Problem Description

Trash and litter was identified as a top three priority in seven of the eight focus groups. The focus group participants discussed two main areas of concern. The first was litter in yards and streets as a result of parties, tailgates, and football crowds. The second concern was trash in and around dumpsters in the alleys. Part of the alley trash problem is a result of residents of other neighborhoods come to the University District to dump their trash in alleys.

The field documentation results revealed that trash is a problem throughout the District. Ten percent of the properties observed had some form of trash violation. The area with the highest percentage of violations was Weinland Park, located in the southeastern part of the District (29 percent of all properties observed in Weinland Park had trash violations). Observation confirmed the focus group concerns about litter in yards, strewn along streets, and trash around dumpster areas. Bulk trash such as couches and appliances was also observed.

University Neighborhoods Revitalization Plan

The University Neighborhood Revitalization Plan: Concept Document specifically addresses the trash issues mentioned in the focus groups, notably trash pickup and bulk waste. The Plan notes that trash problems are greatest during the school year when the increased resident population causes dumpsters to fill more quickly. The plan also notes that the bulk waste issue is greatest during transition periods of the school, i.e. end of school year move-outs. Overall, the revitalization plan had three main objectives in regard to trash and solid waste:

- Provide for clean, well-maintained University Neighborhoods with removal of trash and bulk solid waste on a regular basis.
- Remove litter and graffiti from the University Neighborhoods.
- Make code enforcement a priority in the Refuse Collection Division.

The Plan notes that City Code requirements “are generally consistent with what should be expected of property owners, tenants, and occupants of buildings, premises and businesses with regards to the responsibilities for waste generation, handling, disposal and collection.” However, the Plan does note some weaknesses in the Code. For example there is not a strong section dealing with the disposal of bulk waste. Disposal of items too large for trash receptacles must be “conveyed by the occupant to an appropriate municipal or approved private disposal area” and the Public Service Director “shall establish operating policies and procedures for the collection of bulk items.” The Plan suggests more specific requirements regarding the collection and disposal of bulk waste. It also recommends twice weekly trash pickup, especially during the school year.

The recommendations set forth in this report are consistent with the objectives of the Revitalization Plan.

Current City Policy

The Housing Code states that it is the responsibility of owners of rental properties with more than three units to provide appropriate trash receptacles. Owners of properties with two or less units must provide an appropriate place for storage of trash receptacles. The code also requires owners to maintain the common areas of the property in a clean and sanitary manner. The code also states it is the responsibility of occupants to keep the premises clean and dispose of rubbish in an appropriate manner. The City also has the right to correct property violations and charge back fees and costs to the property owner. This also allows the City to attach those fees to the property through property taxes. A 15-day appeal period is provided to the violator. If a violation is appealed, the courts must hear the case within 45 days of the filing of the appeal. Violations under both sections, if not corrected, can result in a maximum fine of $500 and 60 days in jail. Each day the violation is not corrected may be considered a separate occurrence. Therefore, it is possible for the City to fine a property owner up to...
$500 per day for every day the violation is not corrected.

In the focus groups, density was raised as an important issue that causes dumpsters to fill very quickly. Trash container requirements in the University District call for container capacity to be based upon the total calculated floor area and the number of dwelling units on the property. While the capacity provisions are adequate, it is likely that many multi-family buildings do not have a sufficient number of containers since the creation of dwelling units inside a building may not be reported to the City.

The Refuse Collection Division makes special accommodations for the University District because of its high population density. The Refuse Collection Division collects trash at least once per week in Columbus, but most dumpsters in the University District are emptied twice per week due to the high volume of trash in the area. Also, most bulk collections in Columbus are only made when requested by residents. However, due to the abundance of bulk trash in the University District, the Refuse Department makes one unsolicited bulk pick up trip per week in the area.

The Refuse Collection Division is also responsive to seasonal influxes of trash, particularly the increase of trash in the University District when students move. In response, Refuse increases the frequency of trash collections from August to September when students move in and from June to July when students move out. They also have two to three bulk collection trucks constantly patrolling the University District near the end of spring quarter. Additionally, Refuse empties dumpsters the day before all home football games to allow greater room for game day trash and to reduce the amount of flammable dumpster contents.

While many University District residents blame trash in alleys on poorly designed dumpsters and insufficient trash pick ups, representatives from the Refuse Collection Division attribute alley trash to residents not using garbage bags. When a dumpster is emptied into a truck, wind blows unbagged trash into the alley. Additionally, Refuse only collects trash from the ground when it falls out of a dumpster or can during emptying. However, it is difficult to collect spilled, unbagged trash effectively. They do not collect garbage bagged or unbagged that is left in alleys next to dumpsters. Bagged garbage next to dumpsters is a common appearance in the District.

The Refuse Collection Division has distributed educational material listing collection procedures and tenant responsibilities to landlords and encouraged them to post the information in rental units. However, no information has been sent directly to University District tenants. A criticism of current enforcement of the Columbus code is that it lacks sufficient punishment to deter repeat violations. The current code allows for a fine up to $500 and 60 days in jail for residential refuse violations; however, the actual fines assessed are often much less. The Columbus City Code allows the city to perform work needed to clear violations and assess the charges and fees to property owners. In addition, the 15-day appeal period and waiting periods can be reduced.

In summary, the Refuse Collection Division’s collection procedures for the University District are sound. However, trash continues to be a problem because residents do not properly dispose of trash.

Other Cities’ Policies

Cities vary in their penalties for improperly disposing of trash. Boulder, Colorado, has a maximum fine of $1,000 and 90 days in jail. Ann Arbor, Michigan, has a maximum fine of $500. Normal, Illinois, and Athens, Ohio, have maximum fines of only $100. Some cities, rather than raising the maximum fine amounts, have added additional fines. In Ann Arbor, Michigan, property owners whose land requires sanitation workers to remove garbage at least three times per year are fined $200-500 dollars and assessed the cost for cleanups. Covington, Kentucky, has a Code Enforcement Board composed of six citizens that can fine property owners $100 per code violation per day.

The City of Syracuse, New York, can remove serious trash hazards immediately without notifying property owners. The owners are then charged for the cost of removing trash.

To combat residents illegally dumping trash, South Bend, Indiana, Code Enforcement officers issue $500 fines to those whose mail is found in trash piles.

Education was mentioned in the focus group meetings as a way to get students, many of whom are living on their own for the first time, to comply with city code. Other cities take steps to inform students of their trash responsibilities. For example, in Athens, Ohio, the sanitation department mails educational material to students detailing how the trash service works and what responsibilities residents have in regard to litter.

Enforcement of the code that is currently in place is one of the main issues mentioned by many of the residents of the University District. The workload of the code enforcement officers often creates a delay in following up on complaints of trash violations. Some cities have implemented programs to help make the job of code enforcement a little easier:
Minneapolis, Minnesota has created the Citizen Inspection Program. Citizen volunteers patrol their neighborhood for housing and zoning violations such as weeds, garbage, exterior disrepair, and abandoned vehicles. When they find a violation, they issue a letter to the property owner asking for cooperation. The citizen volunteers then follow-up to determine if the violation has been corrected. If it is not corrected, the violation is referred to a code enforcement officer.

San Mateo, California, has a similar citizen volunteer force. Volunteers work within their neighborhoods to find violations. The program is very similar to the Minneapolis initiative.

In San Diego, California, the citizen volunteer program differs from the Minneapolis and San Mateo programs in one important aspect. The volunteers are sent out into neighborhoods other than their own.

These programs, while successful in correcting trash problems, can also increase the workload for city code enforcement officials. In San Mateo, California, the workload has increased. Minneapolis, Minnesota, claims the workload is the same and trash violations have decreased. However, there has been an increase in general property maintenance violations. Overall, citizen participation programs appear to be effective in reaching more properties and improving an area.

Focus group participants suggested issuing tickets for leaving trash in a yard. The Georgia Clean Communities Act of 2002 gives code enforcement officers the authority to issue littering tickets. In Ann Arbor, Michigan, enforcement of the littering code is done by the Ann Arbor Police Department, Building Department, and Solid Waste Department.

**University Policies**

Many universities take some responsibility for cleanup of the area around the university. Some schools take it a step further. For example, the University of Oregon has its own street sweeper to handle campus trash. Although the machine cost $28,000, it is less expensive in the long run than repeatedly hiring crews to collect litter.

Arizona Student Unions, at the University of Arizona, Tucson, offers “tips on being a good neighbor” for educating students who consider moving into University Neighborhoods. Tips for being a good neighbor include reducing noise, trash maintenance including bulk trash, and parking. Since the tips are on the off-campus housing guide web site, anyone who uses the housing search site would see it.

Georgetown University, in Washington, D.C., offers a direct education program. The program is a mandatory off-campus living orientation for all sophomores, whether they plan to move off campus or not. The orientation sessions include topics such as proper disposal of trash, moderating noise, and building positive relationships with neighbors. Due to strict registration processes for off-campus residents (students), Georgetown is able to maintain an effective off-campus education program.

The Neighborhood Cleanup Days campaign at Georgetown University is a trash cleanup event in the Georgetown neighborhood. Hundreds of Georgetown students volunteer on their weekends for twice-annual trash cleanup. The two community events are the Spirit of Georgetown Day in the fall and the Citizens Association of Georgetown cleanup in the spring. In addition to the cleanup campaign, Georgetown University has offered the Disposing of Move-In/Move-Out Trash service since 1995. The program is designed to pick up and dispose of bulk items disposed of by off-campus students who are moving in or out. The program also runs twice a year, at the beginning of the fall semester and at the end of the spring semester. The University collects an average of 16 tons of bulk items each year. Items in suitable condition are donated to local charities.

Columbia Community Outreach (CCO) of Columbia University, New York, is another example of neighborhood cleanup activity by a university. This is slightly different from the previous example because it encourages citizen participation. Volunteers from surrounding neighborhoods join together with students to clean up their community.
Recommendations

Citizen Participation Program: Code enforcement can be enhanced through the use of trained volunteers. The City of Columbus has proposed a pilot program to address the litter problem in the University District. The program would develop a partnership between the University District Organization and the City of Columbus, and the City of Columbus would partner to develop a 5-block pilot litter collection program. A minimum of three volunteers per block would be responsible for picking up litter once per week on their block; post yard signs for two days per month to alert residents to move their cars to one side of the street to allow street sweeping. The City would provide trash cans at intersections that would be emptied weekly, provide the yard signs about street sweeping, and plan tree trests on the parking strip. It is recommended that this program move forward.

If the volunteer litter program is successful, an education program should be created to train volunteer inspectors who can follow up on resident complaints and have the ability to identify code violations. Currently, it takes an average of three days for code enforcement inspectors in the University District to follow up on citizen’s non-emergency complaints. Based upon the focus group feedback, many citizens feel that their complaints at times go unheard. The volunteer inspectors would act as a liaison and enhance communication between the code enforcement office and neighborhood residents. The citizen volunteers would be trained to distinguish code violations from non-violations. These volunteers would then be able to follow up on citizen complaints and perform proactive inspections of the neighborhood. Once a violation is identified, the volunteer sends a letter to the property owner or resident requesting compliance with the code. At a later date the volunteer follows up to see that the violation has been removed. If the violation has been corrected, then a thank you letter is sent to the owner or resident. If the violation is still a problem, then the case is referred to the code enforcement office. In Minneapolis, there is a 75% success rate in getting offenders to clear the violation without involving the code enforcement division. The citizen volunteers inspect only for the more obvious items such as weeds and tall grass, litter, illegal parking, broken windows, and graffiti.

Advantages
- Better communication between the Code Enforcement office and University District residents
- Faster follow-up on citizen complaints
- Ability to perform proactive sweeps of the neighborhood
- Ability to perform inspections outside the nine to five hours
- Allow Code Enforcement Officers to pursue the more serious violations

Disadvantages
- Potential for an increase in overall violations, increasing rather than decreasing the workload on Code Enforcement officers

Fiscal Impact: The training program is usually performed by Code Enforcement Officers in the district. There would be a cost of training volunteers. The reduction in Code Enforcement Officers’ time spent inspecting minor violations would more than outweigh the costs of the training classes.

Civil Penalties: Current city code allows code enforcement violations to be enforced either as a civil penalty or as a criminal misdemeanor. A third degree misdemeanor has a maximum penalty of $500 and not more than 60 days in jail. Prosecuting code violations as a criminal charge allows the city to assess jail time as a punishment for non-compliance. Several cities including Greensboro, North Carolina and Reno, Nevada have reclassified zoning violations as civil penalties rather than criminal offenses. There are several advantages to classifying them as a civil penalty. Under a criminal code there is a high burden to prove "beyond a reasonable doubt" that criminal activity has taken place. Secondly, the prosecutor has to prove criminal intent on the part of the defendant. In code enforcement these two items can be very difficult to prove and most often code enforcement violations result in a fine. The move to civil penalties carries a much lighter burden of proof. The standard for civil penalties is a “by a preponderance of the evidence”, this standard generally requires 51 percent of the evidence, rather than the 99 percent associated with the above standard. However, Columbus code enforcement officers have found that it takes longer to prosecute a case as a civil penalty than a criminal misdemeanor.

It is recommended that code enforcement officers be allowed to issue civil penalties in the form of a ticket. By issuing a
ticket the entire process of a court hearing is avoided, while
the typical end result—the fine—is reached much faster.

Advantages:
- The use of tickets for minor infractions prevents multiple follow-up trips by code enforcement officers.
- The penalty is most often not significantly different than the court fines.
- Easier to enforce if case does go to court due to reduced burden of proof.
- Reduces costs of pursuing cases in court.

Disadvantages
- Fines are typically low and therefore most effective for minor violations; they may not be as effective for violations, which require significant expense of time and money.
- Lose the ability to assign jail time for code violations.

Fiscal Impact: There would be fewer cases coming through the court system, which would generate a savings in terms of time and money associated with Code Enforcement’s involvement in the judicial proceedings. In addition an increase in income may be generated through the fines.

University Programs: The University can be one of the principal bodies to assist in keeping the University neighborhoods clean. Many universities including OSU try to reach out to the University neighborhoods in various ways.

There are two main recommendations for educating students: online education as in the University of Arizona, and direct education through the orientation program for undergraduate students such as the Georgetown University program. OSU currently does not offer any online education programs and the orientation program does not incorporate issues such as trash policies. The orientation program also does not provide any educational materials pertaining to off-campus living. Providing an online education program would be an easy and fairly inexpensive option. The University would need to research where the educational sections should be posted to get the most exposure. Information provided should include items on how to be a good neighbor, including items surrounding trash policies and procedures, parking, and noise based on city code requirements.

Similar to Georgetown University’s effort, informing new students at orientation sessions would be easy to implement as well. OSU’s orientation sessions would need to be adjusted to include good neighbor policies including trash treatment procedures such as how to handle bulk trash items and the need to bag trash. The orientation materials should include a flyer outlining specific trash policies, pick-up days, and phone numbers to call for special pick-ups. Many of the new students are living on their own for the first time and may be unfamiliar with how to handle some of these items. It would be another inexpensive and effective way to provide information to off-campus students.

A similar flyer could also be distributed through Off-Campus Student Services in conjunction with their other materials. The flyer would include tips on being a good neighbor similar to the program offered by the Arizona Student Union.

Project Community is an OSU organization that provides opportunities for students to become involved in the community. One of the programs sponsored by Project Community is the Community Commitment cleanup campaign. Community Commitment is one of the largest single-day service projects performed on a college campus. The event is held during Welcome Week, usually the day before classes start for autumn quarter. In 2002 approximately 1,500 volunteers worked at 80 service sites for 2-3 hours. The products of Community Commitment activities are obviously positive: besides keeping the neighborhoods clean, universities can expose students to community service and encourage them to continue their community involvement.

The Community Commitment campaign could be expanded to include cooperation with the City of Columbus. In combination with the Keep Columbus Beautiful program, the Community Commitment campaign could encourage University District residents’ participation. The Keep Columbus Beautiful program would also help provide supplies for the cleanup. By doing this, the University can reduce the cost and get more residents and students involved. As in the Georgetown University example, the OSU should offer the Community Commitment activities at least twice per year, once in the beginning of fall quarter and once at the end of the spring quarter. The program could be further expanded to include a bulk trash pickup similar to the Georgetown University Disposing of Move-In/Move-Out Trash service. Additionally, volunteer cleanup days following home football games are recommended.

Fiscal Impact: The cost of the additional Community Commitment day is $9,000, although some savings may be realized by coordination with the Keep Columbus Beautiful program.

Refuse Department Citizen Education Program: There were several comments during the focus groups
regarding Refuse Department procedures. In addition, the recommendations of the University Area Plan included twice weekly pickup and the addition of bulk trash provisions in the City Code. While a few cities such as Normal, Illinois do include bulk trash policies directly in the code, we do not feel that a code change would be the most efficient method of handling this issue in Columbus. Every change to the trash collection policies would then require an amendment to the city code. Based on our interview with the City Refuse Department, the Department’s current trash and bulk trash procedures seem adequate. There are numerous bulk trash pickups and while the area is on a once per week schedule, many heavy use dumpsters are picked up twice per week.

The trash problems seem to be focused on University District residents lack of awareness and compliance with current Refuse Department collection policies and procedures. In addition to the proposed education programs for students, an effort to educate University District residents should be explored. Trash was found to be a problem in all University District neighborhoods. Information regarding policies and procedures as well as important phone numbers and dates should be communicated through the University District Newsletter and other direct mail efforts. Refuse Department procedures for example could periodically be included with the water bills.

“Who is responsible for actually taking the trash to the street? The residents are, but the residents are in rental property so the landlord isn’t maintaining the property correctly. Tenants are irresponsibly leaving trash out and cans are going to get knocked over at night . . . the trash blows up and down the street and never gets cleaned up because the students who live there don’t pick it up and put it in a trash can. The Refuse Department won’t pick it up off the ground. So, it’s compounded. Finally the rats follow. It’s a really big problem . . .”

KB, focus group participant

“We don’t have students, but we have lots and lots of children. And the parents let them come out and put trash in the cans, they’re supposed to, but they put it beside the can, and they won’t lift the lid up to put it in. I know that has to change.”

Dorothy, focus group participant