

## CATEGORY 11 – Mandatory Recycling Program Section

### **1 – Program Established**

There shall hereby be established a program for the mandatory separation of certain recyclable and compostable materials from trash by the residents of the Town of Seekonk (hereinafter referred to as Town) and the curbside collection of these recyclables and compostable materials. The collection of trash, recyclables and composting materials shall be made on a scheduled basis under the supervision of the Public Works Department, as authorized by the Board of Selectmen. Decisions relating to the transportation, sale or disposal of trash, recyclable and compostable materials collected by the Town shall be determined by the Recycling Coordinator, based on contractual arrangements authorized by the Board of Selectman.

Under the guidelines of Massachusetts General Law c.44, §28C and related legal decisions, the following system of fees and exemptions is established to cover all costs of operating the Town's integrated municipal solid waste programs:

**A.** An annual trash fee shall be assessed on every residential dwelling unit in the Town and paid by the property owner. The fee will be assessed at a rate method that the Board of Selectman deems appropriate to cover all costs (excluding tipping fees) of operating the trash, recycling, and composting programs instituted now or in the future by the Town, to clean up or prevent pollution caused by existing active or inactive landfills or other solid waste disposal facilities, including the operation of said facilities, to provide solid waste disposal facilities, including but not limited to the principal of, premium; if any, and interest on debt of the Town of Seekonk issued pursuant to M.G.L. c.44, §7 or 8. The Town shall make the system self-sufficient with a capital account for amortized purchasing of equipment. The annual trash fee will be determined and implemented by the Board of Selectmen no later than April 1st of each calendar year.

**B.** Additionally residents must purchase and place all non-recyclable and non-compostable trash/garbage in Town-designated trash bags for collection and disposal. Trash bags must be properly tied and shall not exceed weight limits designated for each bag size. Funds generated from the sale of designated bags will pay for tipping fees.

**C.** Any commercial and industrial zoned properties or properties located in a mixed-use zone where a business is being operated, will not be eligible to participate in the Town sponsored pay as you throw trash program and must dispose of all solid waste generated from that location. Businesses shall be exempt from paying the annual trash fee and are not required to use designated trash bags.

**D.** The owner of residential property may be exempted from participating in the mandatory program (including payment of a portion of the annual trash fee and purchase of designated bags) by contracting with a licensed solid waste hauling company for the removal and disposal of trash. Any property owner seeking this exemption must annually provide the Board of Health with an acceptable signed contract from a properly licensed and permitted hauler.

**E.** Other exemptions for the payment of the annual trash fee may be approved by the Town Administrator, according to the appropriate administrative policy on file in the Board of Selectman's office.

**F.** Unpaid trash fees will become a lien on a homeowner's property tax account. Failure to make payment in any year, unless an exemption is granted, shall result in an interest penalty and demand charge assessed as authorized by state statute.

### **Fees**

All associated costs (Annual Trash fee and Town-designated Trash Bag prices) will be annually reviewed by the Board of Selectman., based on the recommendations of the Superintendent of Public works, Director of Finance, and Town Administrator. Any revenue received from the sale of recyclables shall be used to offset associated costs of the program.

## Attachment A – Fine Schedule

By-Law		Fine	Fine	Fine
Category	Fine Description	1st Warning	2nd Warning	Subsequent Warnings
3	Single Use Plastic Bag Ban	\$50	\$100	\$100
11	Mandatory Recycling Program	Written Warning	\$25	\$50
11	Ownership of Recyclable/Compostable Material	\$50	\$100	\$100
13	Animal Control - Vicious/Habitual Nuisance Dog	\$25	\$50	\$50/or permanent confinement
14	Control of Dogs - Trash Disturbance	\$25	\$25	\$25
14	Control of Dogs - Confining Dog in Heat	\$25	\$25	\$25
14	Control of Dogs - Male Nuisance Dog/Dog in Heat	\$25	\$25	\$25
14A	Control of Dogs - "At Large" or "Out of Control"	\$25	\$40	\$40
14A	Control of Dogs - Restrained Dogs	\$25 or Hearing before BOS	\$50	\$50
14A	Control of Dogs - Removal of Fecal Matter	\$25	\$35	\$50
14A	Control of Dogs - Nuisance by Unreasonable Barking	\$25	\$50	\$50
14B	Fowl – Enforcement/Violations			
14C	Failure to License Dog	\$50		
14C	Failure to Vaccinate Against Rabies	\$100		
14C	List of Dogs - Refuses to Answer/Answers Falsely	\$25		
14C	Failure to comply with Board of Selectmen Order	\$300		
14C	Failure to comply with Board of Selectmen Order	\$300		
14C	Selectmen Order to Restrain all Dogs	\$40		
14C	Cruelty to Animals	\$300		
14C	Willfully Injuring Police Dogs/Horses	Not less than \$100 but more than \$300		
14C	Mutilation, Exhibition, Unauthorized Taking	\$250		
14C	Failure to Report Striking/Killing of Dog or Cat with Vehicle	\$50		
14C	Wrongful killing, enticing or harboring	\$100		
17A	Earth Removal	\$50	\$100	\$200
17B	Placement of Fill	\$100	\$200	\$300
18	Right of Way Opening	\$100	\$200	\$300
18A	Curb Cuts and Driveways	\$100	\$200	\$300
19	Depositing Snow on Town Streets	\$150	\$150	\$150
20	Water Discharged			
20A	Illicit Connections and Discharges to Storm Water Drain	\$100	\$200	\$300
20B	Stormwater Management - Construction	\$100	\$200	\$300
20C	Stormwater Management - Post Construction	\$100	\$200	\$300
21	Illegal Dumping	\$300	\$300	\$300
22	Fencing of Swimming Pools	\$50	\$50	\$50
24	Sale of Motor Vehicles	\$50	\$50	\$50
25	Unregistered Vehicles	\$50	\$50	\$50
26	Hawkers and Peddlers	\$200	\$200	\$200
29	Anti-Noise	\$100	\$200	\$200
30	Building Numbers	\$25	\$25	\$25
32	Public Consumption of Alcoholic Beverages	\$50	\$50	\$50
33	Solicitors and Canvassers	\$200	\$200	\$200
34	Licensing of Dealers in Junk/Second-Hand	\$300	\$300	\$300
35	Open Air/Transient and Temp. Business Licenses	\$50	\$50	\$50
36	Garage and Yard Sales	\$100	\$150	\$200
37	Loitering or Misuse of Public Ways	\$50	\$50	\$50
38	Fire Department Regulations	\$100	\$500	\$1000 (all other)
38A	False Alarm	\$100 (4th Alarm)	\$150 (5th Alarm)	\$200 (6th), \$250 (7th), \$300 (all other)
39	Enforcement: Criminal Complaint			
39	Enforcement: Non-Criminal Complaint			
40	Public Safety Contact Info	\$50	\$50	\$50
41	Wetland Protections	\$100	\$200	\$300
47	Public Consumption of Marijuana	\$300	\$300	\$300
50	Automated Electronic Retail Check Out - Price Misrepresentation	\$100	\$250	\$300
50	Price Misrepresentation - Alternative to Criminal Prosecution or civil Action	each violation shall be \$100 up to a maximum of \$2,500		
51	Class II Motor Vehicle Violations and Penalties	\$50 per day		