

**Administrative Rules Public Comment Summary and Staff Response
Speak Up Austin (speakupaustin.org/j4317)**

Section 6.1 - Placement for collection, maintenance of carts, and additional fees

Summary of comments for section 6.1.1

“Many customers would find it impossible or very inconvenient to wait until after 8pm to set out their carts.” Commentors would like an earlier cart set-out time for several reasons: to avoid placing carts at the curb in the dark or in inclement weather, and to increase convenience for shift workers who are not home between 8pm and 5:30am. The current rule is “impractical...to enforce and there are no stated consequences” for customers not following the rule.

Staff Response: In response to this comment, ARR staff have made the following change to the administrative rules:

6.1.1 All carts shall be set out by the customers on the public curb, alley, or other City designated location no earlier than the day before the collection day and no later than 5:30 a.m. on the collection day.

Summary of comments for section 6.1.3

Commentors express that “there are many reasons why carts would not be able to be removed by 10PM. They include inclement weather and the customer being away from their residence on collection day until after 10PM.” Additionally, bike paths and sidewalks should be included in the list of where carts shall not be placed.

Staff Response: In response to these comments, ARR staff have made the following changes to the administrative rules:

6.1.3 All carts shall be removed by customers from the curb or alley collection location no later than the day following collection day. All carts shall be placed 5 feet apart (when space allows). Carts shall not be placed in the path of mail delivery locations, vehicles, driveways, bike paths, and sidewalks.

Summary of comments for section 6.1.5

Commentors want to see an addition to the rules in this section clarifying the ability to use reusable containers for organics composting and yard trimmings. Reusable carts and bins for compost and yard trimmings are more durable and “easier to handle and fill” than paper lawn bags. Paper bags are “a recurring and ongoing cost” and many customers have “invested in [carts] to avoid purchasing paper bags”.

Staff Response: While reusable containers or carts for extra yard trimmings have always been permissible, staff will amend the rules to provide clarification in this section. The proposed edit in response reads:

6.1.5.3 Extra yard trimmings may be placed in a paper bag, a compostable cardboard box(es), or in a personal reusable container(s).

Summary of comments for section 6.1.9

Commentors express concern that the proposed language of the rule “would not prohibit the City from charging a return trip fee if the collection truck inadvertently missed a cart” and that it may be “the City’s word against the customer’s word” that carts were set out on time.

Staff Response: Staff will only schedule a return trip and apply a fee when the customer requests a return trip. At that time department staff will communicate with the customer to explain the evidence of a late set out and ensure the customer agrees to the fee. If the customer agrees to the fee a vehicle will be sent to collect the cart. If the customer does not agree to the charge the department will not send a vehicle to collect the cart until the next scheduled collection cycle.

In areas identified as having frequently missed collections, drivers will take a time-stamped, geo-located photos to identify if carts are not set at the curb by the designated collection time. In other instances, staff will verify if multiple addresses on the same street were missed. If is the case, it is assumed by the department there was a collection route issue, and no return trip fee is charged.