



City of Revere
City Council

City Council Order No. 19-087

Date: June 17, 2019

Offered by Revere City Council

An Ordinance Relative to the Storage and Collection/Removal of Trash, Recycling, and Solid Waste Disposal.

Be it ordained by the City Council of the City of Revere, as follows:

Section 1. Sections 8.04.024 - 8.04.027 of Chapter 8.04 of Title 8 of the Revised Ordinances of the City of Revere are hereby deleted in their entirety.

Section 2. Title 8 Health and Safety of the Revised Ordinances of the City of Revere is hereby amended by inserting the following new Chapter 8.06 Storage and Collection/Removal of Trash, Recycling, and Solid Waste Disposal:

Summary: Sections 8.06.010 through 8.06.070 of Chapter 8.06 of Title 8 of the Revised Ordinances of the City of Revere comprise the City of Revere ordinances with respect to storage and collection/removal of trash, recycling, and solid waste disposal. Section 8.06.020 governs the storage of trash before it is placed out for collection. Sections 8.06.030 et seq. and 8.06.040 govern the procedures to place trash and recycling for curbside collection. Section 8.06.060 governs the steps for disposal of solid waste that is not eligible for regular curbside collection.

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These ordinances are promulgated by the Board of Health and adopted by the City Council. See Mass. G.L. ch. 111 s. 31B

Section 8.06.010 - Definitions

The following words and phrases are defined as follows:

Appliances: See "white goods"

Board of Health: The City of Revere Health Department and the City of Revere Board of Health

Bulky items: Bulky waste items are large items and include but are not limited to discarded broken furniture such as beds, box springs, bureaus, chairs, coffee tables, end tables, entertainment centers, gas grills (excluding a propane tank), large toys, lawn furniture, love seats, mattresses, mirrors, sofas, shelving, tables, and any oversized items that do not fit conveniently in a standard, city-issued trash receptacle. Items at any time classified as Bulky Items are subject to change. See also Specialty Items. For disposal procedures, see 8.06.060 (a) and (b).

Commercial Trash: Any of the following: I: Trash generated as a result of carrying out a business; ii: trash generated by a residential building containing more than six residential units as listed in the records of the Revere City Assessor; iii: lawn and garden clippings from normal maintenance of the foregoing premises; and iv: trash produced by the customers of a commercial establishment. See 8.06.050 regarding disposal.

Commercial Trash Cart: A receptacle, color tan, issued by the City of Revere to all qualifying business properties in exchange for an annual fee determined by the Superintendent of Public Works to be used for the storage of trash and exclusively for the placement thereof for curbside collection of commercial trash as may be determined by the Superintendent of Public Works. See also "receptacle" For trash commercial trash collection requirements, see 8.06.050 et seq.

Construction debris: Items and waste produced and accumulated as a result of building construction, demolition, renovation, repairs, and or activities related to any of the foregoing, notwithstanding that such activity occurs at a residential property, and as such is not considered residential trash and not eligible to be collected at any time either during curbside collection or dropoff at the City Yard. Construction debris includes, but is not limited to, sheet rock, blue board, lumber, sinks, toilets, cabinets, paneling, storm doors, storm windows, doors, wood, sliding doors, power equipment, hand held equipment, rugs and carpeting. See further 8.06.060 (e)

Curbside Collection: The retrieval and removal, by a hauler under contract with the City of Revere, of trash placed in trash carts furnished to all single-family residences and all residential buildings containing six or fewer dwelling units in accordance with the requirements of this Title; curbside collection may be further regulated by the Board of Health and the Department of Public Works. For trash collection procedures, see 8.06.030 et seq.

Department of Public Works: The City of Revere Department of Public Works.

Food Establishment: A business that stores, prepares, packages, serves or provides food for people to eat, and includes a restaurant, grocery market, convenience store, food stand or food truck, schools and other institutions, hotels, bakeries and vending machines.

Garbage: Waste material derived from animal or vegetable food waste, kitchen waste, or food scraps that will decompose or decay. For the purpose of this Title the term "garbage" may be interchanged with the words "trash" or "rubbish." See also: Trash; rubbish.

Medical Waste: Any waste that is generated at health care facilities such as hospitals, clinics,

physician's offices, dental practices, blood banks, veterinary facilities, and laboratories in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals." Medical waste includes but is not limited to blood-soaked bandages, culture dishes and other glassware, discarded surgical gloves, discarded surgical instruments, discarded needles used to give shots or draw blood (e.g., medical sharps), cultures, stocks, swabs used to inoculate, cultures, removed body organs (e.g., tonsils, appendices, limbs) and discarded lancets.

Mercury Products: All products to which mercury has been intentionally added, such as thermometers with silver liquid, thermostats with silver liquid in a glass cylinder, button batteries, blood pressure cuffs, neon lamps, electrical switches, bilge pumps and sump pumps and items containing mercury; these are hazardous waste and shall not be discarded in regular waste disposal. Products to which mercury has been added are labeled by the manufacturer and require special handling at the end of useful life.

Overflow trash: Trash that exceeds the capacity of a single Trash Cart. For collection and disposal procedures see Section 8.06.031

Plastic: High density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics and other plastics as may be determined by the Superintendent of the Department of Public Works.

Receptacle: A container used for the storage and collection of trash or recyclable materials. All receptacles must be made of metal or other durable, rodent-proof material. See section 8.06.020 (b)

Recyclable paper: Paper that is clean, containing no stain, foreign substance, or food waste.

Recyclable material: Cardboard, glass bottles and jars rinsed clean, clean aluminum, leaf yard waste, plastic containers, metals, recyclable paper, and other such materials. Recyclable materials shall also include any such materials as covered by the Massachusetts Department of Environmental Protection or the Superintendent of the Department of Public Works. For procedures relating to the preparation and collection of recyclable material see 8.06.040 et seq. See 310 CMR 19.017 for DEP waste bans.

Recycling Bin: A receptacle, color brown, issued by the City of Revere to be used exclusively for the storage of recyclable materials and the placement thereof for curbside collection. See 8.06.040

Restaurant: Within the context of this Chapter, a restaurant is an establishment that provides service, food and beverages to customers as its regular and customary operation.

Rubbish: See "Trash"

Single Stream Recycling: The method where all recyclable materials including paper, glass, plastic, metal, aluminum, and corrugated cardboard are placed, co-mingled, not contained in a plastic bag, and not necessarily separated, in a Recycling bin and collected in a curbside collection process that is separate from the curbside collection process for trash. See 8.06.040 et seq.

Specialty Items: Specialty items include generally, but are not limited to: anti-freeze, batteries, computer monitors, fluorescent light bulbs, mercury thermometers, nickel-cadmium batteries, paint cans (with original labels), propane tanks, televisions, tires (without rims), and waste oil. Items at any time classified as Specialty Items are subject to change. For disposal procedures, see 8.06.060 (f)

Storage: The placement of trash in a proper receptacle at all times that such receptacle is not placed for curbside collection in accordance with the requirements of this Title. Storage refers, generally, to the days that trash is contained in a receptacle during the days that precede the day of curbside collection. See Section 8.06.020 for requirements.

Trash: All household solid waste, including garbage, that is not defined as recyclable material. The meaning of the term "trash" incorporates the term "refuse" or "rubbish" and for the purpose of this Title the word "Trash" may be interchanged with the word "garbage" or "rubbish." The term "trash" does not include yard waste, recyclable material, household hazardous waste, construction debris, electronics, and metals, or specialty items as defined herein.

Trash Cart: A receptacle, color blue, issued by the City of Revere to all residential properties in the City containing six or fewer residential units therein, to be used for the storage of trash and exclusively for the placement thereof for curbside collection of residential trash except as may be determined by the Superintendent of Public Works. See also "receptacle" For trash collection procedures, see 8.06.030 et seq. *See also "Commercial Trash Cart"*

Trash Stop: A property eligible for Curbside collection.

Waste ban: State prohibition on landfill and combustion of easy-to-recycle and toxic materials. See 312 CMR 19.017

Yard waste: Clippings of grass, weeds, hedges, shrubbery, plants or plant clippings, garden waste, leaves and brush. Further, the product of tree or shrubbery pruning no longer than four feet and greater than three inches in diameter; and any materials as further defined as "Yard waste" or "Leaf" by the Massachusetts Department of Environmental Protection or the Superintendent of the Department of Public Works. Items at any time classified as yard waste are subject to change. For collection procedures see 8.06.060 (e)

White Goods: Household appliances, whether of the color white or otherwise, such as washing machines, clothes dryers, refrigerators, stoves, hot water tanks, freezers, air conditioners, window fans, freestanding fans, and dishwashers. Items at any time classified as White Goods are subject to change. For collection procedures see 8.06.060 (c) and (d)

Section 8.06.020 - Requirements for the Storage of Trash

- A. Receptacles used for the storage of trash shall be physically placed prior to the weekly curbside collection at a location as near to the rear yard or side yard of said residence as and as far out of public view as practicable, and firmly secured from animal intrusion.
- B. The placement on the ground of plastic bags of any kind containing trash is prohibited unless otherwise specifically authorized by the Department of Public Works for a designated purpose.
- C. Every receptacle used for the storage of trash shall be watertight and rodent-proof with a tight-fitting cover, made of metal or other durable, rodent-proof material. Containers other than City-issued trash carts that are used for storage may be placed for curbside collection only during collection periods for overflow trash as are designated herein. Any container not issued by the City of Revere that is used for storage but placed out for curbside collection during designated overflow collection times must be rodent proof and covered. See Section 8.06.031 regarding overflow trash.
- D. Trash carts issued by the City of Revere and bearing the City seal, or trash containers as

described in sections (a) and (c) are permitted for the storage of all forms of trash. See also 8.06.030 (c)

- E. The owner of any dwelling, or the association of unit owners of any condominium building, shall be responsible to assure that proper receptacles are in place for the storage of trash, and the obligation to provide such storage receptacles is non-delegable by lease or other written arrangement. See further 8.06.070.
- F. Enforcement of this section shall comply with the provisions of Section 8.06.070.
- G. The Board of Health and the Department of Public Works are authorized to promulgate regulations and procedures from time to time to aid in the implementation and enforcement of this Chapter.

Section 8.06.030 - Requirements for the Placement of Trash for Curbside Collection; Time and Method;

- A. The City shall provide one Trash Cart, as defined herein, to every dwelling property containing six residential units or less and receiving municipal trash disposal service; one Trash Cart shall be issued per residential unit.
- B. Every Trash Cart issued to any property, and any additional Trash Cart obtained by a resident or property owner, shall be and remain the property of the City of Revere. (See also 8.06.032 regarding care of Trash Carts, additional trash carts, or resident relocation.)
- C. Only trash containers issued by the City of Revere and bearing the City seal shall be used for the placement of trash for curbside collection, except as otherwise allowed during designated overflow trash weeks as described in Section 8.06.031(A).
 - I. The placement on the ground of plastic bags containing trash is prohibited unless otherwise authorized by the Department of Public Works for a designated specific purpose.
- D. **Time:** Trash Carts and containers authorized for curbside collection shall be placed for curbside collection no earlier than 5:00 p.m. on the day before scheduled collection and no later than 7:00 a.m. on the day of collection. The owner of any property where a Trash Cart or container is placed for curbside collection after the Trash Stop has been collected shall be in violation of this Ordinance.
 - I. Receptacles placed for curbside collection shall be returned to the proper storage location no later than the end of the next day following the designated collection day.
 - ii. Curbside collection shall take place according to a schedule established by the Department of Public Works and viewable through the City website.
- E. **Location and Method:** Trash Carts, and any receptacle used for curbside collection during the designated weeks for overflow trash curbside collection as set forth 8.06.031 shall be placed in front of and within the side boundaries of the property constituting the trash stop, positioned as near to the edge of the street as practicable. The receptacle so placed for curbside collection shall be covered by a fully-closed lid. See 8.06.031(A) regarding curbside collection of overflow trash.
 - I. The owner of any dwelling, or the association of unit owners of any

condominium building, shall be responsible to assure that proper receptacles are used for the disposal and collection of trash, and the obligation to comply with the provisions of this chapter is non-delegable by lease or other written arrangement. See further 8.06.070

Section 8.06.031 - Overflow Trash Handling; Holiday Exceptions

- A. Overflow Trash, Curbside collection:** At the first curbside trash collection following the six respective holidays listed in this subsection (I), overflow trash may be placed for curbside collection, provided however that it is contained within a proper receptacle as described in 8.06.020(C).
- I. The six designated weeks are the weeks of New Year's Day, Memorial Day, Independence Day (Fourth of July), Labor Day, Thanksgiving, and Christmas.
 - ii. The Superintendent of the Department of Public Works may designate other days for curbside collection of overflow trash as deemed necessary.
- B. Overflow Trash, Drop-off at City Yard:** On the second and fourth Saturday of every month, residents may bring overflow trash to the City Yard facility as designated by the Department of Public Works for disposal.
- I. Overflow trash delivered to the City Yard for disposal in accordance with this section may be contained in sturdy plastic bags or other suitable container.

Section 8.06.032 - Care of Trash Carts; Additional Trash Carts and Exchange of Trash Carts

- A.** The occupant and owner of each such dwelling where a Trash Cart is issued, or who purchases an additional Trash Cart, shall:
- I. take all proper and necessary steps to protect the Trash Cart against misuse, loss, and damage and shall not deface or mark the Trash Cart with paint or other permanent marking. The City may require any such resident to pay for the replacement of a Trash Cart which has incurred damage due to misuse or neglect.
 - ii. notify the police department and the Department of Public Works or the Revere Constituent Services department in the event of theft or loss of a Trash Cart.
 - iii. leave the Trash Cart for use by the subsequent resident in the event they vacate the premises and relocate to a residence outside the City of Revere except as may be provided in subsection (b)(ii) of this section.
 - iv. at all times keep the assigned Trash Cart at the assigned premises.
- B.** Additional Trash Carts may be acquired at the request of the property owner through procedures established by the Department of Public Works. A fee for use of the Trash Cart shall be assessed in an amount determined by the Department of Public Works.
- I. In the event that a resident who has obtained an additional Trash Cart in accordance with this section shall vacate the premises and relocate outside the City of Revere, the additional Trash Cart must remain at the original premises.
 - ii. In the event that a resident who has obtained an additional Trash Cart shall vacate

the premises and relocate to an address within the City of Revere, the resident may take the additional Trash Cart to the new location in the City of Revere only upon prior notification to the Department of Public Works for the purpose of updating data to track the Trash Cart location.

Section 8.06.040 - Mandatory Recycling; Curbside Collection in Single Stream Recycling; Overflow Recycling

- A. The procedures and requirements for the placement and disposal of Recyclable materials is mandatory for all properties in the City unless otherwise specifically exempted by the Department of Public Works.
- B. The City shall provide one Recycling bin, as defined, to every dwelling property containing six residential units or less and receiving municipal trash disposal service; one Recycling bin shall be issued per residential unit.
- C. Recyclable materials must be placed in a city-issued Recycling bin.
- D. **Overflow Recycling.** Overflow recycling may be placed in a rodent-proof covered container clearly marked "Recycling" and placed adjacent to the Recycling bin. The Department of Public Works may from time to time authorize other receptacles specifically approved for the curbside collection of Recyclable materials.
- E. Recyclable materials must be placed for curbside collection in accordance with the requirements set forth in this Chapter. When materials that do not qualify as recyclable materials, or are not prepared in accordance with this section, are placed in a Recycling bin, no curbside collection of the recycling bin will occur.
- F. The Department of Public Works shall establish a schedule for curbside collection of recyclable materials.

Section 8.06.041 - Procedures for the Placement of Recyclable materials for curbside collection

- A. Every household using the municipal trash collection services shall separate from regular trash all newsprint, recyclable paper, corrugated cardboard, aluminum, steel and tin cans, acceptable plastic containers, and glass containers made of clear, green or brown glass from the trash before depositing same for collection.
- B. Materials as listed in subsection (a) and so separated from ordinary trash shall be prepared in the following manner and placed directly into a recycling bin to be placed at curbside in accordance with the collection schedule established by the Department of Public Works. The materials need not be separated from each other and shall not be encased in a plastic bags.
 - I. Newspaper/Recyclable paper. Newspapers and recyclable paper must be placed in a paper (not plastic) bag, a cardboard box, or tied into a bundle.
 - ii. Glass. All clear and colored glass bottles and jars must be rinsed and have metal and plastic lids, rings and wrappings and labels removed before being placed into the Recycling bin.
 - iii. Plastic Containers. All acceptable plastic containers must be rinsed clean and all metal or plastic caps and rings must be removed.

- iv. Metal Containers. All steel and mixed metal cans must be rinsed clean with labels removed.
 - v. Aluminum Cans. All deposit and non-deposit aluminum cans must be rinsed clean with labels removed.
 - vi. Corrugated Cardboard. Heavy cardboard, preferably flattened and broken into sheets no longer than two and one-half feet by three feet.
- C. The practice of "scavenging" (i.e. removing recyclable materials placed for curbside collection) without prior authorization from the Department of Public Works is prohibited.

Section 8.06.050 - Commercial Trash

- A. The owner of a commercial interest with a location in the City of Revere, and the Owner of every residential dwelling containing more than six residential units, shall be responsible for the storage, disposal and collection of trash, and such trash shall not be eligible for curbside collection, except as otherwise provided in this Chapter or may be established from time to time by the Department of Public Works.
- B. Notwithstanding the provisions of paragraph (A), a commercial interest that is not a Food Establishment, and does not generate medical or hazardous waste, and is not in the principal business of retail sales, and that generates each week only an amount of commercial trash that will be contained in a single Commercial Trash cart, may apply to the Department of Public Works for municipal curbside collection, and subject to the discretion of the Superintendent of the Department of Public Works and upon the payment before January 1 of an annual fee determined by the Superintendent, may receive a Commercial Trash Cart (color tan) and receive weekly municipal curbside collection.
- C. A Commercial interest that qualifies for a Commercial trash cart in accordance with paragraph (B) shall not be eligible for an additional Commercial Trash cart, and only one Commercial Trash cart shall serve a single commercial interest. The provisions of Section 8.06.031 regarding overflow trash shall not apply to Commercial interests that qualify for a Commercial trash cart.
- D. The City of Revere maintains ownership of all Commercial Trash carts and the Department of Public Works shall retrieve any cart for which the required annual fee is unpaid.
- E. Private parties, firms or corporations may collect ordinary commercial and/or extraordinary commercial and industrial trash provided that such collection shall be made only when said trash is enclosed in metal or rigid containers that are leak-proof and can be contained beneath a lid or appropriate cover.
- F. Every vehicle used to carry commercial trash shall be subject to supervision or the Department of Public Works and be suited for hauling trash in accord with any applicable regulations, shall be equipped with a cover or roof or lid sufficient to keep contents covered at all times during transport, shall be leak-proof, and shall contain all trash within a fixed enclosed area.

Section 8.06.060 - Disposal of Bulky Waste Items, White Goods, Yard Waste and Specialty Items; Hazardous waste; Fees

- A. *Bulky Items. Curbside Collection* Bulky items as defined may be placed for curbside collection on the property's regularly-scheduled trash pickup day following the purchase of a Bulky Item Pickup permit through the City's e-permitting system made no later than two hours before the close of business on the day preceding the scheduled waste collection day.
- B. *Bulky Items. Disposal at the City Yard.* Bulky items may be brought for disposal to the City Yard between 7:00 a.m. and noon on the second and fourth Saturday of each month and disposed of after payment of a fee as established by the Department of Public Works.
- C. *White Goods. Curbside Collection.* White goods as defined may be placed for curbside collection on a Friday as may be scheduled by the Health Department or Department of Public Works following the purchase of a Bulky Item Pickup permit through the City's e-permitting system made no later than two hours before the close of business on the day preceding the scheduled waste collection day. No white good items shall be picked up without a specifically scheduled pick-up date.
- D. *White Goods. Disposal at City Yard.* White goods may be brought for disposal to the City Yard between 7:00 a.m. and noon on the second and fourth Saturday of each month and disposed of after payment of a fee as established by the Department of Public Works.
- E. *Yard Waste.* Yard waste as defined may be placed for curbside collection provided that it is separated from regular trash and recyclable items and placed in recyclable paper bags or open plastic barrels for collection twice per month during the months of April through November according to a schedule established by the Department of Public Works.
- F. *Specialty Items.* Specialty items as defined shall not be placed at any time for municipal curbside collection and may only be disposed of by delivery to the City Yard on the last Saturday of each month from 7 a.m. to 12 noon and upon payment of a fee as established by the Superintendent of Department of Public Works.
- G. *Construction Debris.* The owner of property shall be solely responsible to arrange for and cause the removal and disposal of construction debris, as defined, from any location in the city. Construction debris is ineligible for municipal curbside collection or disposal at the city yard.
- H. *Hazardous materials; Mercury-added products:* All products to which mercury has been intentionally added, such as thermometers with silver liquid, thermostats with silver liquid in a glass cylinder, button batteries, blood pressure cuffs, neon lamps, electrical switches, bilge pumps and sump pumps and items containing mercury must be taken to a Mercury Collection site or must be disposed of as Specialty Items in accordance with this section and may only be disposed of by delivery to the City Yard on the last Saturday of each month from 7 a.m. to 12 noon and upon payment of a fee as established by the Superintendent of Department of Public Works.
- I. Fees associated with the disposal of Bulky Items, White Goods, Yard Waste, and Specialty Items, whether through curbside collection via e-permitting or by drop-off at the City Yard as prescribed in this section, shall be established by the Superintendent of the Department of Public Works and may reflect a discount for the disposal of certain items by persons over the age of 60.
- J. Any person who arranges for a privately-contracted hauler to remove any such Bulky Item, White Goods, Yard Waste, and Special Items from an address within the City of

Revere shall place the item for removal no more than 24 hours before such removal and shall notify the Department of Inspectional Services of the address and scheduled time of removal. Failure to do so may result in a fine.

Section 8.06.070 - Enforcement

- A. Chapter 8.06 shall be enforced by the Department of Inspectional Services and is further subject to the general law enforcement authority of the Revere Police Department.
- B. The owner of any dwelling, or the Association of unit owners of any Condominium building, or any Commercial interest that is in violation of the provisions of Sections 8.06.020 through 8.06.060 shall be subject to the penalties set forth in Article III of Title 1, Chapter 1.12 the Revised Ordinances of the City of Revere (Noncriminal Dispositions of Violations--Mass. G.L. ch. 40U s. 1 et.seq.), which is incorporated by reference into this section.
- C. Only items authorized or approved for curbside collection in accordance with Sections 8.06.020 through 8.06.060 of this Chapter will be removed at curbside collection. Items left for curbside collection that are not placed for collection in compliance with this chapter and do not otherwise comply with the provisions of this chapter and are not removed shall subject the property owner to fines as set forth in this section and Title 1, Chapter 1.12 of the Revere Revised Ordinances.
- D. The placement for curbside collection of trash, recyclable materials, bulky items, white goods, or specialty items that are not eligible for curbside collection in accordance with the Chapter, or that are improperly commingled with such items that are eligible for curbside collection, will not be removed by the municipal waste collection contractor, and such placement shall constitute a violation of this Chapter.

May 20, 2019, Ordered to a first reading.

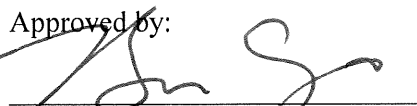
June 17, 2019, Ordered on a second reading, as amended.

June 17, 2019, Ordered on a third and final reading, as amended.

June 17, 2019, Ordered Engrossed and Ordained on a roll call, as amended.

June 17, 2019, ORDERED ENGROSSED AND ORDAINED on a Roll Call: Councillors Giannino, Keefe, McKenna, Morabito, Novoselsky, Powers, Rizzo, Zambuto, and Council President Guinasso voting "YES". Councillors Patch and Rotondo were absent. Attest: Ashley E. Melnik, City Clerk

Approved by:



Mayor Brian M. Arrigo

6.19.19
Date

Attest:



City Clerk