

## Legislation Details (With Text)

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**Type:** Bill      **Status:** LAPSED

**File created:** 6/5/2008      **In control:** Committee on Streets and Services

**On agenda:**      **Final action:**

**Title:** Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by increasing the penalties for owners of private premises and vacant private premises who don't maintain their premises, or the sidewalk in front of such premise, free of litter.

**Sponsors:** Councilmember Clarke, Councilmember DiCicco

**Indexes:** REFUSE AND LITTERING

**Code sections:** 10-700 - Refuse and Littering

**Attachments:** 1. Bill No. 08054900.pdf

Date	Ver.	Action By	Action	Result	Tally
10/29/2008	0	Committee on Streets and Services	HEARING NOTICES SENT		
10/29/2008	0	Committee on Streets and Services	RECESSED		
10/29/2008	0	Committee on Streets and Services	HEARING HELD		
6/5/2008	0	CITY COUNCIL	Referred		
6/5/2008	0	CITY COUNCIL	Introduced	Pass	

Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by increasing the penalties for owners of private premises and vacant private premises who don't maintain their premises, or the sidewalk in front of such premise, free of litter.

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

Section 1. Chapter 10-700 of The Philadelphia Code is amended to read as follows:

**CHAPTER 10-700. REFUSE AND LITTERING.**

\* \* \*

§ 10-704. Litter on Sidewalks.

- (1) Persons owning or occupying private premises shall make reasonable efforts to keep the sidewalk in front of such premises free of litter.
- (2) Reasonable efforts shall include the placement of private business receptacles at all public entrances to places of business which prepare or sell food for takeout or consumption off the premises during the business normal hours of operation only.

\* \* \*

§ 10-714. Owner to Maintain Premises Free of Litter.

- (1) The owner or persons in control of any private premises shall at all times maintain the premises free of litter; provided, however, that this Section shall not prohibit the storage of litter in authorized private receptacles.

(2) Private business receptacles shall at all times be maintained in such a manner as to keep the public areas adjacent to the private premises free of litter.

**§ 10-715. Litter on Vacant Lots.**

(1) No person shall throw or deposit litter on any open or vacant private lots or premises whether owned by such person or not.

*(2) The owner or persons in control of any vacant private premise shall at all times maintain the premises free of litter; provided, however, that this Section shall not prohibit the storage of litter in authorized private receptacles.*

§ 10-718. Enforcement.

(1) For the purposes of enforcing the provisions of this Chapter, notice of violation shall be issued by police officers, authorized inspectors within the Department of Licenses and Inspections, or any other person authorized to enforce ordinances.

(2) Whenever a police officer or any other official authorized to enforce ordinances observes a violation of this Chapter, he shall hand to the violator or leave upon or affix to the premises where the violation occurred a printed notice of violation. Such notice shall bear the date, time and nature of the violation, when known, the identity of the violator, the address of the violator or the address where the violation occurred, the amount to be remitted in response to the notice of violation, the penalty which can be imposed by the court for the violation, and shall be signed by the person issuing the notice and shall bear the police officer's badge number or other official identification number identifying the person issuing the violation notice.

\* \* \*

**§ 10-719. Penalties.**

(1) The penalty for violation of any provision of this Chapter, except § 10-710 <[http://www.amlegal.com/nxt/gateway.dll?f=id\\$Id=The%20Philadelphia%20Code%3Ar%3A3317\\$cid=pennsylvania\\$t=document-frame.htm\\$an=JD\\_10-710\\$3.0](http://www.amlegal.com/nxt/gateway.dll?f=id$Id=The%20Philadelphia%20Code%3Ar%3A3317$cid=pennsylvania$t=document-frame.htm$an=JD_10-710$3.0)>, § 10-711 <[http://www.amlegal.com/nxt/gateway.dll?f=id\\$Id=The%20Philadelphia%20Code%3Ar%3A3317\\$cid=pennsylvania\\$t=document-frame.htm\\$an=JD\\_10-711\\$3.0](http://www.amlegal.com/nxt/gateway.dll?f=id$Id=The%20Philadelphia%20Code%3Ar%3A3317$cid=pennsylvania$t=document-frame.htm$an=JD_10-711$3.0)>, § 10-723 <[http://www.amlegal.com/nxt/gateway.dll?f=id\\$Id=The%20Philadelphia%20Code%3Ar%3A3317\\$cid=pennsylvania\\$t=document-frame.htm\\$an=JD\\_10-723\\$3.0](http://www.amlegal.com/nxt/gateway.dll?f=id$Id=The%20Philadelphia%20Code%3Ar%3A3317$cid=pennsylvania$t=document-frame.htm$an=JD_10-723$3.0)>, § 10-723.1 <[http://www.amlegal.com/nxt/gateway.dll?f=id\\$Id=The%20Philadelphia%20Code%3Ar%3A3317\\$cid=pennsylvania\\$t=document-frame.htm\\$an=JD\\_10-723.1\\$3.0](http://www.amlegal.com/nxt/gateway.dll?f=id$Id=The%20Philadelphia%20Code%3Ar%3A3317$cid=pennsylvania$t=document-frame.htm$an=JD_10-723.1$3.0)>, or § 10-723.2 <[http://www.amlegal.com/nxt/gateway.dll?f=id\\$Id=The%20Philadelphia%20Code%3Ar%3A3317\\$cid=pennsylvania\\$t=document-frame.htm\\$an=JD\\_10-723.2\\$3.0](http://www.amlegal.com/nxt/gateway.dll?f=id$Id=The%20Philadelphia%20Code%3Ar%3A3317$cid=pennsylvania$t=document-frame.htm$an=JD_10-723.2$3.0)> shall be a minimum fine of **one hundred (100) dollars and no more than** three hundred (300) dollars for each violation.

\* \* \*

(6) Each day a violation continues or is permitted to continue shall constitute a separate offense for which a separate penalty may be imposed.

(7) Any fine or costs imposed by the court shall be entered as a judgment against the violator.

(8) Any fine or other sanction imposed by the Court shall be paid or satisfied within ten (10) days of its imposition. If the fine or sanction together with any court cost is not paid or satisfied within such period, the violator shall be subject to proceedings for contempt of court and/or collection of the fine as provided for by law.

Explanation:

***Bold Italics indicates new language***

~~Strikethrough~~ indicates deleted language