

City of Salem

FIRST PASSAGE

In the year two thousand and thirteen

An Ordinance mandatory recycling

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

Section 1. Chapter 36. Solid Waste Management is hereby amended by adding the following new paragraphs at the end of both sections 36-5 and 36-7:

“Massachusetts Code of Regulations, 310 CMR 19.017, the Massachusetts Department of Environmental Protection Waste Disposal Ban Regulations, imposes restrictions on the disposal or transfer for disposal of certain recyclable materials listed within the Regulation. To ensure conformance with the Regulations, any person who shall place solid waste curbside for collection by the City of Salem or its designated solid waste hauler shall, not less than every other week, simultaneously place curbside a designated recycling receptacle(s) containing waste prohibited from disposal and suitable for recycling under the city’s recycling program including paper, cardboard, aluminum containers, recyclable paper, metal, glass and single polymer plastics. To demonstrate compliance, in the event that recyclables are collected prior to the collection of solid waste suitable for disposal, an emptied recycling receptacle must remain curbside, not less than every other week, until the solid waste has been collected. The absence of a recycling receptacle in front of a residential property shall not prohibit the collection of solid waste at the same residential property at the same collection time.

Any person violating this section shall receive a written notice mailed to the owner of the property outlining the requirement of this section after the first offense, a written warning shall be mailed to the owner of the property following a second offense, and a \$25.00 fine shall be imposed upon the owner of the property for a third and subsequent offenses. The Health Agent and his agents and the City Engineer and his designees shall have the power to enforce this section. Any fine issued by a city official may be appealed within 21 days of issuance to the City Collector/Hearing Officer.”

Section II. Chapter 36 is further amended by deleting section 36-9 in its entirety.

Section III. This ordinance shall take effect as provided by City Charter.

In City Council February 28, 2013

Referred to the Committee of the Whole

In City Council March 28, 2013

Tabled until the next City Council Meeting

In City Council April 11, 2013

Referred back to the Committee of the Whole for further review

In City Council May 9, 2013

Adopted as amended for first passage

ATTEST: ADVERTISED SALEM NEWS 5-15-13

CHERYL A. LAPOINTE