and rubbish receptacles shall be kept on private property at all times and not on public streets or sidewalks, and shall be screened from view of public streets or sidewalks.

Section 8. PENALTIES

8.01 Any person who shall violate any provision of Section 5.01 through 5.04 and any provision of Sections 4 through 7 will be liable to a fine not to exceed \$50. Any person who shall violate Section 3.05 shall be prosecuted in accordance with Massachusetts General Laws, Chapter 26B, Section 22B. Each day failure to comply with any provision of this Ordinance shall constitute a separate offense.

Section 9. LEGAL DUTIES OF THE CITY ADMINISTRATION

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

9.02 The City shall maintain regular schedules of garbage and rubbish collection subject to the provisions of section 7.01 through 7.06 and shall publicize said schedules by all appropriate means.

9.03 The city shall publicize dates for the collection of large items of rubbish and of shrub and tree trimmings subject to the provisions of section 7.07 through 7.10.

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

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

9.06 The City shall require all Federal, State and Local Government organizations to comply with the regulations in Sections 5, 6 and 7 for owners of private property and for commercial or non-profit establishments.

Section 10. PROVISIONS FOR PUBLICIZING THIS ORDINANCE

10.01 The City shall publicize the provisions of this ordinance through the media of signs, advertisements, flyers, leaflets, announcements on radios and television, newspaper articles, and through any other appropriate means, so that all citizens of Cambridge will have the opportunity to become informed about the legal duties of property owners, and occupants, pedestrians, and motorists, and about the City garbage, rubbish, and anti-litter services.

10.02 The City shall maintain citizen information service with a separate telephone number for citizen information and complaints about litter, garbage, rubbish, and snow removal problems, and City services similar to, or in combination with, the Housing Code Enforcement telephone number. In City Council July 27, 1970. Passed to be ordained as amended by a yeas and nays vote—Yeas 5; Nays 0; Absent 0.

Attest:—

John H. Corcoran, City Manager

A true copy

Attest:—Paul E. Healy, Temporary City Clerk

(C)A6

PUBLIC WORKS

and shall be so maintained and located on the premises that no objectional odors shall permeate any building. All rubbish receptacles for rubbish awaiting private collection shall be flytight, rodentproof, non-flammable and waterproof, and shall be so constructed as to prevent the escape of litter onto public or private property. All such garbage and rubbish receptacles shall be kept on private property at all times and not on public streets or sidewalks and shall be screened from view of public streets or sidewalks. (Ord. No. 798, sec. 7.12, July 27, 1970)

(m) Whoever desires to have his discarded newspapers collected by the City for recycling may follow the following procedure: (a) Newspapers (but not magazines, paper bags, or other forms of paper) should be kept in a separate place between rubbish collection days; (b) Newspapers should be tied with string in bundles approximately six to eight inches in thickness; and (c) Bundles should be placed at the curb or near rubbish receptacles on the day designated for collection of rubbish in the location.

Newspaper placed on the curb or near rubbish receptacles on rubbish collection days shall become the property of the City of Cambridge; no one other than the City of Cambridge or persons duly authorized by the City Manager shall remove such newspapers.

The City Manager is authorized to issue written permits to non-profit charitable organizations which are exempt from federal income taxation to collect bundled newspapers within the City in a particular area of the City but only on days of the week other than the regular rubbish collection days for such area, or the day immediately preceding such day. (Ord. No. 824, Sept. 10, 1973)

SECTION 18.610. CHARGES FOR COLLECTION OF ASHES AND RUBBISH. (a) There shall be charged by the City for the collection of ashes, dust, sweepings, shrubbery clippings, tree branches, and any other refuse other than offal, the sum of Twenty-Five (\$25) Cents for each barrel, parcel, box, or other container in excess of two containers, but after four barrels or containers the sum of Forty (\$40) Cents per barrel or container, except refuse from schools, churches, charitable, or benevolent organizations, buildings used solely for private dwellings, and portions used for private dwelling in buildings other than hotels and other than buildings used solely for private dwellings. (Ord. No. 25, sec. 47, as amended by Ord. No. 470, May 17, 1954)

(b) The Commissioner of Public Works shall keep suitable records of all collections for which charges are to be made, as required by this Section and shall be charged with the collection of amounts due for such services at the time collections are made. The Commissioner is authorized to cause to be sold to occupants of real estate stubs or other tickets for the purpose of making payment and collection of amounts due for said services. (Ord. No. 25, sec. 47, Sept. 25, 1944)

SECTION 18.611. RESPONSIBILITIES OF OWNERS OR OCCUPANTS FOR

EXHIBIT #4

SURVEY RESULTS

Customer Costs Per Month	No. of Accounts May 1, 1986	No. of Accounts Surveyed	No. of Accounts Projected-100%
1. Under - \$10.00	2	62	78
2. \$10.00 - \$19.90	40	60	75
3. \$20.00 - \$24.99	38	23	29
4. \$25.00 plus	301	158	199
	381	303 (79.5% of total)	381

Percent below \$25.00 per month - Survey - 48%

Percent above \$25.00 per month - Survey - 52%

EXHIBIT #5

METHOD OF CALCULATION

In accordance with ordinances:

First two barrels	=	\$0.00	
Next two barrels	=	\$0.50	\$0.25/barrel
Additional barrels (ea)	=	\$0.40	

One barrel equals 4.28 cubic feet

Additional barrel cost = $\frac{40}{4.28}$ = \$0.0935 per cubic foot

EXAMPLE: \$25.00/month charge

Per week	First 2 barrels	=	\$0.00	
	Next 2 barrels	=	\$0.50	
	14.4 barrels @ 0.40	=	\$5.76	
			\$6.26	per week or

Approximately \$25.00 per month

18.4 barrels = 78.75 cubic feet =
Pile 10' long, 3' wide, 2'8" high

EXAMPLE:

10 barrels per week	=	\$10.80/month
20 barrels per week	=	\$27.46/month
30 barrels per week	=	\$43.45/month
40 barrels per week	=	\$59.48/month



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

RICHARD C. ROSSI
Deputy City Manager

November 17, 1986

To the Honorable, the City Council:

Enclosed for your information is the report on Business Refuse Collection as requested by the City Council during budget hearings. As you may recall, collections were suspended at that time pending this report, resulting in a revenue shortfall to the Department's Budget.

As you can see from the report, the \$25.00 monthly fee does not come close to covering the costs of collection and disposal. It is also not an exact science on the charge side, but under any circumstance is worth more than \$25.00 per month.

Therefore, it is my recommendation that the fee be reinstated by the department and all appropriate businesses be billed. If it is the policy of the City Council that this not take place, then the Council should rescind those fee provisions of the rubbish ordinance or I am violating the law by not enforcing these provisions.

Very truly yours,

Robert W. Healy
City Manager

RWH/b

Agenda Item No. 4 S-635

Re: report on Business Refuse Collection
as requested during the Budget hearings.

In City Council,

November 17, 1986

1 Item on File
See Order Adopted