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Anti-Scavenging

The unauthorized scavenging of recyclable material from public and private residential collection routes and drop-off centers should be considered theft that diverts valuable resources from the communities and companies that have established those routes. Scavenging detracts from the financial performance of those programs and serves as an impediment to future public and private investment in the infrastructure necessary to grow recycling and managing materials in an environmentally responsible manner in Michigan. The Michigan Recycling Coalition encourages State and local officials to adopt laws, ordinances, and practices that discourage the scavenging of recyclable material, while recognizing the interests of all stakeholders.

Background

The practice of scavenging or “garbage picking” has a long history and, in some ways, has served as part of the foundation the modern recycling industry. Finding value and reuse potential in the discards of others is an integral component of the comprehensive solid waste management system of today.

Nevertheless, the scavenging of materials that have been set out at the curb by homeowners for collection by a designated solid waste hauler or taken to a recycling drop-off center poses a number of financial, safety, and environmental issues concerns. .

Financial Impact

Comprehensive solid waste collection systems are generally designed based on the expectation of a certain material stream and related value. Any activity that diverts those materials from the intended collection program interferes with the performance of those systems and undermines the capital and program investments made in those systems.

Haulers and communities design collection routes to maximize efficiency, which can be impacted by the unauthorized scavenging of curbside material. Haulers and communities invest in collection programs with the expectation that the material that is collected will be of a certain value. As the more valuable material is scavenged, expected revenue streams are not realized and the financial performance is degraded.

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Safety/Environmental Issues

Haulers and municipalities design collection programs to ensure that materials are collected and processed in a safe and environmentally sound manner. The scavenging, processing, and sale of commodities outside of the authorized system can create safety and environmental issues.

For example, residents will often discard non-working appliances such as dehumidifiers at the curb. Scavengers will often seek out such appliances for the value of the metal. However, those used appliances may also contain refrigerants. While the authorized collection system is designed to ensure that the refrigerants are removed from the appliance in accordance with all relevant regulations, scavengers are unlikely to feel bound by those same regulations and dismantle the appliance in such a way as to release the refrigerants into the atmosphere.

Another common example involves used electronic equipment, specifically televisions and computer monitors that contain cathode ray tubes (CRTs). When such items are collected for recycling, the valuable metals are captured for recycling and the leaded glass tubes are handled in accordance with environmental regulations and safety practices. Even when such items are collected at the curb for disposal, environmental and safety concerns are considered.

However, scavengers often salvage the metals from the CRTs without regard for the disposition of the leaded glass. Often, the broken leaded glass and low-to-no value plastic components are illicitly dumped. Exposure to broken leaded glass poses health and environmental risks.

Measures to Reduce Scavenging

There are policies and practices that can be undertaken to reduce scavenging activity. Those measures include local ordinances, State law, and local practices.

Local Ordinances

If a community wishes to reduce scavenging, the first step is to adopt a local anti-scavenging ordinance. Appendix A provides examples of such ordinances.

Enforcement is another key component. Many communities across Michigan have anti-scavenging ordinances but do not have the resources to effectively enforce them or don't actively enforce the ordinances because resources are directed to other issues.

State Law

Metal theft from buildings and private property is an increasing concern and has generated legislative efforts aimed at scrap yards that buy such materials. Laws designed to discourage metal theft can also apply to material scavenged from curbside routes if properly designed.

For example, HB 4699 requires the creation and maintenance of the scrap metal offenders registry and makes it illegal for scrap yards to do business with individuals on the registry. In theory, individuals found guilty of violating local anti-scavenging ordinances by scavenging metals could be eligible for the registry.

HB 4699 also creates a funding source for local law enforcement agencies to investigate and prosecute violations.

Local Practices

There are a variety of local practices that can help diminish scavenging. They may vary in effectiveness, cost, and practicality but can be part of a suite of tools that, when combined with effective law enforcement, can effectively address scavenging. Those practices include the following:

- Education. Create public awareness that scavenging is an ordinance violation that should be reported.
- Covered curbside containers. Recycling carts with lids make in less convenience for scavengers to identify potential targets.
- Cameras at recycling drop-off sites. Cameras can aid in identify individuals that scavenge or illicitly dump at recycling drop-off sites.
- Staffed drop-off sites. On-site personnel can serve as an impediment to both scavenging and illicit dumping.
- Signage. Informing drop-off site users of acceptable practices can serve as a deterrent to those individuals that are unaware that scavenging isn't permitted.
- Compactors. Drop-off containers that automatically compact material so that it isn't accessible can eliminate scavenging.

Appendix A
Sample Anti-Scavenging Ordinances

Adrian, Michigan, Code of Ordinances

Sec. 66-14. - Anti-scavenging.

No person shall take, collect, scavenge, rifle or transport refuse or recyclable materials from any street right-of-way, alley, refuse or garbage dumpster or refuse bags without city authorization for such activity.

(Ord. No. 10-009, 11-15-2010)

Hazel Park, Michigan, Code of Ordinances

8.29.310 Scavenging of authorized recyclable materials prohibited.

No person other than the owner of refuse or recyclables or agent, or employees of licensees of the city shall disturb, remove or attempt to remove refuse or recyclables in containers or bags, or disturb, remove or attempt to remove any recyclables not in containers whether same is on public or private property. This section does not apply to police officers or law enforcement officials who are lawfully engaged in their duties.

(Ord. No. 12-11, pt. I, 11-26-2011)

East Jordan, Michigan, Code of Ordinances

Sec. 36-56. - Scavengers.

Scavenging is hereby expressly prohibited. It shall be unlawful for any person to disturb the contents of any portable or stationary refuse receptacle or bundle of materials therein, or leave the receptacle or the contents in a condition other than that provided for by this chapter. All receptacles must be maintained in a sanitary condition.

(Code 1998, § 13-49; Ord. of 1-21-1997(3))