

Moved by: Worth Majors

An Ordinance amending and reorganizing Part 3 of Title 9 of the Codified Ordinances of the City of Harrisburg, entitled the "Municipal Waste and Recycling Code," to reflect enhancements to the City's collection and management of solid waste, recyclable and composting materials; to improve efficiencies in the collection of residential municipal waste fees by instituting annual billing; to provide a discount period; to identify prohibited acts which constitute violations of this Code; and to strengthen enforcement of this Code by authorizing the use of Enforcement Officer(s), and establishing fines and penalties for violations of this Code.

WHEREAS, the City is empowered to enact and enforce ordinances to govern and regulate sanitation practices within the City consistent with the Solid Waste Management Plan for Dauphin County, as approved by the Pennsylvania Department of Environmental Protection, the Pennsylvania Solid Waste Management Act of 1980 (P.L. 380, No. 97, July 7, 1980) and the Pennsylvania Municipal Waste Planning, Recycling, and Waste Reduction Act (P.L. 556, No. 101, July 28, 1988) to ensure the best delivery of sanitation services to the Harrisburg community; and

WHEREAS, the City desires to provide for the collection and handling of municipal waste, recycling, and composting in a manner consistent with the best interest of the health, safety and welfare of the residents and general community of the City; and

WHEREAS, in order to fulfill these obligations to better provide for the public health and welfare of its citizenry, the City has determined to modernize the ordinances and regulations governing municipal waste, recycling and composting collection and disposal, so as to reflect, codify and otherwise better conform its municipal waste, recycling, and composting collection rules and practices in a manner that allows for a uniform, fair, and cost-effective service to its residents and the general Harrisburg community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HARRISBURG, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE SAME, AS FOLLOWS:

SECTION 1. AMENDMENT TO PART 3 OF TITLE 9.

Part 3 of Title 9 of the Codified Ordinances for the City of Harrisburg is hereby amended as follows:

Chapter 9-301

[MUNICIPAL WASTE AND RECYCLING] GENERAL PROVISIONS

§ 9-301.1. Title.

This Part 3 of Title 9 shall be known and may be cited as the "Municipal Waste, [and] Recycling, and Composting Code" of the City of Harrisburg.

§ 9-301.2. Definitions[; word usage].

[For the purposes of this Part 3, the following terms, phrases and words shall have the meanings given herein; other definitions may be found in Chapter 1-302, Glossary of Terms. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall," as used herein, is mandatory and not merely directory.] The following terms shall have the meanings given herein for the purposes of this Part 3. Other terms not defined in this Part may be found in §1-301.3, Statutory Construction, and §1-302.1, Glossary of Terms.

ACT 101 — The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, as amended.

[ALUMINUM CAN — Containers which are comprised entirely of aluminum and which formerly contained only nonaerosol edible substances.]

ASH — The residue from the burning of wood, coal, coke, and other combustible materials for residential heating.

[BIMETAL CAN — An airtight, usually cylindrical container made of two metals in which foods or beverages are preserved.]

BULK ITEM — A large household item that shall be considered municipal waste but cannot fit into a municipal waste receptacle for collection. This includes, but shall not be limited to: file cabinets, chairs, tables, desks, sofas, box springs, mattresses, and entertainment units.

[CAN — A container, which formerly contained only nonaerosol edible substances, comprised of aluminum, tin, steel, or a combination thereof, or other substances as have been approved for recycling by the City. The term includes, but is not limited to, cans which once contained such substances as vegetables, meats, fruits, juices, or other similar food storage containers constructed of approved materials. The term does not include aerosol cans, hazardous cleaning substances, automotive supply cans (e.g., transmission fluid motor oils, etc.), and other similar containers.]

CARDBOARD — All corrugated or other cardboard normally used for packing,

89 mailing, shipping, or containerizing goods, merchandise or other material, but
90 excluding plastic-, foam- or wax-coated or soiled cardboard.

91
92 CART — The receptacle used by residential households for the express purpose of
93 storing municipal waste or recycling for collection by the City or its agent(s).

94
95 COMMERCIAL — [Nonresidential, and shall include facilities which are partially
96 residential and partially nonresidential.] Any structure or part of a structure within the
97 City used for commercial purposes or not used solely as a residential property. This
98 includes, but shall not be limited to: businesses, apartment buildings with five or more
99 individual domiciles, and structures that are partially residential and partially
100 nonresidential.

101
102 [COMMINGLED — Source-separated, nonputrescent recyclable materials that have
103 been mixed at the source of generation (i.e., placed in the same container).]

104
105 COMPOSTING MATERIAL — Materials that are biodegradable and can be source-
106 separated to be converted into a valuable soil additive/fertilizer. Leaves, tree trimmings,
107 and other yard waste are examples of composting material.

108
109 CONSTRUCTION AND DEMOLITION WASTE (C&D WASTE) — Solid waste
110 resulting from the construction or demolition of buildings and other structures,
111 including, but not limited to: wood, plaster, metals, asphaltic substances, bricks, block
112 and unsegregated concrete. The term does not include the following if they are separate
113 from other waste and are used as clean fill:

- 114 1. Uncontaminated soil, rock, stone, gravel, brick and block, concrete and used asphalt.
115 2. Waste from land clearing, grubbing and excavation, including trees, brush, stumps
116 and vegetative material.

117
118 [CONTRACTOR — A person or company approved by the City to collect, transport
119 or market recyclables.]

120
121 COUNTY — The County of Dauphin, Commonwealth of Pennsylvania.

122
123 COUNTY PLAN — The [s]Solid [w]Waste [m]Management [p]Plan for Dauphin
124 County as approved by the Pennsylvania Department of Environmental Protection.

125
126 [DESIGNATED RECYCLABLE MATERIALS — Those recyclable materials to be
127 source-separated in this City. The term includes but is not limited to glass, plastic
128 containers, cans, corrugated and other cardboard, high-grade office paper or other
129 materials.]

130
131 DIRECTOR DPW — The Director of the Department of Public Works of the
132 City of Harrisburg.

133

134 [DIRECTOR I&SG — The Director of Incineration and Steam Generation of the
135 City.]

136

137 DISPOSAL FACILITY — [The Harrisburg Steam Generating Facility, also known as
138 the "Harrisburg Resource Recovery Facility," or an alternate municipal waste disposal
139 facility as may be designated by the Director I&SG.] The municipal waste disposal
140 facility designated to receive municipal waste generated within the City.

141

142 [DISPOSITION or DISPOSITION OF DESIGNATED RECYCLABLE MATERIALS
143 — The transportation, placement or arrangement of designated recyclable materials
144 for all possible end uses, except disposal as solid waste.]

145

146 DUMPSTER — The receptacle used by commercial premises for the express purpose of
147 storing municipal waste or recycling for collection by the City or its agent(s).

148

149 ELECTRONIC WASTE — Any electrical or electronic devices or equipment to be
150 discarded; also referred to as e-waste.

151

152 ENFORCEMENT OFFICER — The employee or agent of the City vested with the
153 authority of a law enforcement officer and whose duties primarily involve the
154 enforcement of the Municipal Waste, Recycling, and Composting Code and its
155 corresponding rules and regulations.

156

157 [GENERATOR — The person who is responsible for the recyclable material or
158 solid waste.]

159

160 GLASS, BOTTLES, AND JARS — All [clear, green, and brown-colored] glass (clear
161 and colored) food and/or beverage containers. ["Glass" shall not include crystal,
162 ceramics or light bulbs or plate, window, laminated, wired, or mirrored glass.]

163

164 [GROUND LEVEL — The level of the ground adjacent to the principal structure on
165 the property, but this term does not mean the basement level unless the basement is the
166 same level as the street, alley or walkway from which collection is made.]

167

168 HAZARDOUS WASTE — Any material or substance which, by reason of its
169 composition or characteristics:

170

171 A. Is toxic or hazardous waste, as defined in any applicable law; the Solid Waste
172 Disposal Act, 42 U.S.C. § 6901 et seq.; or the Resource Conservation and Recovery
173 Act of 1976, 42 U.S.C. § 6901 et seq., as the same may be amended, replaced or
174 superseded, and any regulations, orders, guidelines and policies implementing the
175 same;

176 B. Constitutes material regulated by the Toxic Substances Control Act, 15 U.S.C. §

- 177 2601 et seq., as the same may be amended, replaced or superseded, and any
178 regulations, orders, guidelines and policies implementing the same;
- 179 C. Constitutes materials within the meaning of the Atomic Energy Act of 1954, 42
180 U.S.C. § 2011 et seq., as the same may be amended, replaced or superseded, and
181 any regulations, orders, guidelines and policies implementing the same; or
- 182 D. Under any other law of similar purpose or effect, or under regulations and
183 policies implementing same, is not permitted to be processed at the disposal facility.

184

185 HOUSEHOLD HAZARDOUS WASTE (HHW) — Waste that would be considered
186 hazardous waste under the Pennsylvania Solid Waste Management Act of 1980 (“Act
187 97”) but for the fact that it is produced in quantities smaller than those regulated as
188 hazardous waste under Act 97 and is generated by persons not otherwise covered as
189 hazardous waste generators by Act 97. Household hazardous waste is unacceptable
190 waste for purposes of disposal in the City of Harrisburg.

191

192 [HIGH-GRADE OFFICE PAPER — Includes paper items generated by offices and/or
193 commercial entities. This may include white computer paper, white copier paper, white
194 typing paper, white letterhead paper, white note-pad paper, and other similar office
195 paper.]

196

197 IMPROVED PROPERTY — Any property upon which is located a building, mobile
198 trailer unit or other structure, whether or not attached to the land. Parking lots with
199 surface material construction, including crushed stone, concrete and asphalt, for the
200 purpose of providing an area for the off-street parking of vehicles, shall be considered
201 to be an improved property; provided, however, that land upon which no structures are
202 located other than surface materials, and which is not used for any purpose, shall not be
203 deemed to be improved property.

204

205 [LEAF AND YARD WASTE FACILITY — A dropoff point or area designated by
206 Director DPW where leaves, tree trimmings, brush and garden residue, and, if designated,
207 grass clippings, can be delivered to the City for processing.]

208

209 MEDICAL WASTE — Regulated medical waste and potentially infectious waste
210 materials, which includes laboratory, dialysis or biological waste; waste generated in the
211 diagnosis, treatment, or immunization of people or animals; human pathological waste;
212 blood, cultures, needles, scalpel blades; contaminated animal carcasses; waste which
213 may have come in contact with infectious agents; and materials contaminated with
214 blood, including wearing apparel, bedding or other items from homes or other places
215 where highly infectious or contagious diseases have occurred.

216

217 METAL CAN — A container, comprised of aluminum, tin, steel, or other metal, or a
218 combination thereof, which formerly contained only non-aerosol edible substances. The
219 term includes, but shall not be limited to cans which once contained such items as
220 vegetables, meats, fruits, or juices. The term shall not include aerosol cans, cans
221 containing hazardous cleaning substances, automotive supply cans (e.g., transmission
222 fluids, motor oils, etc.), and other similar containers.

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MUNICIPAL WASTE — Any garbage, refuse, industrial lunchroom or office waste, and other material, including solid, liquid, semisolid or contained gaseous material, resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities[.] and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. Commonly known as trash or garbage, municipal waste consists of everyday items such as product packaging, furniture, clothing, waste glass, food scraps, and alkaline batteries. The term does not include C&D Waste, source-separated recyclable materials, paint, hazardous waste, household hazardous waste, waste treatment plant and sewage treatment plant sludge or residual waste. [This includes, but is not limited to, the following bulk items: file cabinets, chairs, tables, desks, stoves, water heaters, clothes washers, clothes dryers, sofas, box springs, mattresses, and entertainment units. The following items are also included when such items have had the refrigerant removed from them by an air conditioner and refrigeration technician certified by the United States Environmental Protection Agency and satisfactory evidence of such is provided to City personnel or other authorized persons responsible for waste collection: air conditioners, refrigerators, and freezers. Satisfactory evidence shall consist of a signed statement of the disposer, which includes the name and address of the certified technician who recovered the refrigerant and the date the refrigerant was recovered, or a copy of a contract stating that the refrigerant will be removed prior to pickup. This term does not include hazardous waste, recyclable materials, sewage, sludge, batteries, tires, industrial fluid, automotive fluid, paints, or construction/demolition materials.]

[NONRESIDENTIAL PROPERTY — Any structure or part of a structure in the City not used or designed to be used as a residential dwelling unit.]

OFFICE PAPER — High grade paper items typically generated by offices and/or commercial entities. This includes, but shall not be limited to: copier paper, letterhead paper, note pad paper, and other similar office paper that is white or pastel in color.

OPEN BURNING — A fire, the air contaminants from which are emitted directly into the outdoor atmosphere and not directed thereto through a flue.

[OPERATIONS SUPERVISOR — The operations supervisor at the disposal facility.]

PICKUP POINT — A location(s) designated by the Director DPW where recyclables are to be placed for collection.

[PLASTIC JUG — A rounded, pitcher-like container made of plastic, usually with a small mouth and a handle, which formerly contained only edible substances or such other substances as have been approved by the City.]

PRIVATE HAULER — Any person, other than the City[,] or other governmental

269 entity, who collects and disposes of municipal waste, recycling, or composting
270 generated in the City.

271

272 PROHIBITED MATERIALS — Any item that is not acceptable material to be processed
273 through the means in which it has been disposed.

274

275 RECYCLABLE MATERIAL — A material, which would otherwise become
276 municipal waste, which can be collected, separated or processed and returned to the
277 economic mainstream in the form of raw materials or products.

278

279 RECYCLING — [Any] The process by which materials, which would otherwise
280 become solid waste, are collected, separated or processed [and] for the
281 purpose of being returned to the economic mainstream in the form of raw
282 materials or products.

283

284 RECYCLING [CONTAINER] BARREL — [The container provided by the City]
285 A receptacle used for the express purpose of storing recyclables for collection by the
286 City or its agent(s).

287

288 [RESIDENT — Any human being residing within the City on a temporary or
289 permanent basis, but excluding persons residing in hotels or motels.]

290

291 RESIDENTIAL PROPERTY — Any structure in the City used or designed to be used as
292 a residential dwelling space.

293

294 RESIDUAL WASTE — Any garbage, refuse, other discarded material or other waste,
295 including solid, liquid, semisolid or contained gaseous materials, resulting from
296 industrial mining or agricultural operations or any sludge from an industrial, mining or
297 agricultural water supply treatment facility, waste water treatment facility or air
298 pollution control facility, provided that it is not hazardous. The term shall not include
299 coal refuse as defined in the Act of September 24, 1968 (P.L. 1040, No. 318), known as
300 the Coal Refuse Disposal Control Act. The term shall not include treatment sludge from
301 coal mine drainage treatment plants, disposal of which is being carried on pursuant to
302 and in compliance with a valid permit issued pursuant to the Act of June 22, 1937 (P.L.
303 1987, No. 394), known as The Clean Streams Law.

304

305 SCRAP METAL — Any appliances or furniture made primarily out of metal, such as
306 stoves, water heaters, clothes washers, clothes dryers, and file cabinets, or materials left
307 over from product manufacturing and consumption or parts of vehicles, building
308 supplies, and surplus materials, that are primarily comprised of metal and suitable for
309 reprocessing.

310

311 SINGLE-STREAM RECYCLING — Household recycling material that can go into the
312 recycling barrel for curbside collection.

313

314 SOURCE-SEPARATE — To separate [recyclable] materials from the municipal
315 waste stream at the point of waste generation to be collected and processed
316 accordingly.

317

318 [TIN CAN — An airtight, usually cylindrical container made of tin-plated sheet
319 steel in which foods or beverages are preserved.]

320

321 UNACCEPTABLE WASTE — Unacceptable waste includes the following:

- 322 A. Any material that by reason of its composition, characteristics, or quantity is
323 ineligible for disposal at any County Designated Facility pursuant to the provisions
324 of the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 et seq.,
325 and the regulations thereunder, or any other applicable law, rule, or regulation,
326 (including but not limited to the following laws and regulations, if any, promulgated
327 under each: the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §136 et
328 seq.; the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq.; the
329 Comprehensive Environmental Response, Compensation and Liability Act, 42
330 U.S.C. §9601 et seq.; the Hazardous Sites Cleanup Act, Act 108, enacted October
331 18, 1988; and any similar or substituted legislation or regulations or amendments to
332 the foregoing, as well as any laws coextensive with the foregoing);
- 333 B. Any other materials that any governmental agency or unit having appropriate
334 jurisdiction has determined to be ineligible for disposal at any County Designated
335 Facility;
- 336 C. Any waste that a County Designated Facility is precluded from accepting pursuant to
337 an existing permit governing that facility;
- 338 D. Hazardous waste and household hazardous waste;
- 339 E. Residual waste;
- 340 F. Special handling municipal solid waste, including but not limited to, friable asbestos
341 waste, sludge, infectious/pathological waste, and chemotherapeutic waste;
- 342 G. An individual truckload of municipal waste which contains white goods (e.g.,
343 refrigerators, freezers, washers, dryers, dishwashers, air conditioners, stoves, ranges
344 and any similar appliances) in quantity and/or whole tires in quantity; or
- 345 H. Any other materials that present an endangerment to a County Designated Facility or
346 the public health and safety, including truckloads of leaf and yard waste.

347

348 VACANT PROPERTY — Any building (whether commercial or residential), structure,
349 lot, or parcel of land which is not legally occupied or inhabited. A reasonable person
350 standard shall be used in determining whether a property is vacant. Some indicators that
351 a property is vacant include but are not limited to:

- 352 1. lack of human activity, furnishings, or equipment inside the building or structure;
353 2. accumulated mail, newspapers, circulars, shut-off notices;
354 3. lack of utility services (water, electricity, natural gas);
355 4. broken or boarded-up windows or doors.

356 Vacant property shall include any building, structure, lot, or parcel of land where no
357 municipal waste has been generated for collection for at least 90 consecutive days.

358 Vacant property shall not include property that is unoccupied and undergoing

359 construction, renovation, or rehabilitation in compliance with applicable legislation,
360 regulations, codes, and ordinances.

361
362 WASTE GLASS – Light bulbs, window glass, mirrors, laminated glass (car windows),
363 and wired or tempered glass. Waste glass is municipal waste.

364
365 YARD WASTE — Includes leaves, grass clippings, tree trimmings, brush, chipped
366 shrubbery, and garden residue[, excluding grass clippings].

367
368 YARD WASTE FACILITY — A drop-off point or area designated by the City where
369 leaves, tree trimmings, brush and garden residue, and if designated, grass clippings, can
370 be collected for processing.

371
372 § 9-301.3. Source-Separating.

373 The City reserves the right to and retains the option, at its discretion, to designate certain
374 materials for source-separation; to require deposit of such materials into separate
375 receptacles; to prescribe the method of disposal; and to direct other related activities as
376 determined necessary. All residents and businesses within the City of Harrisburg shall
377 participate in the process of source-separating. The City finds that the reduction in the
378 amount of municipal waste and the conservation of recyclable and compostable
379 materials is an important public concern and is necessary to implement the requirements
380 of Pennsylvania Act 101, the Municipal Waste Planning, Recycling and Waste
381 Reduction Act of 1988, and the Solid Waste Management Plan for Dauphin County, as
382 approved by the Pennsylvania Department of Environmental Protection. The separation
383 of materials for recycling and composting from residential and commercial
384 establishments in this City will minimize potential adverse environmental effects of
385 landfilling by reducing the need for additional landfills and conserving existing landfill
386 capacity; facilitate the implementation and operation of other forms of resource recovery
387 called for by the county plan; conserve natural resources; and reduce the cost of
388 municipal waste disposal generally.

389
390 § 9-301.4. Authority.

391 Sanitation services shall be supervised by the Director DPW. Authority is hereby
392 conferred upon the Director DPW to promulgate rules and regulations concerning the
393 days of collection, pickup points, routes, and the type of receptacle and conveyance as is
394 found reasonably suited to the prompt, effective and efficient collection of municipal
395 waste in the City, and to promulgate rules and regulations with respect to those other
396 specific matters for which such authority is herein granted, and to change and modify
397 any and all such rules and regulations from time to time in the manner provided by law,
398 provided that such rules and regulations shall not be inconsistent with the provisions
399 herewith.

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MUNICIPAL WASTE [COLLECTION]

§ 9-303.1. [Administration; collection by City.] Designation of Municipal Waste.

[A. Collection of municipal waste shall be supervised by the Director of the Bureau of Sanitation under the direction of the Director DPW. Authority is hereby conferred upon the Director DPW to promulgate rules and regulations concerning the days of collection, pickup points, routes, and the type of conveyance as is found reasonably suited to the prompt, effective and efficient collection of municipal waste in the City, and to promulgate rules and regulations with respect to those other specific matters for which such authority is herein granted, and to change and modify any and all such rules and regulations from time to time in the manner provided by law, provided that such rules and regulations shall not be inconsistent with the provisions herewith.]

[B. All municipal waste generated in the City shall be collected by the City, except for municipal waste from nonresidential property when, because of the type, nature or quantity of such waste or the necessity of more frequent collection than provided by the City, permission is granted by the Director DPW, either by general rule or regulation, or, in specific cases, for such municipal waste to be collected by private haulers or by the occupiers of such nonresidential property.]

Designated items for collection and disposal as municipal waste pursuant to this Chapter shall be determined by the rules and regulations promulgated by the Director DPW. The City reserves the right and retains the option at its discretion to add or remove an item or items from its designation list at any time upon notification of the public.

§ 9-303.2. [Collection by private haulers.] Municipal Waste Collection.

A. General Provisions. Collection of municipal waste shall be under the direction of the Director DPW. Authority is conferred upon the Director DPW to promulgate rules and regulations concerning the days of collection, pickup points, routes, and the type of receptacle and conveyance.

B. Curbside Collection. It shall be the responsibility of the City or its agents to make periodic curbside collections of reasonable accumulations of municipal waste from residential and commercial properties. Municipal waste shall be collected by the City or its agents at times pursuant to a schedule designated by the Director DPW and promulgated in the rules and regulations.

C. Existing Contracts. Nothing contained in this Section, Chapter or Code shall be construed to interfere with or in any way modify the provisions of any existing contract which is consistent with the laws of the Commonwealth of Pennsylvania and in force in the City on the effective date of this Code. No renewal of any existing contract upon the expiration of the original term thereof and no new contract for the collection, transportation, processing, or purchase of municipal waste or recyclables shall be entered into after the effective date of this Chapter, unless such renewal or such contract shall conform to the requirements of this Chapter.

450 D. [A. Private haulers may collect municipal waste from nonresidential properties in
451 accordance with rules and regulations promulgated by the Director DPW under this
452 chapter.] Owners of commercial properties may apply for a waiver from the Director DPW
453 to collect municipal waste based on the amount and type of municipal waste to be
454 collected. Approved private haulers shall be in compliance with the rules and regulations
455 promulgated by the Director DPW. Individual agreements may be entered into between
456 private haulers and the owners [or occupiers of nonresidential] of commercial
457 properties who have been granted a waiver for the time period provided in the waiver,
458 and the fees and charges therefor shall be determined solely by private agreement
459 between the parties. Private haulers collecting municipal waste generated within the
460 City shall dispose of such waste in accordance with and under the provisions of
461 [Chapter 9-305] Chapter 9-303.3.

462
463 [B.] All vehicles utilized by private haulers under this [s]Section shall be [provided]
464 equipped with a tight cover and shall be so operated as to prevent offensive odors
465 escaping therefrom or any refuse from being blown, dropped or spilled therefrom
466 within the City.

467
468 [§ 9-303.3. Precollection procedures.]

469 [A. Ash shall be placed and maintained in a separate container(s).]

470
471 [B. Provided all other provisions of this chapter are complied with, all other municipal
472 waste shall be placed in a separate container(s).]

473
474 [C. Recyclable material shall be placed in a separate container in accordance with and
475 under the provisions of this chapter.]

476
477 [D. All municipal waste, before being placed in containers for collection, shall have
478 drained therefrom all free liquids.]

479
480 [E. Tree trimmings, hedge clippings and similar material shall be cut in lengths not
481 exceeding four feet and securely tied in bundles not more than two feet thick before
482 being deposited for collection.]

483
484 [§ 9-303.4. Municipal waste containers.]

485 E. Municipal Waste Receptacles.

486 [A.] Municipal waste [containers] receptacles, including carts, dumpsters, and
487 compactors, shall comply with the rules and regulations promulgated by the Director
488 DPW [shall be provided by the owner or occupier of the premises] and shall be
489 maintained in good condition. Any [container] receptacle which does not conform to
490 the provisions of this [c]Chapter, or which may have ragged or sharp edges or any
491 other defect liable to hamper or injure the person collecting the contents thereof, shall
492 be promptly replaced. [The Director DPW shall have the authority to refuse to collect
493 municipal waste for failure to comply with this provision.]

494

495 [B. Municipal waste containers shall be made of metal, heavy-duty plastic or other
496 material approved by the Director DPW, equipped with suitable handles and tight-
497 fitting covers, securely fastened and watertight, and of a size and weight which can
498 be handled conveniently by one person; provided, however, that leaf and yard waste,
499 not tree trimmings, may be placed in heavy-duty plastic bags for collection, and
500 municipal waste may be placed in heavy-duty plastic bags prior to such waste being
501 placed in approved containers.] [Amended 11-10-1998 by Ord. No. 14-1998]

502

503 [C. Ash containers shall be of metal and have a capacity of not more than 1.5 bushels
504 each.]

505

506 [§ 9-303.5. Deposit of waste in containers required; excessive accumulation.]

507 [A. No person shall place any municipal waste in any street, alley or other public place,
508 or upon any private property within the City, whether owned by such person or not,
509 unless it is placed in proper containers for collection as provided herein. No person
510 shall throw, drop, deposit or otherwise disburse any municipal waste in any stream, other
511 body of water, public street, alley, or other public place in the City.]

512

513 [B. Municipal waste shall be prepared and placed for collection as herein provided
514 regularly and periodically on the days designated by the Director DPW as provided
515 herein, and it shall be unlawful for any person to accumulate any municipal waste in
516 the City in quantities which exceed those which can be regularly and conveniently
517 collected as herein provided. In the event of any such excessive accumulation, failure
518 to remove the same within five days after notice thereof from the Director DPW shall be
519 unlawful and shall be deemed to be a violation of the provisions of this chapter.]

520

521 [C. Municipal waste collection shall be limited to six trash bags per residential unit,
522 properly secured in approved waste containers, and it shall be a violation of this
523 chapter to place for collection more than six trash bags per residential unit.] [Added
524 7-9-2013 by Ord. No. 15-2013]

525

526 [§ 9-303.6. Scattering of municipal waste.]

527 [No person shall cast, place, sweep or deposit anywhere in the City any
528 municipal waste in such manner that it may be carried or deposited by the
529 elements to or upon any street, sidewalk, alley, sewer, parkway or other public place,
530 or any stream or body of water, or into any private premises within the City.]

531

532 [§ 9-303.7. Points of collection.]

533 F. Points of Collection.

534 [At the times designated for collection by the Director of Public Works, containers
535 shall be placed for collection as follows:]

536 [A. Where there are walkways, streets, or alleys in the rear of structures, the
537 containers shall be placed at the rear of the property nearest such street, alley or
538 walkway, but not in the right-of-way of such street, alley or walkway.]

539 [B. Where there are no streets, alleys or walkways in the rear of structures, and there are

540 no areaways or walkways between structures, the containers shall be placed at the front
541 of the structures, at ground level.]

542

543 [§ 9-303.8. Accessibility of containers.]

544 All [containers] carts, dumpsters, and compactors shall be placed together at the same
545 location on each property[, as provided in § 9-303.7,] and be easily accessible to the
546 street, alley or walkway from which collection is made, in compliance with the rules and
547 regulations promulgated by the Director DPW. [At no time shall containers, except
548 recyclable material containers, be placed in the front of any property if it is possible to
549 place the same at locations to the side or rear of the property pursuant to the foregoing
550 regulations.]

551

552 [§ 9-303.9. Hardship exceptions.]

553 In cases in which a property owner is unable to comply with the foregoing requirements
554 of this Section due to age or continuing illness or physical handicap, the same shall
555 be reported promptly to the Director DPW, and special arrangements for collection
556 shall be made to accommodate such property owner without additional charge where
557 possible. If special arrangements cannot be made without unusual expense to the
558 City, the Director DPW shall establish a reasonable additional charge for such special
559 arrangements and shall publish a schedule of such additional charges as may be
560 applicable to the different types of special arrangements which may be needed from time
561 to time.

562

563 [§ 9-303.10. Collection practices.]

564 [A. Collections will be made at times and pursuant to a schedule designated by the
565 Director DPW.]

566

567 [B. The responsibility of the City to make periodic collections of municipal waste
568 from residential and nonresidential properties shall be limited to the collection of
569 reasonable accumulations thereof from each such property during each collection period.
570 A reasonable accumulation of municipal waste shall be such accumulation as can be
571 conveniently collected and handled periodically by the persons responsible therefor.
572 In the event unreasonable accumulations are placed for collection, the Director
573 DPW shall have the option either to refuse to make the collection and to direct the
574 owner or occupier of such property to remove the same as authorized in this chapter
575 or to make special arrangements for the collection thereof and impose additional
576 charges on the owner or occupier of such premises in accordance with rules and
577 regulations promulgated by the Director DPW.]

578

579 [C. No material shall be placed at the roadside earlier than 7:00 p.m. the evening of
580 the day preceding a scheduled collection day. Material must be placed at the roadside by
581 6:00 a.m. on the scheduled collection day.]

582

583 [D. Following the collection of municipal waste, the municipal waste containers must
584 be removed from any right-of-way (including streets, alleys, sidewalks and common
585 walkways) prior to 9:00 p.m. of the night following collection. All municipal waste

586 containers must then be properly secured on the property.] [Added 7-9-2013 by Ord.
587 No. 15-2013]

588

589 [E. All reasonable effort shall be made by City personnel or other authorized persons
590 responsible for waste collection to pick up any trash dropped out of a municipal waste
591 container which conforms to the requirements of this chapter. Any municipal waste
592 which remains after the collection, however, is the responsibility of the person(s) who
593 placed the waste, and it must be properly bagged and placed for collection at the
594 next scheduled municipal waste collection day.] [Added 7-9-2013 by Ord. No. 15-
595 2013]

596

597 [§ 9-303.11. Point of origin.]

598 [Only municipal waste generated in the City shall be stored or placed for collection
599 at the designated property site.]

600

601 [§ 9-303.12. Special refuse problems.]

602 [A. The removal of wearing apparel, bedding or other items from homes or other places
603 where highly infectious or contagious diseases have occurred shall be performed
604 under the supervision and direction of the City Health Officer, and such wastes shall
605 not be placed in containers for regular collections.]

606

607 [B. Under no circumstances shall hazardous waste be placed in containers for regular
608 collection. Such waste shall be disposed of as directed by the Director DPW at the
609 expense of the owner, generator or possessor thereof.]

610

611 [C. Highly flammable, explosive or other dangerous substances, such as acids and
612 similar materials, shall not be placed in containers for regular collection but shall be
613 disposed of as directed by the Director DPW at the expense of the owner or possessor
614 thereof.]

615

616 [§ 9-303.13. Placement of bulk items.] [Added 7-9-2013 by Ord. No. 15-2013]

617 G. Placement of Bulk Items.

618 Each residential [unit] property is permitted to place one bulk item per week at
619 the point of collection[required by § 9-303.7], provided that such item is not otherwise
620 prohibited from municipal waste collection and such item is of a size that can be
621 handled by the persons responsible for waste collection. If such item cannot be
622 collected by the persons responsible for waste collection, the person(s) who placed
623 such item must remove it within 24 hours. [Failure to remove such item within 24 hours
624 is a violation of this chapter by the person(s) who placed such item.] Any bulk item(s)
625 placed for collection in excess of the [allotted] allowable one per week per
626 residential [unit] property will be collected for disposal[,] and the residential [unit]
627 property will be charged accordingly for such service.

628

629 [§ 9-303.99. Penalty.] [Amended 4-28-2015 by Ord. No. 3-2015]

630 [A. Any person, whether individually or as a member or employee of a partnership or

631 limited liability company, or any officer, agent or employee of a corporation or trust,
632 who directs or knowingly permits any violation of any of the provisions of the
633 sections of this Code, or who aids or assists therein, either on his or her own
634 behalf or in the interests of his or her employer or principal, and fails to comply
635 with any order made thereunder from which no appeal has been taken, or fails to
636 comply with such order as affirmed or modified by the City shall, upon conviction
637 thereof, severally and for each violation and noncompliance, respectively, be fined not
638 less than \$100 nor more than \$1,000 for the first two continual and uncorrected
639 violations, and not exceeding \$5,000 for the third and any subsequent continual
640 and uncorrected violation, and, in default of payment thereof, shall be imprisoned in
641 the Dauphin County Prison for not more than 90 days for each separate violation,
642 or both. The imposition of one penalty for any violation shall not excuse the violation
643 or permit it to continue; and all persons required to do so shall correct and remedy
644 violations or defects within a reasonable time; and, when not otherwise specified,
645 each day that the prohibited conditions are maintained shall constitute a separate
646 offense.]

647
648 [B. Nothing set forth in this section may limit the pursuit of other appropriate actions or
649 proceedings at law or in equity available to the City.]

650
651 [Chapter 9-305]

652 [MUNICIPAL WASTE DISPOSAL]

653
654 [§ 9-305.1. Administration.]

655 [Disposal of municipal waste shall be supervised by the operations supervisor under the
656 direction of the Director I&SG. Authority is hereby conferred upon such Director to
657 promulgate rules and regulations concerning the days of operation, receiving hours,
658 type of conveyance, and acceptable and nonacceptable waste related to the disposal of
659 municipal waste at the disposal facility as he/she finds reasonably suited to the
660 prompt, effective and efficient disposal of municipal waste in the City, and to
661 promulgate rules and regulations with respect to those other specific matters for
662 which such authority is herein granted, and to change and modify any and all such
663 rules and regulations from time to time in the manner provided by law, provided that
664 such rules and regulations shall not be inconsistent with the provisions herewith.]

665
666 [§ 9-305.2.] § 9-303.3. Municipal Waste Disposal [practices].

667 [Disposal of all municipal waste generated within the City will be accomplished as
668 determined by the Director I&SG. All municipal waste collected in the City shall be
669 disposed of at the disposal facility designated by the Director I&SG.]

670
671 [§ 9-305.3. Disposal by private haulers; truck registration fees.]

672 [Private haulers collecting municipal waste generated in the City in accordance with
673 and under the provisions of this chapter shall also receive approval by the Director of
674 I&SG and obtain a permit from the Department of Incineration and Steam Generation
675 before they may collect or dispose of municipal waste generated within the City.
676 Permits to approved private haulers shall be issued on a nontransferable registration-fee

677 basis for each truck used to deliver municipal waste to the disposal facility hereafter and
678 from time to time duly established for the same by the Director of I&SG.]

679

680 [§ 9-305.4. Rules and regulations for disposal.]

681 [All persons disposing of municipal waste under this chapter shall do so in
682 accordance with the rules and regulations provided for herein. A current copy of the
683 aforementioned rules and regulations shall be kept on file at the office of the City
684 Clerk.]

685

686 [§ 9-305.99. Penalty.]

687 [Violation of any part or whole of this chapter shall be punishable under the general
688 code penalty, § 1-301.99, and any other applicable law or regulation.]

689 All municipal waste produced, collected, and transported from within the jurisdictional
690 limits of the City shall be disposed of at a licensed and approved disposal facility in
691 accordance with the Dauphin County Solid Waste Plan, and in compliance with all
692 Department of Environmental Protection regulations and with any other applicable local,
693 state or federal statute or rules and regulations. The designated facility for disposal of all
694 municipal waste produced, collected and transported from within the jurisdictional limits
695 of the City shall be the Susquehanna Resource Management Complex (formerly known
696 as the Harrisburg Incinerator) which is currently owned and managed by Lancaster
697 County Solid Waste Management Authority ("LCSWMA").

698

699 [Chapter 9-307]

700 [COLLECTION AND DISPOSAL CHARGES]

701

702 [§ 9-307.1.] § 9-303.4. Rates for Municipal Waste Services. [Ord. No. 39-1995;
703 amended 12-16-1997 by Ord. No. 19-1997; 4-25-2006 by Ord. No. 6-2006; 11-20-2007
704 by Ord. No. 20-2007; 7-9-2013 by Ord. No. 14-2013]

705 [The collection and disposal of municipal waste shall be in accordance with the
706 following schedule of charges which shall be applicable to the owners and
707 occupants of properties whose municipal waste is collected by the City:]

708 A. General Provisions. All persons receiving municipal waste services by the City or its
709 agent(s) under this Chapter, as defined by the rules and regulations promulgated by the
710 Director DPW, are subject to the rates in this Section.

711

712 [A.] B. Collection [charges] Rates. The collection rates for each property, or part of a
713 property, within the City shall be related to the kind, quality, and quantity of municipal
714 waste to be collected from such property, as set forth below:

715

716 (1) [Single-family residential] Residential property utilizing carts: \$156 per year; \$13
717 monthly[.] per cart for once a week collection of up to 95 gallons of municipal waste not
718 weighing in excess of 160 lbs.

719

720 [(2) Multifamily residential: \$13 monthly for each unit, except for multifamily

721 residential properties utilizing dumpsters, in which case rates shall be set pursuant to
722 Subsection A(5) of this section.]

723
724 [(3) Special exception for certain multiunit rooming houses. In cases of multifamily
725 residential units in rooming houses utilizing common facilities for the Director of DPW
726 is hereby authorized to promulgate rules and regulations authorizing reductions in the
727 rates applicable to such units related to the nature and quantity of solid wastes placed for
728 collection from such properties, provided that such rates shall in no event be less than
729 50% of the standard collection rates set forth above for multifamily residential units, and
730 provided that at least one full single-family rate shall be applicable to each property.]

731
732 [(4)] (2) Commercial[/nonresidential]. The collection rates for each property, or part of
733 a property, utilized for commercial [and/or nonresidential] purposes within the City shall
734 be set forth in rules and regulations promulgated by the Director DPW related to the
735 kind, quality, and quantity of municipal waste to be collected from such property,
736 provided that such rates shall not be less than \$411 per year; \$34.25 monthly[.] for once
737 a week collection of up to 95 gallons of municipal waste not weighing in excess of 160
738 lbs.

739
740 [(5)] (3) Dumpsters. The collection rates for dumpsters, whether located on property
741 classified as [single-family or multifamily] residential or commercial[/nonresidential],
742 shall be at the rates as set forth in Appendix, Chapter 9, [page A:23,] of the Codified
743 Ordinances. The City, through the Director [of] DPW, shall set the collection rates for
744 individual customers whose dumpsters, due to size of dumpster(s) or compaction of
745 waste, do not fit within the rate schedule set forth in the Appendix.

746
747 [B.] C. Disposal Rates. In addition to the [charges] rates for collection of municipal
748 waste by the City, there is [hereby] imposed upon each property within the City a refuse
749 ready-to-serve and use of facilities charge for the disposal of municipal waste delivered
750 by the City to the disposal facility, pursuant to the following:

751
752 (1) Residential dwelling units of four units or less [(including vacant lots and except as
753 otherwise provided herein)]: \$232.08 per year per [unit] cart; \$19.34 monthly for once a
754 week disposal of up to 95 gallons of municipal waste not weighing in excess of 160 lbs.

755
756 (2) [Nonresidential property] Commercial [and multifamily residential property of five
757 or more units] properties: a charge for each person using a structure or part of a structure
758 for a separate nonresidential use or for residential use within a single property containing
759 five or more separate living units at the rates set forth in Appendix, Chapter 9, [page
760 A:23,] of the Codified Ordinances. The City, through the Director [of] DPW, shall set
761 the disposal rates for individual customers whose [trash] municipal waste is collected in
762 dumpsters which, due to size of dumpster(s) or compaction of waste, do not fit within
763 the rate schedule set forth in the [a]Appendix.

764
765 (3) The charges imposed for disposal of municipal waste in the City shall be imposed
766 upon the owners of all improved property within the City, except for improved property

767 used exclusively as an accessory use, such as a garage, constructed within 60 feet of the
768 property line of the single-family residence for which it is an accessory use, provided
769 that the accessory use is not occupied, rented or used for any commercial or residential
770 purpose.

771
772 [§ 9-307.2. Charges for private haulers.]

773 [Approved private haulers who collect municipal waste generated in the City and those
774 persons who dispose of their own municipal waste, in accordance with the respective
775 approvals granted by the Director DPW and the Director I&SG, shall dispose of all such
776 municipal waste at the disposal facility and shall pay a per-ton fee hereafter and from
777 time to time duly established for the same by the Director I&SG. A current fee
778 schedule shall be kept on file in the office of the City Clerk. The Director I&SG shall
779 exempt from the disposal charges any property from which all municipal waste is
780 collected by an approved private hauler.]

781
782 [§ 9-307.3. Segregation and use of funds.]

783 [All monies received by the City from the collection of the ready-to-serve and use of
784 facilities charge as provided in this chapter, and all penalties and interest thereon,
785 shall be segregated and kept separate and apart from all other funds of the City. Such
786 segregated funds shall be used only for the purpose of defraying the expenses of the
787 City in the operation, maintenance (including insurance), repair, alteration, inspection,
788 and other ordinary expenses in relation to the disposal facility and for the making of
789 usual renewals and replacements and ordinary improvements thereto in order to maintain
790 adequate service, including any taxes lawfully imposed, payable by the City under
791 other payment required to be paid under such lease or supplement.]

792
793 [§ 9-307.4. Billing accounts.]

794 D. Billing and Payments.

795 [All billings for charges under this chapter shall be prepared in the name of the owner
796 of the premises for which the collection charges are being made, and the charge is
797 hereby imposed upon such owner. The deed registry in the office of the City Engineer
798 shall be prima facie evidence of the owner of property in the City, and the burden of
799 proving that such registry is in error shall be upon the person asserting the same. The
800 charges provided herein shall be paid in advance by the owner or occupant of the
801 property involved.]

802 Billing and payments for municipal waste services under this Chapter shall be made as
803 follows:

804 (1) An annual fee for residential municipal waste services (including collection and
805 disposal fees) shall be charged and separately stated on the same bill as the annual real
806 estate tax, which is mailed to all residential property owners each year.

807
808 (2) Full payment of the annual fee for municipal waste services is due by 120 days of the
809 mailing date of the annual bill. Payment after 120 days will result in a 10 percent (10 %)
810 penalty on the entire municipal waste services annual bill.

811

812 (3) Residential property owners who pay the annual fee for municipal waste services in
813 full within 60 days of the mailing date of the annual bill shall receive a 2 percent (2%)
814 discount.

815
816 (4) Residential property owners can make a specific request to receive a monthly bill for
817 municipal waste services (including collection and disposal fees) instead of receiving an
818 annual bill. Penalties for delinquent payment of monthly municipal waste services fees
819 are as otherwise stated in the Codified Ordinances of the City of Harrisburg.

820
821 (5) The owner of vacant property shall not be responsible for the payment of the annual
822 disposal and collection fees for municipal waste services. The Director DPW or the
823 Director's designee(s) shall be responsible for determining whether a property is vacant
824 for purposes of this Chapter.

825
826 (6) Commercial property owners will be billed for municipal waste services (disposal
827 and collection fees) on a monthly basis.

828
829 [§ 9-307.5. Suspension of service for payment delinquency.]

830 [If any person fails to pay in full within 60 days any bill for the charges imposed under
831 this chapter, the City shall have the right to terminate municipal waste collection and
832 disposal services rendered to the property of such person for such period as the City
833 may, in its discretion, determine. After payment of all delinquent bills by such
834 person, service may be restored.]

835
836 [§ 9-307.6. Liens.] § 9-303.4. Collection Procedures for unpaid, delinquent Municipal
837 Waste Services

838 A. General Provisions. Pursuant to 11 Pa.C.S. § 12409 (e)(2) of the Third Class City
839 Code, delinquent payment of municipal waste services rates and other charges shall be
840 collected pursuant to the Municipal Claim and Tax Lien Law, 53 P.S. § 7101, et seq., or
841 by civil action.

842
843 B. Liens. [Charges] Rates imposed under this [c]Chapter shall be a lien on the
844 properties served from the date the charge first becomes due and payable. In
845 addition to all other rights of the City, if such charges are not paid, the City may
846 file such liens and collect same in the manner provided by law for the filing and
847 collection of municipal liens and claims and may proceed to collect such charges by an
848 action in assumpsit in the name of the City against the owner of the property charged.

849
850 [§ 9-307.7. Service of notice.]

851 [Whenever notice is necessary under this chapter, such notice shall be properly served
852 upon such owner if a copy thereof is delivered to the owner personally; or by leaving a
853 notice at the usual place of abode with someone of suitable age and discretion, who
854 shall be informed of the contents thereof; or by certified or registered mail, addressed to
855 the owner at the last known address, with return receipt showing it has been
856 delivered. If the return receipt shows that it has not been delivered, then service may

857 be made by posting a copy thereof in a conspicuous place in or about the structure
858 affected by such notice. Such notice shall set forth a reasonable time for such
859 compliance to be accomplished.]

860
861 [§ 9-307.8. Enforcement.]

862 [A. The Director DPW, or any other designated City official, shall act in the capacity
863 of a police officer for the limited purpose of issuing nontraffic summary citations to
864 owners of premises or persons who are found in violation of this chapter.]

865
866 [B. The Director DPW may, by written rule or regulation, designate employees of the
867 Department of Public Works who may issue such citations. Such rules or
868 regulations shall be effective three days following filing with the City Clerk.]

869
870 [§ 9-307.99. Penalty.]

871 [Violation of any part or whole of this chapter shall be punishable under the
872 general code penalty, § 1-301.99, and any other applicable law or regulation.]

873
874 Chapter [9-309] 9-305

875 RECYCLING

876
877 [§ 9-309.1. Purpose and goals.]

878 [The City finds that the reduction of the amount of solid waste and conservation of
879 recyclable materials is an important public concern and is necessary to implement
880 the requirements of Pennsylvania Act 101, the Municipal Waste Planning, Recycling
881 and Waste Reduction Act of 1988, and the county plan. The separation and collection of
882 plastic, paper, cardboard, glass, cans, and vegetative yard waste for recycling from
883 the residential, commercial, and institutional establishments in this City will minimize
884 potential adverse environmental effects of landfilling by reducing the need for landfills
885 and conserving existing landfill capacity; facilitate the implementation and operation of
886 other forms of resource recovery called for by the county plan; conserve natural
887 resources; and reduce the cost of municipal waste disposal generally. The promotion
888 and use of recyclable material, goods produced from recycled materials, and goods
889 which facilitate recycling will further serve the same purposes by encouraging and
890 facilitating recycling. As a goal, the City will endeavor to recycle 25% of municipal
891 waste by January 1, 1997, in accordance with the provisions of Act 101.]

892
893 [§ 9-309.2. Responsible agent.]

894 [A. The Director DPW or a designee shall be responsible for all aspects of a recycling
895 program in the City of Harrisburg, including the preparation of all necessary plans
896 for recyclable materials and the coordination of those plans with local, state and
897 federal agencies.]

898
899 [B. The Director of DPW shall and is able to:]

900 [(1) Provide public recyclable material collection, storage, transportation and marketing

901 service and/or approve and regulate the establishment, maintenance and operation of
902 private recyclable material collection, storage, transportation, and marketing services
903 and sites;]
904 [(2) Adopt, issue and enforce such rules and standards as are necessary to implement and
905 carry out the intent of this chapter;]
906 [(3) Issue warning notices and initiate proceedings against violators of this chapter;]
907 [(4) Investigate all complaints;]
908 [(5) Inspect all aspects of recyclable collection, storage and marketing, including but not
909 limited to equipment, containers, facilities, books and records;]
910 [(6) Designate an agent(s) to enforce this act.]

911

912 § 9-305.1 Designation of Recyclable Materials.

913 Designated recyclables for the recycling program established pursuant to this Chapter
914 shall be determined by the rules and regulations promulgated by the Director DPW. The
915 City reserves the right to add or remove an item or items from its designated list at any
916 time upon notification of the public.

917

918 § 9-305.2 Recycling Collection.

919 A. General Provisions. All commercial, municipal or institutional establishments are
920 required to source-separate all designated recyclable materials and to provide for
921 transportation of those designated recyclable materials, either through the City or its
922 agents or a private hauler. The Director DPW or a designee shall be responsible for all
923 aspects of a recycling program in the City of Harrisburg, including the preparation of all
924 necessary plans for recyclable materials and the coordination of those plans with local,
925 state and federal agencies. Authority is conferred upon the Director DPW to promulgate
926 rules and regulations as are necessary to implement and carry out the intent of this
927 Chapter. All collection of recycling under this Chapter shall be done in accordance with
928 the rules and regulations.

929

930 [§ 9-309.3. Establishment of curbside program.]

931 [The Director DPW shall designate a schedule and plan for curbside collection of
932 recyclable materials.]

933

934 B. Curbside Collection. It shall be the responsibility of the City or its agents to make
935 periodic curbside collections of reasonable accumulations of recycling from residential
936 and commercial properties. A reasonable accumulation of recycling shall be such
937 accumulation as can be conveniently collected and handled by the persons responsible
938 for the periodic collection of recycling material. Recycling shall be collected by the City
939 or its agents at times pursuant to a plan and schedule designated by the Director DPW in
940 the promulgated rules and regulations.

941

942 [§ 9-309.4. Distribution of recycling containers.] [Added 4-23-2013 by Ord. No. 4-2013⁴]

943 C. Recycling Receptacles.

944 [The Director of DPW shall establish a recycling container distribution program in

945 which recycling containers are distributed free of charge to residents of the City of
946 Harrisburg at designated locations and during designated time periods, which
947 locations and times shall be announced to the public prior to the distribution.]
948 Recycling receptacles, including barrels, carts, and dumpsters, shall comply with the
949 rules and regulations promulgated by the Director DPW and shall be maintained in good
950 condition by the owner or occupier of the premises. Any receptacle which does not
951 conform to the provisions of this Chapter, or which may have ragged or sharp edges or
952 any other defect liable to hamper or injure the person collecting the contents thereof,
953 shall be promptly replaced.

954
955 [§ 9-309.5. Collection standards.]

956 D. Collection of Recyclables

957 [A. Collection of recyclable materials pursuant to this chapter shall be made every week,
958 except in cases where the collection day falls upon New Year's Day, Dr. Martin L.
959 King's Birthday, Presidents' Day, Good Friday, Memorial Day, Independence Day,
960 Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, or Christmas Day.
961 Collection shall occur in accordance with a schedule publicly advertised by the City.]

962 [B. All residents within the City served by the curbside program established pursuant
963 to this chapter shall source-separate all designated recyclables and place them at
964 designated pickup points in the manner described in this chapter and on the date
965 specified for collection by the schedule published by the City.]

966 [C. The schedule, which shall proceed upon public notice by the Director DPW, shall
967 direct recyclables to be collected on a regularly scheduled weekly pickup.]

968 [D. Designated recyclables for the residential curbside program established pursuant to
969 this chapter shall consist of the following materials:] [Amended 10-23-2001 by Ord. No.
970 18-2001]

971 [Plastic jugs] [Bimetal cans] [Clear glass]

972 [Yard waste] [Tin cans] [Brown glass]

973 [Newsprint] [Aluminum cans] [Green glass]

974 [F. These materials shall be required to be source-separated in a commingled container
975 provided by the City, except yard waste, which shall be separated from all other
976 designated recyclables for collection by the City or its agent(s).]

977 Collection of recyclables in the City of Harrisburg shall be under the direction of the
978 Director DPW. Authority is conferred upon the Director DPW to promulgate rules and
979 regulations concerning the days of collection, pickup points, routes, and the type of
980 receptacle and conveyance. The schedule shall direct recyclables to be collected on a
981 regularly scheduled weekly pickup.

982
983 E. Existing Contracts. Nothing contained in this Section, Chapter or Code shall be
984 construed to interfere with or in any way modify the provisions of any existing contract
985 which is consistent with the laws of the Commonwealth of Pennsylvania and in force in
986 the City on the effective date of this Code. No renewal of any existing contract upon the
987 expiration of the original term thereof and no new contract for the collection,
988 transportation, processing, or purchase of municipal waste or recyclables shall be
989 entered into after the effective date of this Chapter, unless such renewal of such contract
990 shall conform to the requirements of this Chapter.

991

992 [G.] F. Private Haulers. [For residents of apartments or other residential establishments
993 with four or more units that cannot be served by the City's curbside recycling
994 program, the owner, landlord or agent of the owner or landlord of such units shall
995 establish a source-separation and collection system for designated recyclable
996 materials. The source-separation and collection system shall include suitable containers
997 and written instructions to residents concerning the mandatory use of the recycling
998 collection system. The owner, landlord or agent of the owner or landlord shall also
999 provide for transportation of such recyclables to a recycling processing facility, either
1000 through the City or a private hauler.] If [the owner, landlord, or agent of the owner or
1001 landlord] a commercial, municipal or institutional establishment utilizes a private hauler
1002 to transport the designated recyclable materials, such [person] establishment which hired
1003 the private hauler is required to provide annual written documentation as to the type
1004 and weight of materials recycled during the preceding 12 months. Reports are due to
1005 the City in a form provided by the City no later than [January 15] March 1 of
1006 each year[and may be supplemented quarterly]. [Added 10-23-2001 by Ord. No. 18-
1007 2001]

1008

1009 [H. Following the collection of recyclables, the recycling bin must be removed from any
1010 right-of-way (including streets, alleys, sidewalks and common walkways) prior to 9:00
1011 p.m. of the night following collection. All recycling bins must then be properly
1012 secured on the property.] [Added 7-9-2013 by Ord. No. 15-2013]

1013

1014 [§ 9-309.6. Preparation of designated recyclables.]

1015 [All recyclables placed at the curbside by residents for collection pursuant to the
1016 curbside program established pursuant to this chapter shall be prepared for collection
1017 as follows:]

1018

1019 [A. Glass containers and plastic jugs shall have caps and lids removed.]

1020 [B. Glass containers, plastic jugs and cans shall be rinsed free of contaminants.]

1021 [C. Glass containers, plastic jugs and cans shall be placed in a commingled container to
1022 be provided by the City. Plastic garbage bags or other home-use containers shall not
1023 be utilized as containers for recyclable materials; only containers designated by the
1024 City shall be utilized for recyclable material collection.]

1025 [D. Newsprint shall be either tied with twine or placed in a paper bag and placed on top
1026 of the commingled recycling container previously provided to residents by the City.
1027 Plastic garbage bags or other home-use containers shall not be utilized as containers
1028 for newsprint. "Newsprint" shall include any paper made from wood pulp used chiefly
1029 for printing newspapers.] [Added 10-23-2001 by Ord. No. 18-2001]

1030 [§ 9-309.7. Leaf and yard waste facility.]

1031 [The City shall establish a leaf and yard waste recycling facility for the processing of
1032 leaves and yard waste, including tree trimmings, brush, garden residue and, if
1033 designated, grass clippings, the location and operation of which shall be publicly
1034 announced.]

1035

1036 [§ 9-309.8. Disposal of leaves and yard waste.]

1037 [A. No person shall dispose of leaves, arrange for the disposal of leaves, or cause leaves
1038 to be disposed of at any solid waste facility, other than a composting facility, after the
1039 establishment of the leaf and yard waste recycling facility.]

1040 [B. All persons who gather leaves and who are served by the City program for
1041 separate collection of leaves shall source-separate all leaves and place them for
1042 collection at the times and in the manner heretofore or hereafter prescribed by the
1043 Director DPW.]

1044 [C. Nothing herein shall either require any person to gather leaves or prevent any person
1045 from utilizing leaves for compost, mulch, or other agricultural, horticultural,
1046 silvicultural, gardening or landscaping purposes.]

1047

1048 [§ 9-309.9. Mandatory commercial, municipal and institutional recycling program.]

1049 [Amended 10-23-2001 by Ord. No. 18-2001]

1050 [A. All persons within the City who are not served by the curbside recycling program
1051 established pursuant to § 9-309.3 of this chapter, including residents of apartments
1052 and other residential establishments, shall source-separate and arrange for the
1053 collection of recycling of all designated recyclables in accordance with the source-
1054 separation and collection system at their establishment.]

1055 [B. All commercial, municipal and institutional establishments are required to source-
1056 separate all designated recyclable materials set forth below and to provide for
1057 transportation of those designated recyclable materials, either through the City or a
1058 private hauler. If a commercial, municipal and institutional establishment utilizes a
1059 private hauler to transport the designated recyclable materials, such person is required
1060 to provide annual written documentation as to the type and weight of materials recycled
1061 during the preceding 12 months. Reports are due to the City in a form provided by the
1062 City no later than January 15 of each year and may be supplemented quarterly.]

1063 [C. Designated recyclables for the mandatory commercial, municipal and institutional
1064 recycling program shall consist of the following materials:]

1065 [(1) High-grade office paper;]

1066 [(2) Corrugated paper;]

1067 [(3) Glass containers and aluminum cans;]

1068 [(4) Leaf waste; and]

1069 [(5) Other recyclable materials as designated by the City 30 days after such designation
1070 and publication of notice in a newspaper of general circulation within the City.]

1071 [D. All community events shall include the source separation and processing of
1072 corrugated paper, glass containers and aluminum cans.]

1073

1074 § 9-305.3 Recycling Disposal.

1075 A. General Provisions. Disposal of recycling shall be under the direction of the
1076 Director DPW. Authority is conferred upon the Director DPW to promulgate rules and
1077 regulations concerning the days of operation, receiving hours, type of receptacle and
1078 conveyance, and the designation of acceptable and unacceptable recycling material. The
1079 Director DPW shall promulgate rules and regulations with respect to those other specific
1080 matters for which such authority is herein granted, and to change and modify any and all
1081 such rules and regulations from time to time in the manner provided by law, provided

1082 that such rules and regulations shall not be inconsistent with the provisions herewith.

1083

1084 B. Existing Contracts. Nothing contained in this Section, Chapter or Code shall be
1085 construed to interfere with or in any way modify the provisions of any existing contract
1086 which is consistent with the laws of the Commonwealth of Pennsylvania and in force in
1087 the City on the effective date of this Code. No renewal of any existing contract upon the
1088 expiration of the original term thereof and no new contract for the collection,
1089 transportation, processing, or purchase of municipal waste or recyclables shall be
1090 entered into after the effective date of this Chapter, unless such renewal of such contract
1091 shall conform to the requirements of this Chapter.

1092

1093 C. Other Means of Disposal. Notwithstanding anything herein to the contrary, any
1094 resident of the City may donate or sell any recyclable to any other person, whether
1095 operating for a profit or not for profit; provided, however, that the person receiving the
1096 recyclable shall not under any circumstances collect the donated or sold material from
1097 the curbside without prior written permission from the City for such collection.

1098

1099 D. Open Burning Prohibited. No person shall cause or allow the open burning of
1100 recyclable material as well as leaf waste (including leaves, garden residues, shrubbery
1101 and tree trimmings) in the City.

1102

1103 § 9-305.4 Rates for Recycling.

1104 The City's curbside recycling program is free to City residents and commercial
1105 businesses. Participation in the recycling program is mandatory.

1106

1107 Chapter 9-307

1108 COMPOSTING

1109

1110 § 9-307.1 Composting Materials.

1111 Designated composting materials for the composting program established pursuant to
1112 this Chapter shall be determined by the rules and regulations promulgated by the
1113 Director DPW.

1114

1115 § 9-307.2 Composting Collection.

1116 A. General Provisions. Collection of composting materials shall be under the direction
1117 of the Director DPW. Authority is conferred upon the Director DPW to promulgate
1118 rules and regulations concerning the days of collection, pickup points, routes, and the
1119 type of receptacle and conveyance.

1120

1121 B. Curbside Collection. Composting shall be collected by the City or its agents at times
1122 pursuant to a schedule designated by the Director DPW and promulgated in the rules and
1123 regulations.

1124

1125 § 9-307.3 Composting Disposal.

1126 A. General Provisions. Disposal of composting materials shall be under the direction of
1127 the Director DPW. Authority is conferred upon the Director DPW to promulgate rules
1128 and regulations concerning the days of operation, receiving hours, and type of receptacle
1129 and conveyance. The Director DPW shall promulgate rules and regulations with respect
1130 to those other specific matters for which such authority is herein granted, and to change
1131 and modify any and all such rules and regulations from time to time in the manner
1132 provided by law, provided that such rules and regulations shall not be inconsistent with
1133 the provisions herewith.

1134
1135 B. Existing Contracts. Nothing contained in this Section, Chapter or Code shall be
1136 construed to interfere with or in any way modify the provisions of any existing contract
1137 which is consistent with the laws of the Commonwealth of Pennsylvania and in force in
1138 the City on the effective date of this Code. No renewal of any existing contract upon the
1139 expiration of the original term thereof and no new contract for the collection,
1140 transportation, processing, or purchase of municipal waste or composting materials shall
1141 be entered into after the effective date of this Chapter, unless such renewal or such
1142 contract shall conform to the requirements of this Chapter.

1143
1144 § 9-307.4 Rates for Composting.

1145 The City's composting program is free to City residents and commercial businesses.
1146 Participation in the composting program is mandatory.

1147 [§ 9-309.10. Prohibited acts; public nuisance.]

1148
1149

Chapter 9-309

PROHIBITED ACTS AND VIOLATIONS

1152

1153 [A. The following acts are prohibited:]

1154 [(1) Any person other than a designated contractor or those permitted by the City
1155 collecting any designated recyclable material which has been placed at the pickup point
1156 for collection or within a recycling dropoff pursuant to this chapter.]

1157 [(2) Any person violating or assisting in the violation of any provision of this chapter or
1158 any provision of Pennsylvania Act 101 concerning recycling.]

1159 [(3) Any person placing or causing to be placed any material other than a designated
1160 recyclable in a City-provided recycling container or in or near a recycling dropoff
1161 facility.]

1162 [(4) Any person hindering, obstructing, preventing, or interfering with the City or its
1163 personnel or permitted contractor in the performance of any duty under this code or in
1164 the enforcement of this chapter.]

1165 [(5) Any person, other than the permitted contractor or those licensed by the City,
1166 removing any recyclable material from a recycling container.]

1167 [(6) Any property owner failing to replace promptly any recyclable material which has
1168 been scattered or spilled from recycling containers other than through the negligence of
1169 the designated contractor or those licensed by the City.]

1170 [(7) Theft of containers and unpermitted use of containers.]

1171 [(8) The burning of any designated recyclable material and leaf waste, including leaves,
1172 garden residues, shrubbery and tree trimmings, and similar materials.]
1173 [B. All unlawful conduct set forth in this section shall constitute a public nuisance.]
1174
1175 § 9-309.1 General Provisions.
1176 Any and all acts prohibited by this Chapter shall constitute a violation of the Municipal
1177 Waste, Recycling, and Composting Code subject to the enforcement and penalties
1178 prescribed in Chapter 9-311. Penalties for Category 1 violations of this Chapter are
1179 found in § 9-311.4 (B). Penalties for Category 2 violations of this Chapter in the
1180 absence of deterrence are found in § 9-311.4 (C). Nothing set forth in this Chapter shall
1181 limit the pursuit of other appropriate actions or proceedings at law or in equity available
1182 to the City.
1183
1184 § 9-309.2 Illegal Dumping.
1185 No person shall throw, drop, deposit or dump within City limits any waste on public or
1186 private property that is not licensed through the Pennsylvania Department of
1187 Environmental Protection to receive municipal waste. No person shall throw, drop,
1188 deposit or otherwise disburse any municipal waste in any stream or other body of water
1189 in the City. A violation of this provision shall constitute a Category 1 violation; an
1190 offense subject to a non-traffic summary citation and penalty pursuant to § 9-311.4(B).
1191
1192 § 9-309.3 Improper Waste Disposal.
1193 Under no circumstances shall construction and demolition waste, hazardous waste,
1194 electronic waste, or tires be placed in municipal waste receptacles for regular municipal
1195 waste collection. A person may not use another person's receptacles without
1196 permission, or place refuse in front of a premises other than the building in which he
1197 resides or works. A violation of this provision involving construction and demolition
1198 waste or hazardous waste shall constitute a Category 1 violation; an offense subject to a
1199 non-traffic summary citation and penalty pursuant to § 9-311.4(B). A violation of this
1200 provision involving electronic waste or tires shall constitute a Category 2 violation; an
1201 offense subject to a non-traffic summary citation and penalty pursuant to § 9-311.4(C).
1202 Municipal waste which is not bagged and placed in the cart shall constitute a Category 2
1203 violation; an offense subject to a non-traffic summary citation and penalty pursuant to §
1204 9-311.4(C).
1205
1206 § 9-309.4 Excessive Accumulation.
1207 It shall be unlawful for any person to accumulate any waste in the City in quantities
1208 which exceed those which can be regularly and conveniently collected as provided by
1209 the promulgated rules and regulations. A violation of this provision shall constitute a
1210 Category 2 violation; an offense subject to a non-traffic summary citation and penalty
1211 pursuant to § 9-311.4(C). Accumulations of waste over 1,000 lbs. shall constitute a
1212 Category 1 violation; an offense subject to a non-traffic summary citation and penalty
1213 pursuant to § 9-311.4(B).
1214
1215 [§ 9-309.11.] § 9-309.5. Failure to source-separate.

1216 [The City may refuse to collect municipal waste from any person who has clearly
1217 failed to source-separate recyclables designated under an applicable section of this
1218 chapter.] It shall be unlawful for any person to fail to source-separate materials by
1219 placing or causing to be placed any material other than a designated material in a
1220 receptacle. Under no circumstances shall unacceptable or prohibited materials be placed
1221 in a municipal waste or recycling receptacle for collection. A violation of this provision
1222 shall constitute a Category 2 violation; an offense subject to a non-traffic summary
1223 citation and penalty pursuant to § 9-311.4(C).

1224
1225 [§ 9-309.12. Other means of disposal.]

1226 [Notwithstanding anything herein to the contrary, any resident of the City may donate
1227 or sell any recyclable to any other person, whether operating for a profit or not for
1228 profit; provided, however, that the person receiving the recyclable shall not under
1229 any circumstances collect the donated or sold material from the curbside without
1230 prior written permission from the City for such collection.]

1231
1232 [§ 9-309.13. Existing contracts.]

1233 [A. Nothing contained in this section, chapter or code shall be construed to
1234 interfere with or in any way modify the provisions of any existing contract which
1235 is consistent with the laws of the Commonwealth of Pennsylvania and in force in the
1236 City on the effective date of this code.]

1237
1238 [B. No renewal of any existing contract upon the expiration of the original term
1239 thereof and no new contract for the collection, transportation, processing, or purchase
1240 of municipal waste or recyclables shall be entered into after the effective date of this
1241 chapter, unless such renewal or such contract shall conform to the requirements of
1242 this chapter.]

1243
1244 [§ 9-309.14. Penalty.]

1245 [Any person who violates the provisions of this chapter shall be subject to the general
1246 code penalty, § 1-301.99, in addition to the other remedies available to the City.]

1247
1248 § 9-309.6 Sidewalk or Street Obstruction.

1249 It shall be unlawful to obstruct any sidewalk or street with any refuse or waste
1250 receptacle. All sidewalk areas and streets must be kept free from obstruction that could
1251 impede pedestrian or vehicle traffic. A violation of this provision shall constitute a
1252 Category 2 violation; an offense subject to a non-traffic summary citation and penalty
1253 pursuant to § 9-311.4(C).

1254
1255 § 9-309.7 Failure to Comply.

1256 Failure to comply with any requirement or provision of the Municipal Waste, Recycling,
1257 and Composting Code or its related rules and regulations shall constitute a violation of
1258 the Municipal Waste, Recycling, and Composting Code and be subject to enforcement
1259 and penalties is in violation of this provision and shall constitute a Category 2 violation;
1260 an offense subject to a non-traffic summary citation and penalty pursuant to § 9-

1261 311.4(C).

1262

1263 § 9-309.8 Interference with Enforcement.

1264 Any person hindering, obstructing, preventing, or interfering with the City or its
1265 personnel or permitted contractor(s) in the performance of any duty under this Code or
1266 in the enforcement of this Chapter is in violation of this provision and shall constitute a
1267 Category 2 violation; an offense subject to a non-traffic summary citation and penalty
1268 pursuant to § 9-311.4(C).

1269

1270 § 9-309.9 Failure to Register as a Hauler.

1271 All haulers of municipal waste must apply for, receive, and properly display a decal or
1272 other identifying label from the City showing that they are registered to dump municipal
1273 waste at the Susquehanna Resource Management Complex. All haulers must also obtain
1274 a mercantile license from the City of Harrisburg. Failure to register to dump within the
1275 City limits shall constitute a Category 1 violation; an offense subject to a non-traffic
1276 citation and penalty pursuant to § 9-311.4(B). Failure to register to obtain a mercantile
1277 license shall constitute a Category 2 violation; an offense subject to a non-traffic citation
1278 and penalty pursuant to § 9-311.4(C).

1279

1280

Chapter 9-311

1281

ENFORCEMENT AND PENALTIES

1282

1283 § 9-311.1 Applicability.

1284 Any person who violates any provision of the Municipal Waste, Recycling, and
1285 Composting Code shall be subject to the provisions of this Chapter. Nothing set forth in
1286 this Chapter shall limit the pursuit of other appropriate actions or proceedings at law or
1287 in equity available to the City.

1288

1289 § 9-311.2 Enforcement Authority.

1290 A. Authorized enforcement officials. The Director DPW, or any other City employee,
1291 agent, or official designated by the Director DPW as an Enforcement Officer shall act in
1292 the capacity of a law enforcement officer for the limited purpose of issuing non-traffic
1293 summary citations to owners of premises, tenants, or persons who are found in violation
1294 of any provisions of the Municipal Waste, Recycling, and Composting Code. An
1295 Enforcement Officer may patrol all public and public accessible areas at any time and
1296 issue citations for any violation of this Code. In addition, all law enforcement officers
1297 with authority and jurisdiction within the municipal boundaries of the City of Harrisburg
1298 shall be deemed invested with the power to enforce the provisions of this Code.

1299

1300 B. Method of Enforcement. Enforcement of the provisions of Chapter 9-309 shall be
1301 by action brought before a Magisterial District Judge in the same manner provided for
1302 the enforcement of summary offenses under Chapter 4 of the Pennsylvania Rules of
1303 Criminal Procedure and the Pennsylvania Judicial Code.

1304

1305 § 9-311.3 Issuance of Citation.

1306 Whenever the Enforcement Officer or other law enforcement finds that any person has
1307 violated or is violating any provisions of the Chapters to which these enforcement
1308 provisions apply, any permit issued thereunder, or any applicable federal, state or local
1309 regulation, the Enforcement Officer or other law enforcement shall serve or cause to be
1310 served upon such person a written citation stating the nature of the violation. The
1311 Enforcement Officer shall follow the citation procedures provided for the enforcement
1312 of summary offenses under Chapter 4 of the Pennsylvania Rules of Criminal Procedure
1313 and the Pennsylvania Judicial Code.

1314 -
1315 § 9-311.4 Penalties.

1316 A. General Provisions. The imposition of a penalty for any violation of this Chapter
1317 shall not excuse the violation and shall not constitute permission or grant of right to
1318 continue the violation. All persons required to do so shall correct and remedy any
1319 violation or defect within the time prescribed by the rules and regulations. When not
1320 otherwise specified, each day that a violation continues shall constitute a separate
1321 offense. Nothing set forth in this Chapter shall be construed to negate or preclude any
1322 additional liability, punishment, enforcement action, remedy, fines, or penalties or limit
1323 the pursuit of other appropriate actions or proceedings at law or in equity available.

1324
1325 B. Category 1 Violation. A violation subject to penalty under this provision shall be
1326 punishable by a fine of \$1,000, plus costs, or imprisoned for not more than 90 days, or
1327 both.

1328
1329 C. Category 2 Violation. A violation subject to penalty under this provision shall be
1330 punishable as follows:

- 1331
1332 1. \$100, plus costs, for the first offense;
1333 2. \$250, plus costs, for the second offense;
1334 3. \$500, plus costs, for the third offense and all subsequent offenses.

1335
1336 D. Cost of clean-up. Violators of 9.309.2 (Illegal Dumping) and 9-309.4 (Excessive
1337 Accumulation) shall be responsible for the cost of cleaning up the waste. An assessment
1338 of clean up costs will be made based on the following schedule:

- 1339 1. \$190 per ton of municipal waste
1340 2. \$75 per vehicle used for clean-up
1341 3. \$50 per person cleaning up municipal waste
1342 4. \$25 for fuel per hour and per vehicle used in cleaning up municipal waste

1343
1344 E. Additional Fee. In addition to any fines, fees or penalties imposed in accordance
1345 with this chapter, an additional neighborhood mitigation penalty shall be imposed in the
1346 amount of \$25. All neighborhood mitigation penalties imposed and collected by any
1347 division of the Unified Judicial System existing under Section 1 of Article V of the
1348 Constitution of Pennsylvania and 42 Pa.C.S.A. § 301 shall be remitted to the City for
1349 deposit into the Neighborhood Mitigation Fund for the purpose of funding mitigation
1350 exercises performed by the City on private properties, including but not limited to

1351 demolitions, cleanups, clean and seals and light repairs. If the fine is paid on
1352 installments, the proportionate amount of the neighborhood mitigation penalty shall be
1353 remitted on each installment.

1354

1355 SECTION 2. RESERVATIONS.

1356 Nothing in this ordinance shall be construed to diminish the powers granted to City
1357 officials by law.

1358

1359 SECTION 3. DELEGATION.

1360 Appropriate City officials are authorized to take such actions as are necessary to
1361 effectuate this ordinance.

1362

1363 SECTION 4. SEVERABILITY.

1364 If any provision, sentence, clause, section or part of this ordinance or the application
1365 thereof to any person or circumstance is for any reason found to be unconstitutional,
1366 illegal or invalid by a court of competent jurisdiction, such unconstitutionality, illegality
1367 or invalidity shall not affect or impair any of the remaining provisions, sentences,
1368 clauses, sections or parts of this ordinance. It is hereby declared as the intent of the
1369 Council of the City of Harrisburg that this ordinance would have been adopted had such
1370 unconstitutional, illegal or invalid provision, sentence, clause, section or part not been
1371 included herein.

1372

1373 SECTION 5. REPEALER.

1374 All ordinances or parts of ordinances of the City of Harrisburg in conflict with the
1375 provisions of this ordinance are hereby repealed in so far as they are inconsistent
1376 herewith.

1377

1378 SECTION 6. AMENDMENT OF APPENDIX.

1379 The Appendix of the Codified Ordinances of the City of Harrisburg, Chapter 9 shall be
1380 amended to reflect the current format for Commercial Volume Rates, a true and correct
1381 copy of which is appended hereto ("Amendment").

1382

1383 SECTION 7. EFFECTIVE DATE.

1384 This ordinance shall take effect in accordance with the law.

1385

1386

1387 Seconded by: *Lucretia Green*

“AMENDMENT”

COMMERCIAL VOLUME RATES

Collections Per Week

		1	2	3	4	5	6
0 Cart Min Com < 96 gal	Collection	13.00					
	Disposal	97.65					
	Total	\$110.65					
1 Cart .48 yd 96 gal	Collection	34.25	68.50	102.75	137.00	171.25	205.50
	Disposal	97.65	195.30	292.95	390.60	488.25	585.90
	Total	\$131.90	\$263.80	\$395.70	\$527.60	\$659.50	\$791.40
2 Carts .95 yd 192 gal	Collection	54.25	108.00	161.50	215.00	268.50	322.00
	Disposal	97.65	195.30	292.95	390.60	488.25	585.90
	Total	\$151.90	\$303.30	\$454.45	\$605.60	\$756.75	\$907.90
3 Carts 1.4 yd 288 gal	Collection	67.00	133.75	200.75	267.50	334.50	401.50
	Disposal	195.30	390.60	585.90	781.20	976.50	1171.80
	Total	\$262.30	\$524.35	\$786.65	\$1,048.70	\$1,311.00	\$1,573.30
4 Carts 1.9 yd 384 gal	Collection	78.50	157.00	234.50	312.00	390.00	469.00
	Disposal	195.30	390.60	585.90	781.20	976.50	1171.80
	Total	\$273.80	\$547.60	\$820.40	\$1,093.20	\$1,366.50	\$1,640.80
5-6 Carts 2.8 yd 480-576 gal	Collection	94.25	188.00	281.80	375.00	468.50	562.00
	Disposal	292.95	585.90	878.85	1171.80	1464.75	1757.70
	Total	\$387.20	\$773.90	\$1,160.65	\$1,546.80	\$1,933.25	\$2,319.70
4 yd DMP 7-8 Carts 808 gal	Collection	119.00	237.50	355.50	473.50	592.00	710.50
	Disposal	390.60	781.20	1171.80	1562.40	1953.00	2346.60
	Total	\$509.60	\$1,018.70	\$1,527.30	\$2,035.90	\$2,545.00	\$3,057.10
5 yd DMP 1010 gal	Collection	136.00	271.50	406.50	542.00	677.00	812.50
	Disposal	488.25	976.50	1464.75	1953.00	2441.25	2929.50
	Total	\$624.25	\$1,248.00	\$1,871.25	\$2,495.00	\$3,118.25	\$3,742.00
6 yd DMP 1212 gal	Collection	161.25	322.00	482.50	643.00	803.50	964.00
	Disposal	585.90	1171.80	1757.70	2346.60	2929.50	3515.40
	Total	\$747.15	\$1,493.80	\$2,240.20	\$2,989.60	\$3,733.00	\$4,479.40
8 yd DMP 1616 gal	Collection	186.50	373.00	558.50	744.50	930.50	1117.00
	Disposal	781.20	1562.40	2346.60	3124.80	3906.00	4687.20
	Total	\$967.70	\$1,935.40	\$2,905.10	\$3,869.30	\$4,836.50	\$5,804.20

INTER

OFFICE

MEMO

To: HARRISBURG CITY COUNCIL
From: Kirk Petroski, City Clerk
LEGISLATIVE APPROVAL FORM

Date:

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. 3 -2018 RESOLUTION NO. -2018

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:


Deputy City Solicitor

4/6/2018
Date

Requested by Department/Bureau: Public Works

Department/Bureau Contact Person: Public Works / Aaron Johnson

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

4/10/18

Received by: Chandru

Date: 4/6/18