City of New Bedford

Solid Waste and Recycling

Ordinances

New Bedford Health Department
Code Enforcement:
(508) 991-6199

16-71. Definitions

"Acceptable Recycling Container" shall mean the blue plastic wheeled Cart with orange lid issued to the resident or commercial establishment by or on behalf of the Department of Facilities and Fleet Management for the curbside collection of Recyclables. Until the implementation of Automated Collection, within the Downtown Commercial District, an Acceptable Recycling Container for the Downtown Commercial District only shall mean a blue plastic bin, a Barrel up to 32 gallons with an affixed recycling sticker issued by City, or a wheeled Cart issued to the resident or commercial establishment by the Department of Facilities and Fleet Management for the purpose of containing Curbside Recyclables.

"Acceptable Solid Waste Container" shall mean the blue plastic wheeled Cart with blue lid issued to the resident or commercial establishment by or on behalf of the Department of Facilities and Fleet Management for the curbside collection of Solid Waste. Until the implementation of Automated Collection, within the Downtown Commercial District, an Acceptable Solid Waste Container for the Downtown Commercial District only shall mean a Barrel not to exceed 45 gallons and 60 pounds in weight.

"Automated Collection" shall mean the collection of Solid Waste and Recyclables from Customers utilizing collection vehicles that are specially equipped with a mechanical arm to lift a Cart from Curbside, empty said Cart into the truck, and return the Cart to its original position.

"Bulky Items" shall mean individual items too large or too heavy for an Acceptable Solid Waste Container, including but not limited to 1) White Goods or Metal Bulk Waste; 2) CRT's; 3) upholstered chairs, furniture, beds, mattress, sofas, and the like.

"City of New Bedford Curbside Recycling Program" shall mean the recycling program in place for the City of New Bedford, as set forth in the Rules and Regulations. This program shall be modified to a single stream program upon the Contractor's automation of the Solid Waste and Recyclable collection

"Construction and Demolition Waste" or **"C&D"** shall mean waste building material and rubble resulting from the excavation, construction, demolition or renovation or repairs to any buildings, pavements, roads or other structures regardless of cause of said operations. C&D waste includes, without limitation, asphalt, concrete, bricks, lumber, masonry, road paving materials, rebar and plaster.

"Curbside Pick-up" or **"Curbside"** shall mean Acceptable Solid Waste, Acceptable Recyclables, Acceptable Yard Waste, Acceptable Brush, and Acceptable Bulky Items placed at the curb or at a point no further than five (5) feet from the back of the curb, in acceptable containers. Items placed more than five (5) feet from the back of the curb shall not be included in the curbside collection. In areas where there are no curbs, pick-up shall refer to items placed no further than five (5) feet from the portion of right-of-way adjacent to paved or traveled roadways (including alleys).

"Customers" shall mean property Owners and residents of each dwelling unit of the one, two, three, and four, five and six family residences, identified mixed-use structures, identified public housing units, and eligible commercial businesses located within the City.

"Solid Waste" shall mean useless, unwanted or discarded solid material resulting from municipal, household or commercial activities. Solid Waste does not include: industrial waste, material specifically excluded from the definition of "solid waste": "infectious waste" or "physically dangerous medical or biological waste": Recyclables, Construction and Demolition Waste, Yard Waste, and Bulky Items.

16-74- Property Owners and Occupants

A) Enough barrels to fit all trash between collection days

B) Store and dispose of trash and recycling in sanitary manner. Owners shall ensure that Solid Waste and Recycling receptacles are maintained with a closed lid and are not overflowing beyond capacity.

C) Solid Waste, Recycling and other materials be stored on Owners property in rear or side of building that is accessible to all occupants of the building.

D) Solid Waste, Recyclables and other materials cannot be stored in front yard unless permitted by the Director, owner must screen from view to be permitted

E) Owners who receive Curbside collection by City or its contractor must ensure Solid Waste and Recycling is placed in an Acceptable Solid Waste/Acceptable Recycling Container

F) & H) Customers and Owners who receive Curbside collection by city or its contractor must place Solid Waste and Recyclables in an Acceptable Solid Waste or Acceptable Recycling Container generated within the City Curbside on designated time and day in accordance with the Rules and Regulations (Customers shall place Solid Waste curbside prior to 7:00 a.m. on the designated collection day but no earlier than 5:00 p.m. on the day prior to collection. Customers within the Downtown Commercial Area shall place Solid Waste Curbside, in an Acceptable

Solid Waste Container, between the hours of 3:00 a.m. and 8:00 a.m. on designated collection days. Customers shall remove all Acceptable Solid Waste Containers from the public layout (street or sidewalk) as soon as practicable or, in any event, no later than 7:00 p.m. on the day of collection. Customers within the Downtown Commercial Area shall remove Acceptable Solid Waste Containers from the public layout by 11:00 a.m., however, residential Customers within the Downtown Commercial Area shall remove their Acceptable Solid Waste Containers from the public layout no later than 7:00 p.m. on the day of collection)

G) Owners who are part of Automated Collection of Solid Waste and Recycling shall not exceed the Cart Distribution Policy and ensure all Carts left curbside collection are fully closed. When placing Carts Curbside when snow is on the ground, Customers shall use best efforts to clear a path between the Carts and the street to ensure that Carts can be seen and are accessible from the Automated Collection vehicles.

I) Customers and Owners who receive collection of Solid Waste by the City or its contractor may place Bulky Items generated within the city Curbside by appointment only through ABC Disposal Owner of a property containing furniture, box springs and/or mattresses that have been infested with bedbugs, and/or other insects or vermin shall be responsible for 1.) making the furniture, box springs and/or mattresses unusable, 2.) treating the infested furniture, box springs and/or mattresses with insecticide and 3.) clearly labeling or spray painting the infested furniture, box springs and/or mattresses as INFESTED WITH BED BUGS 4.) wrapping the infested furniture, box springs and/or mattresses in plastic prior to disposal. Items left curbside should be left as near to pick-up time as possible to minimize the chances of being taken by others

J) During Yard Waste collection season, (April – December) Customers and Owners who receive Curbside collection of Solid Waste by the City or its contractor shall place their Yard Waste generated within the City in a barrel or biodegradable paper bag on day after your regular collection day

K) During Brush collection season (April – November). By Appointment only,

L) Customers and Owners who receive Curbside collection of Solid Waste by the City or its contractor shall place their live trees generated within the City Curbside, in accordance with the Rules and Regulations, on regular collection day that occurs during the first full week of January following January 6.

16-75 Property Owners and Occupants – Maintaining property; keeping property and adjacent areas free of litter

A) Owner shall maintain property, including yard area and the adjoining sidewalk and gutter, in compliance with this Ordinance and the Rules and Regulations, and shall prevent any Litter or debris from escaping to any other public or private property.

B) Owners (or owner's agent if designated in written agreement) and Occupants shall ensure that no Solid Waste, Recyclables, Yard Waste, Brush or Bulky Items from their residential, commercial, non-profit, or industrial establishments shall be thrown or deposited in any public litter receptacle, Barrel, Cart, Containerized Unit on any public or private property, by the Owners, Occupants, employees or agents of the residential, commercial, non-profit or industrial establishments.

16-77 Recycling

A) Materials included in the City of New Bedford Curbside Recycling Program:

Containers: Includes Plastic, Glass and Metal containers. All containers shall be rinsed. No plastic bags or Styrofoam. Paper: All clean paper shall be placed loose in the recycling bin. No plastic bags. Includes newspaper and newspaper inserts, telephone books, junk mail, office paper, corrugated cardboard, paperboard.

B) Each Customer shall ensure Solid Waste is placed in a separate receptacle from Recyclables, prior to collection. This shall apply to all properties located within the City whether City collects the building's Solid Waste or not.

C) Every Owner (or owner's agent if designated in written agreement), shall be responsible for ensuring all Recyclables are separated from Solid Waste, prior to Solid Waste disposal and Recyclables are collected for recycling, separately from Solid Waste.

16-79 No Collection of unacceptable materials

No person shall deposit for collection any material or substance, or in any manner of disposal, that violates this Ordinance or the Rules and Regulations.

16-80 Private Collection of Solid Waste and/or Recyclables

A) If property does not receive Solid Waste and/or Recyclable collection as a customer of the City due to suspension or if the owner desires: Solid Waste or Recyclable collection from a location on private property. The Owner shall be responsible for arranging for a Private or Commercial Hauler to collect Solid Waste, Recyclables, Bulky Items, Yard Waste and Brush and said owners shall be responsible for costs of collection. Owners shall ensure Solid Waste is placed in a separate container from Recyclables and that Solid Waste is collected separately from Recyclables included in the City's Recycling Program. Solid Waste and Recyclables shall be stored in a clean and sanitary manner

D) Owners that do not receive Solid Waste or Recyclable collection by the City shall ensure that all waste materials awaiting collection by a Private or Commercial Hauler shall be placed in receptacles that are rodent proof, waterproof, fly tight and prevent litter to escape onto public or private property. All such receptacles shall be kept on private property at all times and not on public streets or sidewalks. All such receptacles in residentially zoned areas or within thirty feet of such an area shall be screened from view.

16-81 Unauthorized removal or transporting

No person except the owner, the City or the City's contractor, unless authorized to do so by the Board of Health, shall remove or transport any Solid Waste, Recyclables, Bulky Items, Construction and Demolition Waste over City streets.

All Ordinances stated above have the following fee Schedule:

First offense: Written warning: $0.00
Second offense: $25.00
3rd -4th offense: $50.00
5th-7thoffence: $75.00
8th-10thoffense:$100.00
11th – 14th offense: $150.00
15th -20th offense: $200.00
21th – 24th offense: $250.00
25th or more offense: $300.00