



City of Philadelphia

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

BILL NO. 180997

Introduced November 15, 2018

Councilmember Henon

**Referred to the
Committee on Public Health and Human Services**

AN ORDINANCE

Amending Title 9, of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," to add a new Section 9-638, entitled "Sharps Disposal Container Availability," to require certain facilities to make sharps disposal containers available to the public for use and to display signs giving notice of sharps collection availability, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

* * *

CHAPTER 9-600. SERVICE AND OTHER BUSINESSES

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§ 9-638. *Sharps Disposal Container Availability.*

(1) *Definitions. For purposes of this Section, the following terms shall have the following meanings:*

"Department." The Philadelphia Department of Public Health.

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“Sharps Disposal Sign.” A sign no larger than eight and a half (8.5) by eleven (11) inches, designed and issued by the Department, which gives notice of the availability of Sharps Disposal Containers and may contain related messaging from the Department.

“Sharps Disposal Containers.” A container such as that recommended by the United States Food and Drug Administration for disposal of used syringes, made of a heavy-duty plastic; sealable with a tight-fitting, puncture-proof lid that prevents removal of disposed sharps; upright and stable during use; leak-resistant; and properly labeled. The Board of Health may promulgate regulations to supplement this definition as appropriate for the protection of public health.

“Covered Site.” A facility open to the public, including District Health Centers, Pharmacies, Hospitals, and such additional City-owned facilities as the Board of Health may designate by regulation, as appropriate for the protection of public health.

(2) Sharps Disposal Container Availability Requirement. Operators of Covered Sites shall make Sharps Disposal Containers available to the public on their premises, and when necessary shall dispose of collected sharps in a manner consistent with standards established by the Department.

(3) Signage Requirement. Operators of Covered Sites shall display one or more Sharps Disposal Signs in a location or locations that is visible and legible at points of sale or other locations accessible by the public. The Department may approve variations in the sign design at the request of an operator of a Covered Site.

(4) Enforcement and Penalties. The Department shall enforce this Section. A violation of this Section shall be a Class III offense. Each day a violation continues shall constitute a separate offense. The amount required to be remitted in response to a notice of violation of this Section pursuant to § 1-112 shall be two hundred and fifty dollars (\$250).

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

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.