

Legislation Text

File #: 180729-A, Version: 1

Amending Section 10-710, entitled "Dumping of Debris and Short Dumping," by adding new provisions and amending Section 10-719, entitled "Penalties," by further amending the maximum penalty to be assessed; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 10 of The Philadelphia Code is amended to read as follows:

TITLE 10. REGULATION OF INDIVIDUAL CONDUCT AND ACTIVITY.

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CHAPTER 10-700. REFUSE AND LITTERING.

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§ 10-710. Dumping of Debris and Short Dumping.

(1) No person shall deposit, dump or cause to be placed any *municipal waste, recyclable materials, or debris* on any location without the prior written consent of the owner of such location. A violation of this subsection that is also a violation of subsection (2) may be prosecuted as a violation of subsection (2).

(2) No owner or operator, or an agent of either, of a trash, garbage or debris collection vehicle, including private automobiles and small trucks, or any other type of vehicles used to collect or transport trash, garbage or debris, shall knowingly deposit or cause to be deposited the vehicle's load or any part thereof on any road, street, highway, alley or railroad right-of-way, or on the land of another *or into the waters of the City* without both the permission of the owner and all necessary licenses and permits [or into the waters of the City].

* * *

§ 10-719. Penalties.

* * *

[(2) The penalty for violation of § 10-710(1) of this Chapter shall be:

- (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.]

(2) *The penalty for violation of § 10-710(1) of this Chapter shall be:*

(a) a minimum fine of two thousand (2,000) dollars per offense and, if authorized by the General Assembly, a maximum fine of twenty-five thousand (25,000) dollars per offense.

(b) 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.

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SECTION 2. Effective date. This Ordinance shall take effect 60 days after its enactment.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.