

## Legislation Text

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**File #:** 130635-A, **Version:** 2

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Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by further providing with respect to the annual fee for neighborhood sanitation and cleaning services provided to owner-occupied duplexes; 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 amended to read as follows:

### CHAPTER 10-700. REFUSE AND LITTERING

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§ 10-717.1. Eligibility for Municipal Collection and Fees for Neighborhood Sanitation and Cleaning Services.

(1) Residential dwellings of the following types shall be eligible for regular City refuse, recycling and bulk item collection:

- (a) buildings with six or less occupied units;
- (b) condominium (as defined in 68 Pa. C.S. § 3103); and
- (c) cooperatives (as defined in 68 Pa. C.S. § 4103).

(2) There is hereby imposed on all owners of residential or commercial properties eligible for City curbside waste collection an annual fee of three hundred dollars (\$300) per property for neighborhood sanitation and cleaning services, including the collection of refuse, waste and recyclable materials and related cleaning services. Upon a determination by the Department that costs of neighborhood sanitation and cleaning services justify an increase in the fee, the Department may increase the fee, as appropriate, by regulation.

Exemptions: The following are exempt *or partially exempt* from the fee:

- (a) Collection from single-family dwellings;
- (b) Collection from condominiums and cooperatives, as defined in subsection (1);
- (c) Collection from a property in connection with which the property owner 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 refuse, waste and recyclable materials generated at the property[.];
- (d) *Collection from a duplex (two-family dwelling) in connection with which the property owner demonstrates, to the satisfaction of the Department, that the owner resides in one of the living units,*

*provided that the exemption shall apply to fifty percent (50%) of the fee imposed pursuant to subsection (2).*

(3) The Department may establish regulations to implement this Section, including regulations establishing additional eligibility for curbside collection and regulations providing for interest and penalties for late payment and non-payment.

(4) The provision of false information to the City in an effort to demonstrate private service shall (a) constitute a violation and subject the property owner to penalties as set forth in this Chapter; and (b) make the property owner liable for the annual fee.

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SECTION 2. This Ordinance shall take effect January 1, 2015.

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.