

CITY OF NEWTON
IN BOARD OF ALDERMEN

ORDINANCE NO. A-62

August 10, 2015

BE IT ORDAINED BY THE BOARD OF ALDERMEN
OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2012, as amended, be and are hereby further amended with respect to **Article 1 of Chapter 11 RECYCLING AND TRASH** as follows:

1. Insert in Sec. 11-1 the following definition:

Bulky waste items: Bulky waste items are large items that are burnable, such as discarded or broken furniture, large toys, mattresses, rugs, and other large or unwieldy refuse that cannot be placed in the assigned receptacle. Hard plastic and metal items are not bulky items.

2. Delete in the Sec. 11-1 definition of "*Cleanouts*", all language occurring after the first sentence.
3. Delete in the Sec. 11-1 definition of "*Moveouts*" all language occurring after the first sentence.
4. Replace the period at the end of subparagraph (3) of Sec. 11-7 (a) with a semicolon and insert the word "and" after the semicolon.
5. Insert, after subparagraph (3) in Sec. 11-7 (a) the following language:

(4) not remove the assigned receptacle from the premises unless granted permission by the commissioner of public works; and

(5) not be in possession of any receptacle not assigned to his or her premises.

6. Delete Subsection (h) of Sec. 11-7 in its entirety.
7. Replace the period at the end of subparagraph (3) of Sec. 11-8 (a) with a semicolon and insert the word "and" after the semicolon.

8. Insert, after subparagraph (3) in Sec. 11-8 (a) the following language:
 - (4) not remove the assigned receptacle from the premises unless granted permission by the commissioner of public works; and
 - (5) not be in possession of any receptacle not assigned to his or her premises.
9. Delete Subsection (i) of Sec. 11-8 in its entirety.
10. Insert a semicolon at the end of the caption of Sec. 11-9 and add the words “**hardship exemption.**” at the end of the caption.
11. Delete paragraph (a) of Sec. 11-9 in its entirety, and insert in its place the following language:
 - (a) All persons whose trash is collected by the city shall comply with the provisions of this chapter when placing materials for collection, unless specifically exempted pursuant to the provisions of subsection (b). Failure to comply with sections 11-7, 11-8, 11-10, 11-14, 11-15, or 11-16 shall result in the imposition of a written warning for the first offense, fifty dollar (\$50.00) civil fine for the second offense, and seventy-five dollar (\$75.00) civil fine for the third and subsequent offenses occurring in any three hundred sixty-five (365) day period. The written warning for each first offense shall be attributable to the dwelling unit occupied by the offending party. Any subsequent offense by any occupant of said dwelling unit shall result in the fine referred to above and shall be attributable to the head of the household or the owner of the premises.
12. Delete, in subsection (c) of Sec. 11-10 the language occurring after the phrase “shall be subject to the” and insert in its place the following language:

“penalties provided in section 9 (a), provided, however, that when the collection of trash or recyclable materials is delayed due to weather conditions, holidays, or other causes, no penalty shall be imposed for placement thereof in accordance with the time periods established for collection as set forth in subsection (a) above.”
13. Delete the caption of Sec. 11-14, and replace it with the following caption:

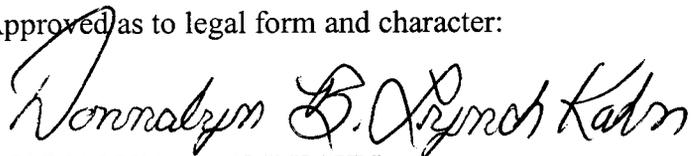
Bulky waste items.
14. Delete the first sentence of Sec. 11-14 in its entirety.
15. Insert, after Sec. 11-15 **White Goods**, the following new section:

Sec. 11-16 Moveouts and cleanouts.

Moveouts and cleanouts are not considered normal residential trash and will not be collected by the City. If, for whatever reason, the City finds it necessary to remove and dispose of a moveout or cleanout, the owner or occupant of the building or premises shall pay the City the total cost of removal and disposal as determined by the commissioner of public works or his/her duly authorized agent.

16. Renumber Sec. 11-16 to Sec. 11-17, and renumber the first reserved section to 11-18.

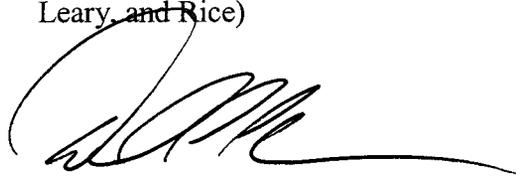
Approved as to legal form and character:

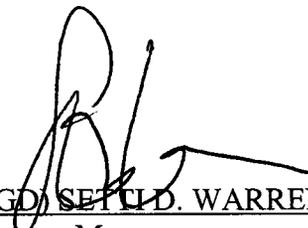

DONNALYN LYNCH KAHN
City Solicitor

Under Suspension of Rules

Readings Waived and Adopted

16 yeas 0 nays 8 absent (Aldermen Baker, Blazar, Brousal-Glaser, Gentile, Harney, Kalis, Leary, and Rice)


(SGD) DAVID A. OLSON
City Clerk


(SGD) SETULD. WARREN
Mayor

DATE 8/13/15