



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

**BILL NO. 010273**

---

**Introduced April 26, 2001**

---

**Councilmembers Clarke, DiCicco, Blackwell and Miller**

---

**Referred to the  
Committee on Licenses and Inspections**

---

## **AN ORDINANCE**

Amending Title 4 of The Philadelphia Code, entitled ("The Philadelphia Building and Construction Occupancy Code") by amending Section B-3313.0 entitled "Removal of Waste Material," all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 4 of The Philadelphia Code is hereby amended to read as follows:

### TITLE 4. THE PHILADELPHIA BUILDING AND CONSTRUCTION OCCUPANCY CODE

\* \* \*

### CHAPTER 4-200. TEXT OF SUBCODES

\* \* \*

### SUBCODE "B" (THE PHILADELPHIA BUILDING CODE)

\* \* \*

SECTION B-3313.0 REMOVAL OF WASTE MATERIAL.

*B-3313.2. Removal of Waste Material. No person shall dump any waste materials in any place other than in locations approved by the Department.*

# City of Philadelphia

BILL NO. 010273 continued

*B-3313.3. Duty to Inspect. Any person who dumped Waste Materials obtained in the City shall insure the Waste Materials were dumped in locations approved by the Department.*

*B-3313.4. Penalties and Enforcement. The enforcement of this Section and penalties for violation thereof are set forth in Section 10-718 and 10-719 of The Philadelphia Code.*

*B-3313.5. Notice. An Officer is authorized to issue a notice to an applicant for permit or license issued by the Department of a violation of this Section and requiring that the applicant remedy the violation. Such notice shall advise the Applicant that fines may be sought and the abatement action taken if the violation has been remedied within three (3) days notice of the date of the warning, except in cases where the waste material presents an immediate danger to the health or safety of the public, in which case such notice shall require that the Applicant remedy the violation immediately and state that, if not remedied immediately, the Department may take immediate action to do so. Such notice shall advise the Applicant that he or she will be held responsible for the City's costs of remedying the violation or removal of the waste material, if necessary.*

*B-3313.6. Penalty. The penalty for a violation of any provision of this Section shall be a fine not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300).*

*B-3313.7. Code Violation Notice. If a violation of this Section has not been remedied within three (3) days of issues of the notice described in Section B-3313.5, or immediately after such notice in cases of immediate danger to the health or safety of the public, an Officer is authorized to issue a Code Violation Notice to the Applicant pursuant to the procedures set forth in Section 1-112 of the Code. The amount required to be remitted in response to a Code Violation Notice issued pursuant to Section 1-112 of the Code to enforce this Section is fifty dollars (\$50). Payment in reposes to a Code Violation Notice shall not excuse the Applicant's responsibility to remedy the violation.*

*B-3313.8. Abatement. If a Applicant fails to remove Waste Materials within three (3) days after a notice of violation has been issued, pursuant to B-3313.5, the Department is authorized to proceed to remove the Waste Materials. The Applicant shall be responsible for the costs of remediation, including all related administrative costs. A bill for such costs of removal shall be delivered to the Applicant, and the Department is authorized to file a lien against the property in the amount of such costs. Liability for the cost of remediation under this Section shall in addition to liability for any fine imposed under this Section. The Applicant in violation of this Section shall be responsible and liable for any damage or injury to any person or property caused by the City or its agent in connection with abatement work pursuant to this Section.*

# City of Philadelphia

*BILL NO. 010273 continued*

SECTION 2. Effective Date. This Ordinance shall take effect ninety (90) days after enactment.

---

**Explanation:**

*Italics indicate new matter added.*

# City of Philadelphia

*BILL NO. 010273 continued*