Legislation Details (With Text)

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File created:	3/17/2022			**In control:**	Committee on Streets and Services
On agenda:				**Final action:**	6/16/2022
Title:	Amending Chapter 10-700 of The Philadelphia Code, entitled “Refuse and Littering,” by adding new definition for third party administrators, and revising Section 10-718 to sanction third party administrators as enforcers of illegal dumping violations, all under certain terms and conditions.				
Sponsors:	Councilmember Oh				
Indexes:	REFUSE AND LITTERING				
Code sections:					
Attachments:	1. Bill No. 22024300.pdf, 2. CertifiedCopy22024300				

Date	Ver.	Action By	Action	Result	Tally
9/13/2022	0	MAYOR	SIGNED		
6/16/2022	0	CITY COUNCIL	READ AND PASSED	Pass	17:0
6/9/2022	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL		
6/9/2022	0	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/9/2022	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
6/7/2022	0	Committee on Streets and Services	HEARING NOTICES SENT		
6/7/2022	0	Committee on Streets and Services	HEARING HELD		
6/7/2022	0	Committee on Streets and Services	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
3/17/2022	0	CITY COUNCIL	Introduced and Referred		

Amending Chapter 10-700 of The Philadelphia Code, entitled “Refuse and Littering,” by adding new definition for third party administrators, and revising Section 10-718 to sanction third party administrators as enforcers of illegal dumping violations, 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.

§ 10-701. Definitions.

In this Chapter the following definitions apply:

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(18) Third Party Administrator. Any public or private entity contracted by the Streets Department to enforce the provisions of this Chapter.

* * *

§ 10-718. Enforcement.

(1) For the purposes of enforcing the provisions of this Chapter, notice of violation under Section 1-112 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-184600> shall be issued by police officers, authorized inspectors within the Department or the Department of Licenses and Inspections, *authorized third-party administrators,* or any other person authorized to enforce ordinances; provided that, for purposes of subsection 1-112 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-184600> (3), the required amount to be remitted shall be fifty dollars ($50), except as follows:

(a) For violations of Section 10-711 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199341> (Handbills on Vehicles), Section 10-723 (Handbills on Sidewalks, Streets and Private Property), Section 10-723.1 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199500> (Removing Handbills), or Section 10-723.2 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199503> (Distribution of Handbills): one hundred dollars ($100);

(b) For violations of Section 10-702 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199222> (Litter in Public Places), subsection 10-703 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199224>(2) (Placing Household Refuse in a Public Receptacle), or Section 10-722 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199414> (Use of Dumpsters): one hundred fifty dollars ($150); and

(c) For violations of Section 10-710 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199241>: no stipulated payment shall be allowed.

(2) The Department may by regulation provide for stipulated amounts other than those provided in subsections (1)(a) and (b).

(3) Whenever a police officer has probable cause to believe a vehicle was or is being used to violate subsection 10-710 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199241> (2), the officer may seize the vehicle.

(4) Whenever a third party administrator has probable cause to believe a vehicle was or is being used to violate subsection 10-710 <https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-199241>(2), the administrator may boot and/or tow the vehicle.

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SECTION 2. This Ordinance shall be effective immediately.

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Explanation:

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