

**Ordinances & Administration Committee
Monday, August 31, 2026 – 6:00 p.m.
1st Floor Council Conference Room
9 Dale Avenue
Gloucester, MA 01930
-Minutes-**

Present: Chair, Councilor Sean Nolan; Councilor Marjorie Grace

Absent: Vice Chair, Councilor Frank Margiotta

Also Present: General Counsel, Suzanne Egan

This meeting was conducted in-person and remotely via ZOOM.

The meeting was called to order at 6:00 p.m.

1. Boards, Committees, and Commissions

New Appointments

Council on Aging	Rosalie Nicastro, Alternate Member	TTE 2/15/2029
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Summary of Discussion: Rosalie Nicastro stated that she had worked at the Health Department for 24 years, and then had worked on the Seniors on the Go program. She stated that she had served on the Council on Aging for 25 years, and had resigned, but had been asked to serve as an alternate member.

The committee thanked **Rosalie Nicastro** for her willingness to volunteer her time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 absent, to recommend that the City Council appoint Rosalie Nicastro to the Council on Aging, TTE 2/15/2029.

Historic District Commission	Peter Thompson (to fill an expired term)	TTE 2/15/2028
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Summary of Discussion: Peter Thompson stated he had grown up with an interest in historic homes, and had studied architecture and design at Hampshire College. He stated that he had moved back from Chicago and was pursuing his Master's in Architecture at Boston Architectural College, and worked full time at Treehouse Design.

The committee thanked **Peter Thompson** for his willingness to volunteer his time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 absent, to recommend that the City Council appoint Peter Thompson to the Historic District Commission, TTE 2/15/2028.

2. Memorandum from the General Counsel regarding proposed amendments to Chapter 9, Article I, Trash

Summary of Discussion: General Counsel, Suzanne Egan stated that the proposed ordinance amendment would update the trash ordinance to reflect how trash would be collected under the new contract, and also update the ordinance to match new regulations.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 absent, to recommend that the City Council amend the Gloucester Code of Ordinances Chapter 9 “TRASH, RECYCLING AND LITTER” as follows:

Chapter 9 TRASH, RECYCLING AND LITTER

ARTICLE I. IN GENERAL

Sec. 9-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

[ADD] *Acceptable Recyclables* means emptied and rinsed: metal food and beverage cans; plastic bottles, jars, jugs and tubs; glass bottles and jars, and emptied and flattened mixed paper, newspaper, magazines and boxes, the definition shall be expanded and modified from time to time by the Commonwealth of Massachusetts Waste Disposal Ban requirements set forth in 310 CMR 19.07.

Appliances means refrigerators, ranges, dishwashers, water heaters, freezers, air conditioners, washing machines, dryers, dehumidifiers, and trash compactors, which were originally intended for residential dwelling application.

Automotive recyclables means:

- (1) Tires, not including large truck tires;
- (2) Motor oil, not contaminated with any other liquid, dirt or leaves;
- (3) Oil filters;
- (4) Car and boat batteries.

Bulk item means [ADD] large trash items that will not fit in the Container, such as furniture. Construction debris is not a bulk item. [DELETE] furniture predominantly non-metallic, weighing over 50 pounds not fitting into official PAYT bag.

[DELETE] *Bulk item sticker* means the sticker required for curbside bulky item pick up.

Cathode ray tubes (CRTs) means the leaded glass picture tubes found in televisions, computer monitors and video games.

Commingled collection means the collection program in which residents are required to place glass, metal, and plastic containers in recycling receptacles.

Composting means the recovery of discarded organic materials for processing into a soil amendment, fertilizer and/or mulch.

Corrugated cardboard means paper in which a portion has been made to have wavy surface (ridges and grooves) and is placed between two flat surfaces for the sake of strength and is commonly used to form cartons.

[ADD] *Eligible Household* means a single-family home or a residential dwelling unit contained in a multi-family or mixed-use development containing four or less units.

Glass means unbroken clean jars and bottles, but not including: dishes, ceramics, plate glass and flat glass (commonly known as window glass), Pyrex, lightbulbs, drinking glasses, crystal and mirrored glass.

Household means the single residential unit within a single or multi-family dwelling.

Litter means any waste material, including but not limited to tobacco, marijuana and marijuana products or parts thereof (other than the ashes), and waste material deposited on or near a waste receptacle which cannot accommodate more waste, and which waste material, if thrown or deposited in a manner prohibited by this article I, tends to create a danger to the public health, safety or welfare, or tends to create a danger to the quality of life including an unsightly appearance that would reasonably discourage others from using the property for its intended purpose.

[ADD] *Metal* [DELETE] ~~Tin/steel~~ cans means tin and steel food cans, cleaned and flattened or nested if desired, but not included are paint cans or any product with a hazardous chemical residue.

Municipal collection program means the program that collects solid waste and recyclable materials including yard waste, white goods (Freon and non-Freon bearing), all televisions and all computer displays from all eligible residents [ADD], eligible [DELETE] ~~all~~ mixed use buildings, all municipal facilities or locations and city schools.

Newspapers, magazines and junk mail means advertisements, newspapers, and comics. The term "magazines" includes all periodicals and catalogs. The term "junk mail," as used herein, includes materials received in the mail which are made of paper.

Park means and includes park, a reservation, playground, beach, recreation center or other public area in the city, owned or used by the city and devoted to active or passive recreation.

~~[DELETE]-PAYT (pay as you throw) program means the city pay as you throw trash collection program whereby residential trash must be contained in an official PAYT trash bag or bear a bulky item sticker.~~

Plastic containers means polyethylene terephthalate (PET), high-density Polyethylene (HDPE), plastic #1 through #7 only. The term "plastic containers" includes containers used for packaging soda, milk, juices, drinks and water, but not including oil or any other hazardous materials with a chemical residue.

Private premises means and includes any yards, grounds, walks, driveways, porches, steps, docks, wharves or mailboxes belonging to or appurtenant to any dwelling, house, building or other structure.

Public place means and includes any and all streets, sidewalks, boulevards, alleys, or other public ways and any and all public parks, squares, spaces, grounds and buildings.

Recyclables shall mean glass containers, plastics #1 through #7, "junk mail," newspapers, clean corrugated cardboard, and tin/steel containers.

Recycling means any method, technique or system authorized to process or treat discarded materials so that its components, materials or substances may be beneficially used or reused.

Residential unit or dwelling means a dwelling within the corporate limits of the city occupied by a person or group of persons and comprised of not more than four units.

Solid waste means household trash generated within the home and bulky items such as furniture, not including recyclable material, construction materials, or hazardous waste material or construction and demolition materials from remodeling.

Trash means material considered worthless, unnecessary or offensive that is usually thrown away. The term "trash" is generally defined as dry waste material, but in common usage it is a synonym for garbage, rubbish or refuse, but not to include recyclables or yard waste.

[ADD] *Trash Collection Container (Container)* eligible households shall use official municipal collection trash collection containers. ~~[DELETE] or a bulky item sticker for their residential trash.~~

~~[DELETE] *Vehicle* means every device in, or upon which any person or property is or may be transported or drawn upon a highway, or public way.~~

Yard waste means vegetation that includes: grass clippings, leaves, twigs, branches, brush (including Christmas trees), weeds and all organic material that can be composted, but not including, railroad ties or other yard related materials that ~~[DELETE] has~~ [ADD] have been treated with chemical preservatives.

[ADD] Sec. 9-2. - Trash Collection

- (a) All households, businesses, non-profit organizations, private schools and other commercial enterprises shall have trash collection.
- (b) Eligible Households shall use municipal trash collection or a private trash collection service.
- (c) Any owner of a building with four or more residential units, any business, nonprofit, and any private or charter school shall provide private trash collection.

Sec. 9-3. - Municipal Trash Collection Fees

- (a) The city hereby establishes an annual municipal trash collection fee relative to the cost of providing municipal trash collection services. The annual trash collection fee shall be considered a utility fee for all residential units, whether owner occupied or rented and no additional private servicing or administrative charges shall be applied to the fee as an additional fee by a private individual, business or organization.
- (b) The trash collection fee shall be assessed to all Eligible Households on the basis of the fee structure established by the city.
- (c) The city may establish and modify from time to time the service fees for municipal trash collection so that the funds generated correspond to the cost of the management and provision of municipal trash collection service.
- (d) The Director of Public Works shall promulgate regulations implementing the fee. The fee shall be referred to the mayor and City Council for approval as required by section 7-16 of the city charter.

Sec. ~~[DELETE] 9-2. PAYT~~ [ADD] 9-4. - Gloucester Trash Collection Containers.

~~[DELETE] (a) All households who are eligible for the municipal collection program are required to place solid waste in official PAYT (pay as you throw) bags, either in or out of barrels. Any bag and/or barrel weighing more than 50 pounds will not be picked up by the contractor who holds a permit for the collection of trash from the board of health. Any owner of a building with five or more residential units, any business, nonprofit, and any private or charter school shall provide private trash collection. Official Gloucester PAYT bags, either in or out of a barrel shall be placed at the curb not later than 7:00 a.m. on the day of collection.~~

[ADD] (a) All Eligible Households who use the municipal collection program shall place solid waste in an official Trash Collection Container. Containers shall be placed at the curb not later than 7:00 a.m. on the day of collection.

- (b) Homeowners and tenants ~~[ADD] shall immediately [DELETE] will be required to~~ clean ~~[DELETE] up immediately~~ all trash/recyclables spilled on the ground. ~~[DELETE] due to torn bags or overturned Containers.~~
- (c) ~~[ADD] Containers [DELETE] Trash/recycling receptacles~~ shall not be put out for collection before 4:00 p.m. the day ~~[DELETE] preceding~~ ~~[ADD] before~~ the day of collection and shall be removed from curbside location and returned to their proper place on the same day of collection.
- (d) ~~[DELETE] The City of Gloucester shall provide~~ ~~[ADD] Each Eligible Household [DELETE] resident~~ ~~[ADD] using municipal trash collection shall receive an official municipal trash [DELETE] with one~~ ~~[ADD] Container and a Recycling Container [DELETE] recycling container~~ from the City of Gloucester, through the Department of Public Works business office: ~~[DELETE] Per residential unit which receives municipal trash pick-up. Residents of each premises shall:-~~
 - (1) ~~[DELETE] Take~~ Proper care ~~[ADD] shall be exercised~~ to protect such Container from misuse, loss or damage.
 - (2) ~~[ADD] Trash and Recycling Containers [ADD] shall [DELETE] must~~ remain with the premises for use by subsequent ~~[ADD] residents~~ when unit is vacated.

~~[DELETE] (3) Residents are responsible for the replacement of containers which are lost, or damaged beyond normal wear and tear. The City of Gloucester is not obligated to replace lost, stolen, or damaged containers. Residents may purchase a replacement or additional bin from the DPW business office.~~

~~[ADD] (3) Each Eligible Household is responsible for replacing a lost or damaged Container from the City of Gloucester.~~

Sec. ~~[DELETE] 9-11 [ADD] 9-12. - Regulations for curbside collection of recyclable material; mandatory.~~

- (a) *Purpose and goal.* The goal of this chapter is to promote recycling in the city and to comply with state mandated waste bans, and to assist in cost reduction for residential waste collection.
- (b) *Separation of recyclable material from trash.* Each ~~[ADD] Eligible Household [DELETE] residential unit~~ which receives municipal waste disposal services shall separate recyclables from their trash. The term "recyclables" is defined in section 9-1, ~~[DELETE] which~~ includes, but is not limited to: newspaper, magazines, junk mail, glass, plastics, tin/steel, corrugated cardboard, CRTs, appliances and automotive recyclables. No recyclables shall be placed in the same container as trash. All trash and recyclables shall be set out for collection in accordance with section 9-2. If it is determined that there are more than negligible quantities of recyclable materials in trash set out for collection, the trash may be deemed rejected for collection and left uncollected. Trash that has not been separated for recyclable material and deemed rejected for collection shall be considered litter and subject the owner to a fine of not more than \$300.00 if it is not removed from the curbside within 24 hours.

FURTHER ORDERED to renumber the corresponding sections from Section 9-1 throughout Chapter 9.

A public hearing for this matter will be held September 22, 2026

- 3. CC#2026-017 (Benson): Amend GCO Ch. 14 "Offenses and Miscellaneous Provisions" by ADDING a new Article IV "Shopping Cart Regulations," Sec. 14-46 "Definitions," Sec. 14-47 "Identification of shopping carts," Sec. 14-48 "Shopping carts to be confined to premises," Sec. 14-49 "Enforcement."

This matter was continued to the October 13, 2026 Ordinance & Administration meeting.

MOTION TO ADJOURN: On a motion by Councilor Grace, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 absent, to adjourn the meeting at 6:24 p.m.

Submitted by: Lynds Jones, Legislative Aide

Documents submitted at the meeting: None.

Matters appearing on the agenda that are to be continued: None.

Meeting Recording: <https://www.gloucester-ma.gov/1097/Past-Remote-Public-Meetings>