City of Philadelphia

Legislation Details (With Text)

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Type:	Bill	**Status:**	WITHDRAWN FROM CALENDAR
File created:	9/17/2009	**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 repealing Section 10-726, entitled "Commercial Establishment Waste Management," and by making technical conforming amendments, all under certain terms and conditions.		
Sponsors:	Councilmember DiCicco		
Indexes:	REFUSE AND LITTERING		
Code sections:	10-700 - Refuse and Littering		
Attachments:	1. Bill No. 09058600.pdf		

Date	Ver.	Action By	Action	Result	Tally
12/17/2009	0	CITY COUNCIL	WITHDRAWN FROM CALENDAR		
10/22/2009	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
10/22/2009	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
10/13/2009	0	Committee on Streets and Services	HEARING NOTICES SENT		
10/13/2009	0	Committee on Streets and Services	HEARING HELD		
10/13/2009	0	Committee on Streets and Services	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
9/17/2009	0	CITY COUNCIL	Referred		
9/17/2009	0	CITY COUNCIL	Introduced	Pass	

Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by repealing Section 10-726, entitled "Commercial Establishment Waste Management," and by making technical conforming amendments, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

CHAPTER 10-700. REFUSE AND LITTERING.

* * *

§10-718. Enforcement.

* * *

(3) Any person who receives a notice of violation, except a notice of violation of §10-702, §10-703(2), §10-

710, §10-711, §10-723, §10-723.1, *or* §10-723.2 [or §10-726] may, within ten (10) days, pay the amount of twenty-five (25) dollars, admit the violation and waive appearance before a Municipal Court Judge. * * *

* * *

§10-719. Penalties.

(1) The penalty for violation of any provision of this Chapter, except §10-702, §10-703(2), §10-710, §10-711, §10-723, §10-723.1, *or* §10-723.2 [or §10-726] shall be a minimum fine of one hundred (100) dollars and no more than three hundred (300) dollars for each violation.

* * *

(3) The penalty for violation of §10-702, §10-703(2), §10-711, §10-723, §10-723.1, or §10-723.2 of this Chapter shall be a fine of three hundred (300) dollars. [The penalty for a violation of the regulations adopted under §10-726 of this Chapter shall be a fine of five hundred (500) dollars.]

* * *

[§10-726. Commercial Establishment Waste Management.

(1)   Definitions.

(a) Commercial establishment.   A retail business or an office-based business located in a building in which a total of six or fewer residential, business or office units is located.

(2) There is hereby imposed on all commercial establishments and all owners of the properties in which commercial establishments are located a fee for the collection of refuse, waste and recyclable materials in such amount as shall be established by the Department by regulation, which fee may be imposed on a monthly or annual basis, on a per bag or per weight basis, or such other basis as the Department may establish, in its discretion.

Exemption: Any commercial establishment or property owner that demonstrates, to the satisfaction of the Department, that it has in place one or more private waste hauling contracts that provide for collection of the establishment's refuse, waste and recyclable materials is exempt from the fee.

(3) The Department may establish regulations to implement this Section, including regulations establishing requirements to qualify for an exemption. Such regulations may also make conduct related to the application or qualification for an exemption pursuant to this Section a violation that is subject to penalties as set forth in this Chapter.]

SECTION 2.   This Ordinance shall be effective immediately.

Explanation:

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