

# CITY OF NIAGARA FALLS SANITATION USER FEE FAQs

## **WHAT IS CHANGING IN 2020?**

In 2020, nothing is changing in the manner that your waste and recycling is collected in the City. However, the City will implement a User Fee based on the number of refuse carts issued to each property. The City has embarked in a process over the last two years to provide a fair and balanced solid waste and recycling program to residents that still meets the objectives of the City; such as cost efficiencies, convenience, and environmental responsibility. In 2019 many residents requested more options to dispose of more waste, and the City responded by allowing three (3) additional bags or bulk items per week and expanding dump permit options.

As a means to create an equitable balance of service and expenses, the City is transitioning to a User Fee model, which will charge users, including not-for-profit organizations and high volume generators, paying their fair share for service. Along with this transition will be increased enforcement of program abusers, those who ignore the program restrictions and/or dump their waste in remote areas of the City. The majority of City users are single family residences and a User Fee program has them paying for the service they use, no more or less, and they will no longer subsidize the high volume users and abusers throughout the City.

## **WHY TRANSITION TO A USER FEE?**

A User Fee is an equitable distribution of expenses directly related to the generator/user and level of service desired. The City has established a minimum level of service and will have property owners who desire services in excess of that level to be responsible for their greater needs. A User Fee also includes not-for-profit, tax exempt organizations, and commercial properties that also require greater service needs.

## **WHO WILL ADMINISTER THE PROGRAM?**

The City will have an assigned division in charge of updating the user cart database. One of the main responsibilities of this division will be updating the cart database to reflect the most current cart quantity and cart assignments at each property, in addition to any changes in property ownership. This division will work closely with the City's contracted waste hauler (currently Modern Disposal) in addition to Niagara County's Division of Solid Waste, and the City's Department of Public Works, City Controller, Code Enforcement and City Assessors offices.

## **PROGRAM RELATED FREQUENTLY ASKED QUESTIONS**

### **Billing and Collection:**

#### 1. HOW MUCH IS MY ANNUAL BILL?

The annual bill will depend on if the respective property is assigned as a "Residential" or "Commercial" property in addition to the number of refuse carts assigned to the property. Property class codes, which are maintained and updated by the City Assessors office, define if a property is classified as a "Residential" or "Commercial" property. Currently for 2020, the breakdown for a single family residential property using a single cart for weekly service will pay \$181 per year. See below for a table of what the costs will be for both residential and commercial properties with up to four (4) refuse carts. Please note that commercial properties may have more than four (4) refuse carts. Additional fees will be charged for these commercial properties.

	1 CART	2 CART	3 CART	4 CART
RESIDENTIAL	\$181.00	\$337.00	\$475.00	\$622.00
COMMERCIAL	\$225.00	\$426.00	\$608.00	\$799.00

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2. HOW WAS THE USER FEE DETERMINED?

The user fee is the total of all expenses incurred by the City to have our waste hauler collect and dispose of waste per the total number of refuse carts issued, as well as the fees associated with recycling collection and processing. Commercial properties pay a slightly higher rate than the residential route as they may require additional effort to collect and/or the volume of waste is greater than a residential parcel.

3. WHY IS THIS NO LONGER A PART OF MY TAXES?

The City has elected to transition to a User Fee program by billing program participants for the level of service they are using. Starting in 2020, all property owners will pay for the level of service they are using, per the chart in #1 above.

4. HOW OFTEN ARE WE BILLED?

The City will send out one bill for the full value of your service in May, with the first installment due in June and the second installment due in September.

5. WHEN IS THE BILL DUE?

The first installment is due by June 30<sup>th</sup> and the second installment is due by September 30<sup>th</sup>.

6. WHAT HAPPENS IF I DO NOT PAY MY BILL?

Unpaid residential and commercial property bills are the personal liability of the owner of the property. All unpaid bills by the respective due dates will incur a \$5.00 per month late charge. Any such unpaid fees and late charges remaining in November will be added to the following year's property taxes. The amount added to the property taxes will include an additional \$15 administrative charge for each delinquent account.

7. I DON'T WANT TO PARTICIPATE IN THIS PROGRAM, CAN I "OPT OUT"?

No. All Single, Double, and Triple residential parcels are required to participate in the City's collection program. Commercial properties no longer wishing to participate may opt out by contacting DPW at 716-286-4840 and returning their carts.

8. WILL I BE ABLE TO ADD/REMOVE THE NUMBER OF REFUSE CARTS AT MY PROPERTY?

On an annual basis only during the month of January properties may request to add/remove carts from their property. During the first year only (2020), this deadline will be extended through the month of February. There will be no fee associated with these requested changes if they are made by the respective deadline. **These requests are only needed if you want to change your current level of service.** Any requested change in the number of carts made after January 31<sup>st</sup> will result in a \$35 administrative fee, plus the requirement to pay the increase in fees from your current level of service to the requested level of service (i.e. number of carts). The City will not be required to reimburse you the difference between your current level of service to the requested level of service if you request a reduction in the number of refuse carts after January 31<sup>st</sup>. A service change form will be available on the City website plus made available at the Department of Public Works administrative building and the City Clerk's office located in City Hall. These forms are to be provided to the Department of Public Works administrative building upon completion.

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9. ARE NOT-FOR-PROFIT ORGANIZATIONS RESPONSIBLE FOR PAYING A USER FEE?  
Yes. All participants on the program must pay for the number of carts they are issued.
10. CAN ANY COMMERCIAL BUSINESS PARTICIPATE IN THIS PROGRAM?  
If your property was not previously issued refuse carts, you will not be able to participate in this program.

### **Landlords and Tenants:**

1. I'M A RENTER, AM I RESPONSIBLE FOR THE USER FEE?  
The owner of the property you are renting from will be responsible for paying the User Fee to the City. Only property owners or property managers may pay the User Fee.
2. I'M A LANDLORD OF MULTIPLE PROPERTIES AND WILL NOT BE ABLE TO AFFORD THIS SERVICE.  
Regardless of how many properties that are owned by any individual or company, payment of the User Fee is required based on the number of refuse totes located at each property.  
Landlords/Property Owners are the only ones responsible for paying this bill, tenants are not.
3. WHAT HAPPENS IF MY TENANTS MOVE OUT IN THE MIDDLE OF THE MONTH AND LEAVE A LOT OF TRASH BEHIND?  
All parcel owners are responsible for following the rules and regulations set forth in the ordinances and should share with their tenants. Bulk item collection is restricted to three (3) items per week per parcel. If waste is placed out in violation of the ordinance, the property owner will be fined for collection and disposal fees as well as an administrative fee. Parcel owners are responsible for their tenants waste.
4. WHERE CAN I DISPOSE OF WASTE THAT TENANTS HAVE LEFT BEHIND?  
All City property owners may self-haul waste to Modern Landfill in Model City by first obtaining a dump permit from the Department of Public Works. You are also welcome to solicit the services of Modern Dumpsters, purchase a Bagster™ from Home Depot or Lowes, contact 1-800-Got-Junk or transport the items to a facility on your own.
5. AS A LANDLORD OF MULTIPLE RENTAL PROPERTIES, CAN I JUST DRIVE AROUND AND COLLECT THE WASTE FROM MY PROPERTIES AND NOT PAY THE USER FEE?  
This practice is prohibited as part of the program. All single, double and triple family parcels are required to participate. All parcels greater than 4 units must furnish adequate proof that disposal services are contracted with a certified, regulated waste hauler.
6. CAN RENTAL PROPERTIES NEXT DOOR TO EACH OTHER SHARE CARTS?  
Each parcel is required to participate in the program with the adequate number of carts issued per units. If both parcels have the correct number of carts per unit count, the requirement will be met.
7. I HAVE RENTERS THAT ARE LARGE FAMILIES, CAN I GET ADDITIONAL CARTS?  
Absolutely. A User Fee program can accommodate properties that wish to add carts. The maximum, however, is four (4) carts per residential parcel. If you wish to add carts, please see the response to question #8 in the "Billing" section above.

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8. I HAVE MULTIPLE PROPERTIES, SOME NEED MORE CARTS THAN OTHERS. IS IT ALLOWABLE FOR ME TO MOVE CARTS FROM PROPERTY TO PROPERTY?

No, this practice is prohibited. We have a collection database that issues bills per parcel based on the number of carts issued. If there are more carts on ANY parcel than what was assigned or requested, the carts will be considered stolen and the property owner will be subject to administrative fees related to collecting and returning the cart to its owner.

### **Service Change Requests:**

1. CAN A SINGLE FAMILY PARCEL HAVE MORE THAN ONE CART?

Yes. Any single family property owner must make a request to the City for an additional cart.

2. CAN I UPGRADE/DOWNGRADE MY SERVICE BASED ON TENANTS OCCUPANCY?

No, this will not be allowed. It is the responsibility of the property owner or manager to manage occupancy. The City will not be responsible for collecting and redistributing carts based on occupancy of a property.

3. CAN I UPGRADE/DOWNGRADE MY SERVICE BASED ON WHEN I NEED COLLECTION? FOR EXAMPLE, WHILE ON VACATION OR AS A SNOW-BIRD?

No, this will not be allowed.

4. I LIVE IN A DOUBLE/TRIPLE, BUT HAVE NO PLANS TO RENT THE OTHER ROOMS. CAN I PAY A SINGLE CART USER FEE?

If a property owner is in an owner occupied multiple unit parcel (maximum triple unit) and does not have any plans to rent the additional space, they may prepare a request for consideration to the City. Included in the request must be a statement from the property owner requesting the additional carts get picked up and a declaration that the parcel will not be rented by the current owner. Please note that proof may be requested.

5. IF I MOVE ELSEWHERE IN THE CITY, CAN I TAKE MY CART WITH ME?

No. The carts are the property of the City and must remain with each address.

6. CAN I PURCHASE AN ADDITIONAL CART FROM A HARDWARE STORE?

No. The City has contracted with Modern for collection from ONLY City issued carts. Each property may place out 3 additional bags or items each week. Any other cart or can placed out for collection will not have the contents emptied.

7. MY NEIGHBOR HAS MORE CARTS THAN I DO.

A User Fee program allows those that wish for more weekly capacity, to upgrade their service. If you suspect that your neighbor(s) have obtained carts without upgrading, please contact the Department of Public Works administrative office at 716-286-4840.

8. ON OFF RECYCLING WEEKS, CAN I USE MY RECYCLING CART AS A TRASH CONTAINER?

Absolutely not. This receptacle is dedicated to the storage and use as a recycling container, only.

9. DO I HAVE TO PAY FOR MAINTENANCE OF THE CARTS? (WHEELS, LIDS, BROKEN PARTS)

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If your cart is missing a wheel, lid is missing or the cart is damaged, you can call Modern at 1-800-330-7107 to request a repair. **You will need to provide Modern's Customer Service representative with the serial number that appears on the front of the cart.**

10. I DON'T WANT A RECYCLING CART, CAN I TURN MINE IN AND SAVE MONEY?

The City is required by law to provide source separated recycling to residents. This is a service you are paying for. We strongly encourage you to participate in the recycling program.

11. I WOULD LIKE AN EXTRA CART

The City will accommodate all requests for additional carts or reductions that are both approved by the City and paid in advance. There will be no proration of service costs up or down upon a cart change request.

12. WHAT HAPPENS IF SOMEONE STEALS MY CART?

If your cart is lost or stolen, please contact the City's DPW Admin Building at 716-286-4840. Often after a heavy wind event carts may blow over. Please double check with your neighbors that your cart did not blow over to their property. If your carts and lost/stolen or damaged, please contact the City to report your incident. Each Cart is equipped with an RFID chip allowing the City to identify the address of a recovered cart. If your cart is found, you will be notified. As far as replacement, if a pattern of abuse is identified (such as multiple replacements in a short period of time) the City may charge a fee for replacing each cart.

13. CAN I JUST PAY THE CITY EXTRA SO I CAN PUT OUT MORE WASTE?

No. The City provides ample collection opportunities for residents each week, as well as dump permit options. All "dump permits" are issued at the Department of Public works and are for waste generated at properties in the City (not from any business operations). Any property found to place excessive waste to the curb will be ticketed, and fined for the collection and removal of the debris.

### RECYCLING QUESTIONS

1. WHAT WILL IT COST TO GET AN ADDITIONAL RECYCLING CART?

A 95 gallon cart for recycling was issued to allow adequate capacity for 14 days of recycling. Please remember to break down cardboard and return deposit containers. Only neatly stacked and bundled cardboard that is too large for the cart can be placed outside the cart for collection. Please make every effort to recycle per the menu included.

2. I LIVE IN AN APARTMENT THAT DOESN'T OFFER RECYCLING, HOW CAN I RECYCLE?

We encourage you to reach out to your property manager and inquire about recycling options.

3. CAN I PAY TO RECYCLE EVERY WEEK?

No. The City routes are already established. If you need an additional recycling cart, please contact DPW at 716-286-4840.



**CITY OF NIAGARA FALLS  
DEPARTMENT OF PUBLIC WORKS  
1785 NEW ROAD  
NIAGARA FALLS, NY 14304**

**CHANGE IN SERVICE REQUEST FORM - REFUSE AND RECYCLING CARTS**

**PROPERTY OWNER NAME:** \_\_\_\_\_

**PROPERTY ADDRESS:** \_\_\_\_\_

**PLEASE COMPLETE APPLICABLE SECTION(S)**

**REFUSE CARTS**

**Additional refuse carts needed (place an "X" in related box to identify the additional carts needed):**

1	
2	

**Reduction in refuse carts (place an "X" in related box to identify the number of carts to remove):**

1	
2	
3	
4	

**RECYCLING CARTS**

**Additional recycling carts needed (place an "X" in related box to identify the additional carts needed):**

1	
2	

**Reduction in recycling carts (place an "X" in related box to identify the number of carts to remove):**

1	
2	

1. Please note you are required to maintain at a minimum one refuse and one recycling cart at each residential property.
2. Please attach to this request form a statement explaining why a change in service is necessary.
3. Service change requests are free of charge if submitted during the month of January. Only one (1) change allowed per property during the month of January. Any requested change made outside of January will result in an administrative fee as determined by the City.
4. By signing below, I confirm that I am the property owner of the identified address of this service request change.
5. If your service request is denied by the City, the Property Owner will be notified via regular mail as to why we are unable to process the request.

**PROPERTY OWNER SIGNATURE** \_\_\_\_\_

**PROPERTY OWNER ADDRESS (if different from above)** \_\_\_\_\_

**DATE** \_\_\_\_\_

**Deliver or mail completed form to:** CITY OF NIAGARA FALLS  
DEPARTMENT OF PUBLIC WORKS  
1785 NEW ROAD  
NIAGARA FALLS, NY 14304