



# City of Niagara Falls, New York

PO Box 69, Niagara Falls, NY 14302-0069

## Rules and Regulations for Cart Replacement

in accordance to City of Niagara Falls Chapter 911.03 B (2) and 911.04 A (17)

### **911.03 B (2)**

In the event a City issued Refuse Cart is lost, damaged, rendered unusable or removed from the assigned premises, the City will provide replacement refuse carts to users deemed necessary by the Director. The City may, after investigating the facts involving the lost, damaged, unusable or removed cart, charge users a replacement fee for these carts equal to the cost of a new cart, in accordance with rules and regulations established by the Director. The cost of a new City issued cart may fluctuate from time to time depending on market conditions. Any replacement refuse cart shall remain the property of the City.

### **911.04 A (17)**

In the event that a recycling cart is lost, damaged, rendered unusable or removed from the assigned premise, the City will provide replacement recycling carts to users deemed necessary by the Director. The city may, after investigating the facts involving the lost, damaged, unusable or removed cart, charge users a replacement fee for these carts equal to the cost of a new cart, in accordance with rules and regulations established by the Director. The cost of a new City issued cart may fluctuate from time to time depending on the market conditions. Any replacement recycling cart shall remain the property of the City.

### **Lost/Stolen Carts**

A citizen calls the Department of Public Works with claims of a lost/stolen cart. The caller will be asked name, address of cart, phone number where you can be reached, and which cart is missing (Blue – Garbage or Green – Recycling). A staff member will call you back with the cart number(s) and ask the citizen to take a look around the neighborhood to see if they can locate their misplaced or missing cart(s). If they cannot find the missing cart(s), the property owner is to file an online report at [NiagaraFallsUSA.org](http://NiagaraFallsUSA.org), on the left hand side of the screen under Quick Links scroll down to Submit an Incident to the Police and follow the instruction on each page. You will be asked to include the missing cart(s) number on the report. Once the Department of Public Works receives a copy of the report, the Department of Public Works will investigate. If the cart(s) is found, it is returned to the claimant and the police are updated.

For the first occurrence, if the cart(s) is not found, the cart(s) is replaced free of charge. The citizen is educated on cart placement. Also discussed are other possible spots on their property where the cart(s) can be placed more securely until their garbage day. If there is a 2<sup>nd</sup> or multiple occurrences, the owner of the parcel will be charged for a new cart(s) (market value). The bill must be paid in full before delivery. Though they will still be eligible for a Free Dump Permit (limit of three (3) per qualified residential parcel per year), regular trash and/or recycling pick-up will not resume until the cart has been replaced.

### **Damaged/Rendered Unusable**

A citizen calls the Department of Public Works with claims of a damaged/unusable cart. If it is a broken wheel or missing lift bar, the cart can be fixed on site. If the damage is extensive, the cart may need to be completely replaced.

In some cases, when criminal actions have occurred that have resulted in the damage of a cart, the property owner may need to make a police report. For example, if the cart was damaged in a hit-and-run, a police report must be made. In some instances, reports are received from the Niagara Falls Fire Department Fire Investigator, when carts are damaged as a result of a fire.

In the case of a damaged or unusable cart (or components thereof), if upon investigation, it is found NOT to be from the citizen's negligence, the cart will be replaced free of charge. Also discussed are other possible spots on their property where the cart can be placed more securely until their trash day.

In the case of a damaged or unusable cart (or components thereof), if upon investigation, it is found to be from the citizen's negligence, the owner of the parcel will be charged for a new cart (market value). The bill must be paid in full before delivery. Though they will still be eligible for a Free Dump Permit, regular trash and /or recycling pick-up will not resume until the cart has been replaced.

In the instance of broken wheels and missing lift bars, due to normal wear and tear, they are replaced at no charge.