

Legislation Text

File #: 161105, **Version:** 1

Amending Chapter 10-700 of The Philadelphia Code, entitled “Refuse and Littering,” by expanding the reward program for the provision of information regarding short dumping and revising penalties for refuse and littering violations, 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.

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§ 10-710.1. Reward Program for the Provision of Information Regarding Short Dumping.

- (1) Before or during each fiscal year, the Managing Director may announce the availability of funds during such fiscal year to pay rewards to individuals who provide information that leads to a judicial determination that one or more individuals have violated the prohibition on short dumping set forth in subsection 10-710(2) of this Code, such as license plate information and make or model descriptions of any vehicle used in connection with such a violation.
- (2) The amount of each particular award shall be in the discretion of the Managing Director or his or her designee, but in no event shall the total amount awarded in connection with any violation be less than five hundred dollars.
- (3) The Managing Director shall base his or her determination of the amount of any particular award on the following factors:
 - (a) the extent and significance of the violation of subsection 10-710(2), based on the quantity and type of materials dumped;
 - (b) the specificity and accuracy of the information provided;
 - (c) whether the information provided was unique or was information provided by other individuals; [and]
 - (d) whether the individual provided a sworn statement or sworn testimony in connection with the investigation or any legal proceedings related to the determination of liability.
- (4) No City employee with enforcement responsibility pursuant to Chapter 10-700 of the Code, nor any governmental employee who obtains information regarding short dumping during the course of his or her employment, shall be eligible to obtain any such award.

- (5) The Managing Director may establish such administrative regulations as he or she deems necessary to implement the intent of this Section.

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§ 10-719. Penalties.

- (1) The penalty for violation of any provision of this Chapter, except § 10-702, § 10-703(2), § 10-710, § 10-711, § 10-722, § 10-723, § 10-723.1, § 10-723.2 or § 10-717.1 shall be a minimum fine of one hundred (100) dollars and no more than three hundred (300) dollars for each violation.
- (2) The penalty for violation of § 10-710(1) of this Chapter shall be [a fine of three hundred (300) dollars or such equitable remedy as the Court may deem proper, including, without limitation, an order to clean up unlawful dump sites, or both.]:
- (a) a fine of one thousand (1,000) dollars for the first violation;*
 - (b) a fine of one thousand five hundred (1,500) dollars for the second violation;*
 - (c) a fine of two thousand (2,000) dollars for all subsequent offenses; and*
 - (d) such equitable remedy as the court may deem proper, including, without limitation, an order to clean up the location at which the violator dumped trash, garbage or debris or to clean up other sites where short dumping has occurred or to pay the costs of cleanup.*

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

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