

# Solid Waste Education and Enforcement Program (SWEEP)

City of Reading  
503 N 6<sup>th</sup> Street  
Reading, PA 19601  
610-655-6272



**SCS ENGINEERS**

02217011.01 – Task 24 | February 6, 2020

11260 Roger Bacon Drive  
Reston, VA 20190  
703-471-6150

## Table of Contents

Section	Page
<b>1 Project Description .....</b>	<b>2</b>
<b>2 Summary of Work .....</b>	<b>2</b>
<b>3 Current Program .....</b>	<b>3</b>
<b>4 Results .....</b>	<b>5</b>
Overview .....	5
Recommendations .....	6
Administrative .....	6
Operations.....	7
<b>5 Conclusions.....</b>	<b>11</b>

## Figures

Figure 1. Solid Waste Code Violations.....	4
--	---

## Appendices

- Appendix A – SWEEP Profiles
- Appendix B – Sample Solid Waste Codes
- Appendix C - Sample Educational Materials
- Appendix D – Sample Tickets/Violation Notices

# 1 PROJECT DESCRIPTION

The City of Reading (City) is interested in expanding education and enforcement of their solid waste code by implementing a Solid Waste Education and Enforcement Program (SWEEP). SWEEP is an important tool that many larger cities in Pennsylvania have implemented to build relationships with the community and clean up residential and commercial areas. The report provides some recommendations and guidance for the City to consider as they anticipate implementing their SWEEP. The recommendations included in this report are based on a review of select existing SWEEPs and interviews with staff that oversee these programs.

## 2 SUMMARY OF WORK

The following tasks were completed as part of this recycling technical assistance project.

### **Task 1 – Data Collection and Site Visit**

SCS requested technical and operational information/data from the City's refuse and recycling program. This information was received and reviewed prior to completing a site visit and field observations. The site visit and field observations occurred over a one-day period and included discussion of the priorities of the City for implementing a SWEEP. As part of the site visit, SCS observed solid waste collection operations and toured areas/neighborhoods that City staff believe could benefit from SWEEP.

### **Task 2 – Review SWEEPs Implemented by Other Municipalities and Interview Contacts**

Staff from the City of Reading and SCS identified cities in Pennsylvania and in the Mid-Atlantic Region that implemented a SWEEP. Priority was given to cities that are of similar size and demographics as the City of Reading. In collaboration with City staff, a questionnaire was developed to obtain information on program beginnings, organization/structure, enforcement and educational activities, costs, personnel, and other program characteristics. SCS researched the organization and scope of each city's SWEEP and called staff overseeing these programs to obtain detailed information to complete a profile of each SWEEP. A total of seven cities with SWEEPs were identified. Detailed information was obtained from four of those cities.

### **Task 3 – Recommend Components of a Potential SWEEP in Reading**

Based on the priorities of the City of Reading and the information obtained in researching existing SWEEPs, SCS made recommendations on the structure and scope of a potential program. Recommendations are organized as either administrative or operational.

### **Task 4 – Final Report**

This report is a culmination of the research and activities completed for the City of Reading. It represents the final deliverable to both the City and PADEP.

### 3 CURRENT PROGRAM

The City provides comprehensive refuse and recycling services for approximately 26,700 household units with about 88,000 people. The City is a Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) mandated recycling community. Single-family households and properties with four or fewer units are eligible to receive City solid waste services. The following services are provided by the City directly or through franchised haulers:

- **Refuse Collection** – Weekly curbside collection of no more than four bags of trash (55-gallon maximum each);
- **Recycling Collection** – Weekly collection of the following recyclable materials: metal cans, food and beverage cartons, glass containers, paper and cardboard, and plastic containers via a single-stream collection program;
- **Bulky Waste** – Weekly collection of one bulky item (furniture, mattress, etc.);
- **Electronics** – Curbside collection of one electronic item per week; residents must schedule this collection in advance using the City's iRequest system;
- **Tires** – Curbside collection of tires generated from private residences (no tires from businesses); residents must schedule this collection in advance using the City's iRequest system.

The City contracts with a single hauler for the collection of refuse and recyclable materials from residences. Residents are allowed to opt-out of the City's solid waste collection program and directly contract with their own hauler. About 20 percent of households have exercised that right. All residential single-family homes and apartments/rental properties with two to four units are required to receive City-provided recycling collection service. No opt-out option exists. Larger multi-family properties and commercial entities must contract with a private waste hauler for solid waste and recycling collection services.

The City of Reading, like most major cities in Pennsylvania and in the Mid-Atlantic Region, has issues with solid waste concerns that threaten the cleanliness of the City. The City requires all solid waste to be containerized or bagged; however, it is not uncommon to see waste scattered on the sidewalk in front of residences. Other common solid waste code violations in the City include:

- Littering
- Illegal dumping
- Overflowing dumpsters
- Stockpiling of waste
- Excessive amounts of trash and/or bulky items placed curbside
- Storing waste containers in front of a house

Currently, the City's Property Maintenance Department responds to complaints about solid waste issues. This reactionary approach makes it challenging to stay ahead of the issue. Additionally, the City's Property Maintenance Inspectors who are responsible for responding to these complaints are often busy completing rental property inspections. These additional demands again make it hard for the City to prioritize solid waste issues. Staff at the City of Reading believe establishing a separate

program that prioritizes solid waste code violations is important for mitigating issues the City is currently experiencing. **Figure 1** illustrates some common solid waste violations in the City.

Figure 1. Solid Waste Code Violations



**Illegal dumping**



**Contaminated Recycling**



**Overweight containers**



**Large, bulky items placed curbside for collection**



**Trash scattered on the sidewalk**



**Overflowing dumpster**

## 4 RESULTS

### OVERVIEW

Staff from the City of Reading and SCS identified seven cities with established SWEEPs that could be used as models for the development of a program in Reading. The following cities were identified (population data obtained from the U.S. Census Bureau<sup>1</sup>):

City	Population
Allentown, PA	121,433
Coatesville, PA	13,114
Harrisburg, PA	49,229
Lancaster, PA	59,420
Philadelphia, PA	1,584,138
Washington, DC	702,455
Atlanta, GA	498,044

All cities were contacted and SCS requested interviews with staff that oversee each City's SWEEP. Of the seven cities contacted, four agreed to participate in the study and provided detailed information about their SWEEP.

Prior to conducting the interviews, SCS prepared a SWEEP profile form to use as a guide for obtaining consistent information from all interviews. The following summarizes the specific information requested as part of the interviews.

- **Background** – When and how did the SWEEP start;

<sup>1</sup> U.S. Census Bureau, 2018 estimates

- **Organizational Structure/Personnel** – Where does SWEEP fit within the city’s government organizational structure, and details on the number and qualifications on SWEEP officers;
- **Scope** – What codes are enforced as part of the SWEEP;
- **Enforcement Activities** – What is the approach to enforcing city codes and how are education and enforcement activities balanced;
- **Costs** – How much does SWEEP cost and what are the biggest expense items;
- **Other** – Additional information on SWEEPs such as advice for implementation, most important accomplishment, and how existing programs could be modified to be made more effective.

SCS reviewed the SWEEP profile information and questions with City of Reading staff to confirm desired information and data would be obtained.

**Appendix A** contains the detailed SWEEP profiles for each of the city staff interviewed as part of this study. The experience summarized in these profiles guided the recommendations in this report.

## RECOMMENDATIONS

This section provides SCS’s recommendations and guidance for the City as they consider implementing a SWEEP. Recommendations are organized as administrative or operational.

### Administrative

- **Obtain Program Support** – For SWEEP to be successful, staff at all levels of city government, including elected officials, must support the program. In order to obtain support, people need to understand that the goal of the program is to provide for a clean city that attracts people and businesses and maintains a high quality of life for existing residents. If the program is perceived to focus on enforcement or there is the impression it is designed to raise money, the program will be viewed negatively and support will be hard to obtain. When discussing the potential for such a program, emphasis should be placed on the educational and collaborative aspects of the program as the primary focus. However, when residents and business owners do not respond to education an enforcement mechanism is needed to show that the City is serious about solid waste issues and maintaining a clean city.
- **City Solid Waste Code** – The potential implementation of a SWEEP provides an opportunity for the City to review their current solid waste code to confirm it conforms to the priorities of the City. SCS understands that administrative and political protocols and concerns can make updating or refining the solid waste code challenging and a very time consuming process. However, it is important that offenses the SWEEP is designed to mitigate are expressly prohibited in the code and can be cited with reference. **Appendix B** contains sample solid waste codes from select cities profiled.
- **Utilize “Quality of Life” Tickets** – Quality of Life tickets differ from traditional citations in that they are simple to process and do not require a court appearance by the defendant. These tickets often correspond to a specific requirement in the municipal code. Since quality of life tickets do not require a court appearance, the judicial system is not inundated with people trying to arbitrate these tickets. This makes the process simpler to manage as contested

tickets can be handled within the public works department or solid waste division. These tickets still carry the same weight as a traditional citation in that the violation must be mitigated or escalation of the ticket is possible. The City of Reading has already established 23 Quality of Life (QOL) violations, so utilizing this type of a ticket for SWEEP-related offenses should be feasible.

- **Set Appeals Process** – It is important that the City establish an appeals process to contest tickets. Many cities with SWEEPs handle the appeal process internally through the solid waste or SWEEP program manager. Residents have a specified number of days (oftentimes 5 to 10) to appeal the ticket in writing or by meeting with a SWEEP officer or program manager. The appeals process should be simple, straightforward, and minimize the time required to settle.
- **Avoid Outsourcing SWEEP Operations** – The potential for outsourcing SWEEP activities was researched as the City’s salary limits may prevent hiring City staff to operate SWEEP in the near-term. SCS’s research could not identify a city where SWEEP activities are outsourced to a third party vendor. The potential for outsourcing SWEEP was discussed with representatives from cities profiled as part of this project to understand if that arrangement had been considered. Outsourcing of SWEEP activities was not recommended for the following reasons:
  - SWEEP is a continuous every-day all-day program and with outsourcing there is greater potential that the program may not be executed consistently and in a way that aligns with the City’s goals for the program;
  - SWEEP must be “owned” by City employees that have a vested interest in improving overall quality of life; program ownership and dedication may be harder to obtain with outsourced labor;
  - SWEEP staff must hold people accountable for compliance and some of that accountability may be lost or not taken seriously if outsourced;
  - The potential exists for outsourced staff to be given less respect/authority when compared to actual City employees, which may weaken the program;
  - There are concerns over outsourced staff issuing citations/tickets on behalf of the City (would need some level of involvement by City staff to review tickets/warnings before they are issued);
  - Potential exists for program funding to be cut more easily with contracted labor vs. actual City employees doing the work.

## Operations

- **Consider Initial Pilot Program** – Most cities profiled as part of this study indicated their SWEEP started as a pilot program in a particular area in order to best understand and evaluate how the program could serve the community prior to launching the program citywide. Starting small can be effective for the following reasons:

- **Demonstrate Effectiveness** – The City cannot measure the actual effectiveness or impact of a SWEEP without first experimenting with a program. Programs that target residents and business owners for code infractions can also bring about additional scrutiny or concern from city leaders. To overcome that skepticism and uncertainty and to demonstrate that SWEEP can be a useful tool to clean up the City, launching it within a defined geographical area will allow the City to test it and measure its effectiveness and impact. Ideally, a pilot SWEEP will result in a visibly cleaner city that residents, business owners, and city leaders notice and talk about.
- **Understand Cost Implications** – The costs of SWEEP can be a significant obstacle to overcome. It is not realistic (or even desirable) to think that issuing tickets/fines will cover program expenses. A pilot program will allow the city to keep expenses to a minimum while demonstrating the program’s impact. For the SWEEPs profiled as part of this study, the biggest expense of the program is personnel. However, other more unpredictable expenses such as vehicles/equipment, administrative, and printing, can be challenging to predict. A pilot program will help the City understand what expenses are incurred and help the city budget appropriately for an expanded program.
- **Refine Operations** – Another important reason for establishing a pilot program is to use the experience and conditions encouraged to refine program operations and management to improve the program for the entire city.
- **Emphasize Education** – All SWEEPs described as part of this study place an emphasis on the educational component of the program. For most of these programs, the goal is to clean up the city in order to enhance public health and protect the environment. Cities report that as SWEEP officers conduct their patrols and identify solid waste or property code violations, residents and business owners who commit these offenses simply are not aware of the requirements and upon learning the rules violations are corrected. Emphasizing education facilitates collaboration and cooperation among SWEEP officers and the public and should be prioritized in the City of Reading’s program. **Appendix C** includes sample educational materials distributed by SWEEP officers in select cities profiled.
- **Start with Two Officers** – Nearly all SWEEP managers interviewed as part of this study indicated additional SWEEP officers would help enhance the cleanliness of their city. The City of Harrisburg has one officer for their entire city (population ~50,000). Other cities have one officer for about every 30,000 people. City staff report that SWEEPs have expanded over the years and their programs did not actually start with the number of officers they currently employ. With a population of about ~88,000 people, SCS suggests the City start with hiring two full-time officers (1 officer for about 44,000 people) in order to establish and develop a program and approach unique to the city.
- **Hire Dedicated Staff** – All SWEEPs profiled for this study utilize dedicated staff to support the program. Officers remain focused on neighborhood improvement or property maintenance issues, and more specifically, solid waste issues. This is important to prevent them from being distracted by other issues or demands on their time. Distractions and additional responsibilities can reduce the effectiveness of the program and threaten the long-term viability because of a lack of results.
- **Assign Territories** – Cities with multiple SWEEP officers often assign them to specific areas or regions in which they operate. Assigning individual officers to a particular area narrows their

focus and creates more opportunities to become familiar with and get to know residents and business owners. Assigning territories can also make the program more effective in that the officer will know what offenders regularly violate the solid waste code and which violations occur because of a lack of understanding. SCS encourages the City of Reading to follow Washington, DC's model of hiring SWEEP officers that live in the area they patrol. DC found that if a SWEEP officer lives in the area he/she patrols, greater pride and connections develop with the community that overall enhance the impact of the program.

- **Issue Tickets/Fines When Necessary** – Education is an important component of every SWEEP. However, these programs would not be the effective tool they are without an enforcement component. While the City of Reading should focus on education (discussed above), the enforcement piece of the program must be deployed when necessary. Based on discussions with staff from cities studied, a good approach is to provide multiple opportunities for violations to be corrected prior to issuing tickets and/or fines. This demonstrates that the City is most interested in achieving compliance and not out to increase revenues. Opportunities SWEEP officers give residents to correct problems should be documented, so if compliance is not obtained there is evidence the city has given offenders multiple warning and chances to fix the problem. If residents do not respond to education and information about the problem SWEEP officers provide, official warnings can be issued. If the formality of a written warning does not prompt action, the city should move to assess a ticket and fine. This demonstrates the city is serious about solid waste code violations and expects residents to comply with requirements. **Appendix D** includes sample SWEEP tickets/violation notices.
- **Address Complaints and Proactive Patrol** – Most SWEEPs summarized for this study contain both a reactive, complaint-driven aspect and proactive component. The challenge is striking the right balance between these two focus areas. If the program is focused on addressing complaints, the proactive aspects of education, collaboration, and encouraging compliance will be minimal and the overall result – a clean city – harder to come by. If the program solely focuses on proactive patrol, residents that have complaints will not be satisfied with inaction on their issues. SCS recommends the City of Reading experiment with an approach similar to Washington, DC. DC's SWEEP actively responds to complaints received through the City's 311 service number. When officers are dispatched to observe and address a particular complaint, the officer proactively patrols the surrounding area to identify additional violations and work to correct them. This helps the program establish credibility in the community by working to address all violations in an area around a complaint. It avoids the perception that residents may be unfairly targeted by the program simply because a complaint was submitted.
- **Encourage Safety** – When implementing a SWEEP, the health and safety of the community and SWEEP officers should be of utmost priority. Solid waste code violations that have an immediate public health or safety concern should be prioritized over other violations and activities of the officers. Additionally, even though SCS recommends an approach whereby SWEEP officers work collaboratively and cooperatively with the community, the inherent nature of the position may lead to confrontations and tense situations. SCS recommends that the City establish some procedures for SWEEP officers to follow to diffuse tense situations in order to protect themselves and the community. Additionally, officers could benefit from some training on conflict resolution to apply as they complete their duties and advance the program's mission. SCS's experience is that providing training and investing in these officers will help build their confidence and the pride they take in their position.

- **Partner with Outside Groups** – All cities surveyed partner with outside groups or organizations to help advance the SWEEP mission. Partnerships with community organizations are effective for facilitating collaboration, building credibility and support, and expanding the impact of the program. Most cities do not have formal partnerships with organizations, but instead work with groups and individuals ad-hoc to support their mission as interest arises. For example, Washington, DC’s Helping Hand Neighborhood Clean-up program, which is part of DC’s SWEEP, provides tools and supplies to groups to clean up neighborhoods. For the program, DC SWEEP provides rakes, brooms, shovels, and trash bags to groups to clean-up a particular neighborhood. These tools are provided at no cost to the organization. Organizations participating in the program must provide a nominal deposit that is returned when the tools are brought back. Public Works staff collects bags of trash collected as part of the neighborhood clean-up free of charge to the organization. Generating interest in program support could be one of the goals SWEEP officers have as they complete education and outreach activities within their community.

Although longer-term partnerships are less common in the cities researched, one exception is the City of Lancaster. SWEEP program staff work with the Lancaster City Alliance to support clean team “ambassadors” that are trained to address quality of life issues and concerns. Ambassadors work daily to identify and address issues, including solid waste, to improve the cleanliness of Lancaster. Information about this organization is available at [www.lancastercityalliance.org](http://www.lancastercityalliance.org).

SCS encourages the City of Reading to identify partners to support their SWEEP on either a short-term or long-term basis. These partnerships can go a long way to advancing the cleanliness of the City beyond what a limited number of SWEEP officers can accomplish.

- **Electronic Tracking of Violations** – Technology allows cities to improve their efficiencies and reduce the administrative burdens of managing a compliance program. This is especially true in enforcing city rules and regulations. Most cities surveyed provide SWEEP officers with an electronic device (i.e. iPad or tablet) for recording warnings and tickets. In some cases the software used to record violations is connected to a program that identifies the owners of city properties. When a SWEEP violation is identified, the officer records the violation and prepares a warning and/or ticket on their electronic device. These warnings and tickets are not typically left at the property, but instead further processed and reviewed by administrative staff to verify the contents of the ticket. Tickets are issued to the property owner via first class mail where the violation occurred no matter who resides at the property. This process avoids the duplication of recording violations in writing by the officer, who would then need to re-record the ticket once the officer is back at their desk.
- **Target Property Owners** – Several cities profiled as part of this study indicated the challenge of tracking occupants of residential properties within their jurisdiction. The City of Reading, with an estimated 40 percent owner-occupied housing unit rate, would be challenged in implementing a SWEEP that targets the occupants of a residence. The most effective approach is to design the SWEEP so that property owners are responsible for solid waste code violations at the property, regardless of whether the owner of the property lives there.
- **Empower Officers** – SWEEP officers have a challenging job to complete. They are on the front lines in the community and oftentimes are the first and only interaction the City will have with residents regarding solid waste issues. It is important that the City’s officers are properly trained to give them the confidence to do their job to the best of their ability. The Solid Waste Manager and other city staff that oversee their work should empower officers to make

appropriate decisions when deciding how to handle each individual violation. The City can establish some guidelines and parameters within which an officer should operate. Requiring officers to be respectful, courteous, fair, and firm can be effective to facilitate a collaborative program that makes a difference in the community. Officers should be empowered to make the best decision with the information they have and to discuss an appropriate response with their supervisor as needed. Empowered officers often take great pride in their work and have a healthy relationship with their community. This significantly advances the City's image and can facilitate the program's goal of cleaning up the City.

## 5 CONCLUSIONS

SCS recommends the City move forward with implementing a pilot SWEEP that targets one or two neighborhoods. All cities profiled for this study indicated that their programs have made a difference in the cleanliness of the City. The program will require dedicated staff, equipment, and other resources to make it successful. It will rely heavily on education, but enforcement will be necessary if education does not adequately address the issues. Implementing a pilot SWEEP will help the City design a program specific to the issues and neighborhoods in Reading, while providing important data and information that can be used to modify the program before it is implemented throughout the City. The program profiles included in **Appendix A** provide the name and contact information of staff at each city responsible for SWEEP. All indicated they are willing to provide additional information and guidance as the City of Reading moves forward with implementing their own program.

## Appendix A SWEEP Profiles

SWEEP Profile - City of Allentown	
<b>Contact</b>	Ann Saurman, Manager, Bureau of Recycling and Solid Waste Phone: (610) 437-8729 Email: ann.saurman@allentownpa.gov
<b>Website</b>	<a href="https://www.allentownpa.gov/Public-Works/Recycling-Solid-Waste/SWEEP">https://www.allentownpa.gov/Public-Works/Recycling-Solid-Waste/SWEEP</a>
Background	
When did SWEEP start?	May 2005 (13 years)
How did it begin?	Neighborhood groups/organizations pushed the city to establish the program to address property complaints and conduct proactive patrols in problem neighborhoods
Did full program begin at once or was it phased in?	Started as a pilot project in the center of the city and six months later it was expanded to the whole city when the SWEEP Program Manager was hired
Organizational Structure/Personnel	
Reporting Structure:	Officers report to the SWEEP and Animal Control Manager who reports to the Bureau of Recycling and Solid Waste Manager
Staffing (number of full- and part-time staff):	(4) full-time officers; city is divided into four sections and each officer is assigned to one section; each section includes a cross-section of the downtown/densely-populated area and suburban neighborhoods; most SWEEP officers have been on staff for 7-10 years
Are staff dedicated to SWEEP or do they have other job responsibilities?	Dedicated to SWEEP
Comment on current staffing level (sufficient or short-handed?):	Opportunities exist to expand the program; city added the fourth officer in 2018
Training requirements (initial and continuing education):	Officers typically have experience in law enforcement; no formal training required; Solid Waste Code is straightforward and they are tasked with enforcing requirements
Scope of Work	
Describe areas or issues of emphasis for the program: <ul style="list-style-type: none"> <li>- Litter</li> <li>- Public trash cans</li> <li>- Residential code violations</li> <li>- Commercial code violations</li> <li>- Multi-family code violations</li> <li>- Illegal dumping</li> <li>-</li> </ul>	Address trash, litter, and recycling problems associated with the following City codes:  <ol style="list-style-type: none"> <li>1) Part 7- General Offenses Code, Article 720 - Neighborhood Improvement Ordinance</li> <li>2) Solid Waste Ordinance - Article 1131 of Part 11, Public Health Code, title 5, Municipal Wastes - Storage, Collection, and Disposal</li> </ol> <p>Other city departments use a similar program to enforce various codes, including health, police, buildings/structures, and animal control</p>
Do staff address all enforcement areas or specialize?	Officers enforce all neighborhood improvement and solid waste requirements within their designated area
Enforcement Activities (describe in detail)	

SWEEP Profile - City of Allentown	
Active patrol or respond to complaints?	Core principal of the program is proactive outreach and officers patrol their section of the City to identify violations; officers do respond to complaints as needed
Education/Outreach – how does the City balance education with enforcement?	Emphasize education and only after educational efforts fail are warnings and tickets issued
Warnings	<ul style="list-style-type: none"> <li>- Warnings are issued when education options are exhausted or ignored</li> <li>- Issue notice of violation and give the property owner about 10 days to correct the violation before the ticket is issued</li> </ul>
Tickets/Fines	<ul style="list-style-type: none"> <li>- Fines vary based on violation, but most are between \$25 to \$100 dollars</li> <li>- Tickets are issued to property owners;</li> <li>- Property owners have 10 days to pay a ticket or appeal the ticket or they are assessed a late penalty fee</li> <li>- A new ticket can be written each day the violation exists</li> <li>- City issues about 6,000 tickets each year for about 8,000 violations (multiple violations can be placed on the same ticket)</li> <li>- If City staff or contractors have to correct a violation due to inaction by the property owner, the City levies a \$300 administrative fee plus the costs to correct the violation</li> </ul>
Other enforcement activities?	City police officers also issue tickets for solid waste code violations (i.e. littering, illegal dumping, etc.)
Describe the discretion staff have when completing duties?	Officers have complete discretion as to whether they educate or issue warnings and/or tickets/fines; the SWEEP Program Manager has the authority to require enforcement actions if needed
Describe enforcement tracking activities:	Internal City-provided program for tracking warnings, tickets, etc.; originally used a software program provided by an outside vendor, but City could not get the support they needed and they built their own system
How are violations adjudicated?	Appeal to Bureau of Recycling and Solid Waste (SWEEP Program Manager) within 10 days of receipt of ticket or pay the ticket.
<b>Costs</b>	
Annual budget:	~\$540,000
How is program funded (i.e. refuse, general, ticket revenue):	City has a solid waste enterprise fund that pays for the program; about \$240,000 of the program is paid for by ticket revenues while the remainder is funded through other programs
Partnership/agreement with other entities (i.e. BID, citizen associations):	Yes, community groups, citizen associations, and any other group interested in helping clean up the City
Major cost items and estimated expenses:	<ul style="list-style-type: none"> <li>- Personnel (salaries and benefits ~\$275,000</li> <li>- Contractors ~\$40,000 (for mowing tall grass)</li> </ul>

**SWEEP Profile - City of Allentown**

	<ul style="list-style-type: none"> <li>- Vehicles – operation and maintenance of five vehicles; cost of vehicles is amortized over multiple years</li> <li>- Licensing fee for Lexus Nexus - ~\$1,500 (for tracking down property owners)</li> <li>- Other expenses include: printing, officer uniforms, digital cameras, surveillance cameras</li> <li>- Computer software – up until 2018 the city paid a \$5,000 fee to have contract staff available to update/upgrade the Microsoft Access database that tracks violations; beginning in 2019 the city’s internal IT department handles the updates</li> </ul>
<b>Other</b>	
Describe your SWEEP’s best characteristic/greatest accomplishments?	Coordination among several city departments; six city departments use a form of SWEEP to enforce various codes, which has fostered coordination and communication among these departments
What one program change would you like to make?	Issue electronic tickets as opposed to hand-written
What advice do you have for a city considering the implementation of a SWEEP?	Need a champion to manage the program; programs that do not have the support of City staff at all levels will not be successful; establish SWEEP and once residents know of the program and its objectives people respond by complying with the Code

### SWEEP Profile - City of Harrisburg

<b>Contact</b>	John Rarig, Recycling Coordinator Phone: (717) 412-4520 Email: jrarig@harrisburg.gov  Howard Drayton, SWEEP Officer (717) 678-0003
<b>Website</b>	<a href="http://harrisburgpa.gov/department-of-public-works/">http://harrisburgpa.gov/department-of-public-works/</a>
<b>Background</b>	
When did SWEEP start?	No formal SWEEP, but the City does solid waste education and enforces the Solid Waste Code
How did it begin?	No information
Did full program begin at once or was it phased in?	No Information
<b>Organizational Structure/Personnel</b>	
Reporting Structure:	Code Enforcement Officer reports to the Director of Public Works/Solid Waste Manager
Staffing (number of full- and part-time staff):	1 - full-time staff dedicated to solid waste code enforcement; occasionally the city uses staff on "light duty" assignment (i.e. staff can move around, but can't perform regular job duties) to communicate with residents about solid waste and recycling issues (i.e. placement of door hangers with a recycling or solid waste message)
Are staff dedicated to SWEEP or do they have other job responsibilities?	Code enforcement officer is dedicated to solid waste code enforcement and education; recycling coordinator helps with solid waste/recycling education
Comment on current staffing level (sufficient or short-handed?):	Additional staff would help facilitate a cleaner city
Training requirements (initial and continuing education):	No formal training, it's all done on the job; city has had about three different code enforcement officers in about as many years
<b>Scope of Work</b>	
Describe areas or issues of emphasis for the program: <ul style="list-style-type: none"> <li>- Litter</li> <li>- Public trash cans</li> <li>- Residential code violations</li> <li>- Commercial code violations</li> <li>- Multi-family code violations</li> <li>- Illegal dumping</li> <li>-</li> </ul>	Chapter 9-301 - Municipal Waste, Recycling, and composting: General Provisions
Do staff address all enforcement areas or specialize?	Focus on solid waste code violations solely
<b>Enforcement Activities (describe in detail)</b>	
Active patrol or respond to complaints?	Varies, sometimes officer follows the trash truck, conducts active patrol in neighborhoods, or responds to complaints

### SWEEP Profile - City of Harrisburg

Education/Outreach – how does the City balance education with enforcement?	Education is a priority; estimated 50 percent of enforcement officer’s time is dedicated to education; utilize door hangers; city subscribes to Recycle Coach and has developed an app that residents can download; city also produces podcasts that communicate recycling and solid waste messages; solid waste collection crews also place stickers on trash and recycling containers if there is a violation with how the materials are prepared or placed for collection
Warnings	Issue warnings when education does not result in compliance; residents have five days to correct violation before a ticket/fine may be issued
Tickets/Fines	Yes, when necessary; prefer to work with residents/business owners on violations and not issue fines/tickets; city does not emphasize issuing tickets and fines and rarely does this
Other enforcement activities?	None
Describe the discretion staff have when completing duties?	High level of discretion in dealing with violations; emphasis on educating residents
Describe enforcement tracking activities:	Warnings and tickets are written and the officer must enter them into the software program the City uses to track violations
How are violations adjudicated?	Appeal process through the Director of Public Works
<b>Costs</b>	
Annual budget:	No information
How is program funded (i.e. refuse, general, ticket revenue):	No information
Partnership/agreement with other entities (i.e. BID, citizen associations):	Yes, no formal agreements but four organizations assist with solid waste issues in the city, mainly related to illegal dumping and litter clean-up; organizations include:  <ol style="list-style-type: none"> <li>1) Tri-County Action</li> <li>2) Love the Hill</li> <li>3) Downtown Improvement District</li> <li>4) Environmental Teen Corp (ETC)</li> </ol>
<b>Other</b>	
Describe your SWEEP’s best characteristic/greatest accomplishments?	Collaboration with the City and residents to facilitate compliance with the City’s Solid Waste Code
What one program change would you like to make?	Expand program to hire additional SWEEP officers
What advice do you have for a City considering the implementation of a SWEEP?	Focus on education and issue warnings and tickets/fines only when education is ignored (multiple times); focus on working with residents because the goal is a clean city

<b>SWEEP Profile - City of Lancaster</b>	
<b>Contact</b>	Mike Devaney, Manager, Bureau of Solid Waste and Recycling Phone: (717) 380-8098 Email: <a href="mailto:mdevaney@cityoflancasterpa.com">mdevaney@cityoflancasterpa.com</a>
<b>Website</b>	<a href="http://www.cityoflancasterpa.com">www.cityoflancasterpa.com</a>
<b>Background</b>	
When did SWEEP start?	October 2006, shortly after the City implemented a single-hauler collection franchise program
How did it begin?	Desire by City staff to improve the quality of life for residents; originally it was a volunteer initiative driven by the Mayor's office in conjunction with the bureaus of police, fire, and solid waste
Did full program begin at once or was it phased in?	Citywide pilot program
Residential Units	~18,200 across 12 zones
<b>Organizational Structure/Personnel</b>	
Reporting Structure:	SWEEP officers report to the Assistant Solid Waste Manager, who reports to the Solid Waste Manager
Staffing (number of full- and part-time staff):	Two full-time staff
Are staff dedicated to SWEEP or do they have other job responsibilities?	Staff are dedicated to SWEEP and enforce all property maintenance issues (i.e. solid waste, overgrown yards, ice/snow, etc.)
Comment on current staffing level (sufficient or short-handed?):	Understaffed; city estimates they could hire an additional four (4) staff to have a true impact on the community
Training requirements (initial and continuing education):	No formal training provided; assistant solid waste manager and manager have code enforcement backgrounds and coach/train officers while on the job
<b>Scope of Work</b>	
Describe areas or issues of emphasis for the program: <ul style="list-style-type: none"> <li>- Litter</li> <li>- Public trash cans</li> <li>- Residential code violations</li> <li>- Commercial code violations</li> <li>- Multi-family code violations</li> <li>- Illegal dumping</li> <li>-</li> </ul>	The following City codes are enforced by SWEEP officers: <ul style="list-style-type: none"> <li>• Chapter 105 – Brush, Grass, and Weeds</li> <li>• Chapter 146 – Graffiti</li> <li>• Chapter 223 – Property Maintenance</li> <li>• Chapter 258 – Solid Waste</li> </ul>
Do staff address all enforcement areas or specialize?	Officers enforce all issues from the codes above; officers do not specialize in violations
<b>Enforcement Activities</b>	
Active patrol or respond to complaints?	Complaint driven, but officers have assigned zones for patrol
Education/Outreach – how does the City balance education with enforcement?	Education is the priority; officers attempt to talk to residents where issues are identified and inform them of the city's requirements; officers distribute copies of the city's newsletter and uses door hangers from the Lancaster

SWEEP Profile - City of Lancaster	
	County Solid Waste Management Authority to convey important messages
Warnings	First violation usually results in a warning with the property owner given 15-days to correct the violation
Tickets/Fines	Issued when warnings are ignored and violations are not addressed; fines are escalated when original tickets are not paid or the violation is not corrected
Other enforcement activities?	SWEEP is focused on all property maintenance violations (see city codes listed above), not just solid waste violations
Describe the discretion staff have when completing duties?	Officers have complete discretion with how they handle violations; aim to educate residents, but issue warnings and tickets when cooperation or education is ignored
Describe enforcement tracking activities:	Use Munis Program from Tyler Technologies to track violations by resident/address; note the City recommends another program called Code Cite for managing violations; officers leave green door hangers with tickets if it cannot be given directly to the resident
How are tickets adjudicated?	<p>Tickets are considered administrative which reduces burden on City staff and residents; no court appearance required; ticket is a conversation tool to let the residents/property owners know that violation continues to exist and must be fixed</p> <p>Appeal process is provided on the back of the ticket; resident mails an appeal to the solid waste manager; manager talks with the SWEEP officer who issued the ticket to understand the situation and what education activities and interactions have occurred up to this point; manager also has a conversation with the resident use was issued the ticket; based on the conversations the solid waste manager allows the resident more time to fix the issue, reduce it to a warning or upholds the ticket; City charges an extra \$10 on top of the \$25 fine if the ticket is appealed</p>
Costs	
Annual budget/expenses:	<p>SWEEP expenses are included as part of the City's \$4 million annual solid waste budget</p> <p>SWEEP Expenses:</p> <ul style="list-style-type: none"> <li>- Staff/salary/benefits = ~\$80,000</li> <li>- Truck maintenance = ~\$4,000</li> <li>- Employee memberships/conferences = ~\$2,000</li> <li>- Supplies = ~\$300</li> <li>- Printing/paperwork costs = ~\$500</li> <li>- Computer/software system = Expense allocated, but difficult to track</li> <li>- Total Annual Cost = ~\$86,800</li> </ul>
<ul style="list-style-type: none"> <li>- Staff</li> <li>- Supplies</li> <li>- Equipment</li> </ul>	

**SWEEP Profile - City of Lancaster**

<p>How is program funded (i.e. refuse, general, ticket revenue):</p>	<p>Each household or unit in the City pays \$220 annually for solid waste services; the fee is allocated as follows:</p> <ul style="list-style-type: none"> <li>- \$82 for disposal with the County</li> <li>- \$97 to hauler for collection</li> <li>- \$41 is for program administration, which includes SWEEP and recycling drop-off, solid waste staff</li> </ul>
<p>Partnership/agreement with other entities (i.e. BID, citizen associations):</p>	<p>No formal partnerships, but the city works with the Lancaster Alliance and SoWe to promote SWEEP; Lancaster Alliance has a bike patrol and clean team that work in conjunction with SWEEP staff</p>
<p><b>Other</b></p>	
<p>Describe your SWEEP's best characteristic/greatest accomplishments?</p>	<p>Program helping achieve compliance with the city's property maintenance codes; rewarding to see the activities of SWEEP officers result in a cleaner city</p>
<p>What program change(s) would you like to make?</p>	<p>Increase the number of SWEEP officers on the street; use Code Cite to manage warnings/tickets issued by officers</p>
<p>What advice do you have for a city considering the implementation of a SWEEP?</p>	<p>Be prepared for push-back with a program like SWEEP; focus on education and only after education multiple times complete enforcement activities</p>

Washington, DC Department of Public Works (DPW)	
<b>Contact</b>	Reggie May Deputy Chief, DC DPW (202) 671-7190 <a href="mailto:Reginald.may2@dc.gov">Reginald.may2@dc.gov</a>
<b>Website</b>	<a href="https://dpw.dc.gov/service/solid-waste-education-and-enforcement-sweep">https://dpw.dc.gov/service/solid-waste-education-and-enforcement-sweep</a>
Background	
When did SWEEP start?	Early 1960s
How did it begin?	Began by city staff to control and reduce the rat population
Who are the program's champions?	City staff at all levels recognize the importance of the program, including Sanitation Services, Dept. of Public Works, and the Mayor's Office
Did full program begin at once or was it phased in?	Began as a full citywide program with 15 inspectors
Organizational Structure/Personnel	
Reporting Structure:	SWEEP inspectors report to the Deputy Chief, Department of Public Works who in turn reports to the Public Works Director
Staffing (number of full- and part-time staff):	Currently full-time 22 inspectors, down from a high of 36 inspectors (budget for the program has been reduced and cut the number of staff the program can support)
Are staff dedicated to SWEEP or do they have other job responsibilities?	Inspectors are dedicated to SWEEP
Comment on current staffing level (sufficient or short-handed?):	Increasing the number of inspectors could help increase the cleanliness of the city
Training requirements (initial and continuing education):	No specialized training provided; DC DPW is a member of the Northeast Environmental Enforcement Project (NEEP) and inspectors regularly participate in their training events
Scope of Work	
Describe areas or issues of emphasis for the program: <ul style="list-style-type: none"> <li>- Litter</li> <li>- Public trash cans</li> <li>- Residential code violations</li> <li>- Commercial code violations</li> <li>- Multi-family code violations</li> <li>- Illegal dumping</li> </ul>	Control and containment of solid waste and sanitation - City sanitation code, Title 21, chapters 7 and 8
Do staff address all enforcement areas or specialize?	All inspectors educate and enforce on all sanitation code requirements; inspectors have established "footprints" where they complete their SWEEP duties; each of the City's eight wards is divided into four quadrants and each inspector is assigned to one or more quadrants
Enforcement Activities (describe in detail)	
Active patrol or respond to complaints?	Active patrol and respond to complaints; as inspectors respond to complaints, inspectors proactively patrol the

Washington, DC Department of Public Works (DPW)	
	areas around where the complaint was made in an effort to encourage compliance with the sanitation code
Education/Outreach – how does the City balance education with enforcement?	Education is a major emphasis of the program; inspectors make presentations, distribute fliers/literature, and facilitate meetings to educate the public on sanitation requirements
Warnings	Warning tickets are issued when education and outreach activities are ignored or there are residences/businesses with repeat sanitation violations
Tickets/Fines	<p>Tickets with fines are issued after education and a warning ticket has been issued and the issue has not been abated; fines vary by offense, but all fines are escalated when violations have not been corrected within the established abatement period; amount of fines for several offenses is as follows; however, more serious violations (illegal dumping, improper household hazardous waste disposal, etc.) garner steeper fines:</p> <ul style="list-style-type: none"> <li>- 1<sup>st</sup> offense - \$75</li> <li>- 2<sup>nd</sup> offense - \$150</li> <li>- 3<sup>rd</sup> offense - \$300</li> <li>- 4<sup>th</sup> offense - \$1,000</li> </ul> <p>Inspectors have the authority to issue a ticket/fine every 24-hours, but that practice is reserved for the most egregious violations</p>
Other enforcement activities?	Inspectors work with DC's Environmental Crimes Unit (unit under the direction of DPW and the Metropolitan Police Department) to investigate more serious environmental crimes involving illegal dumping, household hazardous waste, and tires
Describe the discretion staff have when completing duties?	Inspectors have complete discretion as to when to educate, issue a warning ticket, or issue a ticket/fine
Describe enforcement tracking activities:	All inspectors record warning tickets and tickets/fines on a tablet they carry with them at all times; tablet is connected to a program for identifying the owners of all DC properties; tickets are sent certified mail to the owner of the property where the violation occurred; if mail is not delivered to the owner, inspectors will physically attach the ticket to the front door of the property and take a picture of the ticket as proof of its delivery
How are violations adjudicated?	Residents or business owners must abate the property and pay the fine; tickets may be appealed through the DC Office of Administrative Hearings; after a hearing an administrative law judge makes a determination on the violation
<b>Costs</b>	
Annual budget:	\$3 - \$5 million (depends on the number of inspectors on staff)

Washington, DC Department of Public Works (DPW)	
How is program funded (i.e. refuse fees, general fund, ticket revenue):	General fund; although a portion of the ticket revenue is directed to support SWEEP; approximately \$3.5 million in ticket revenue is generated every year
Major program expenses and estimated costs:	Specific budget details are not available; the largest expense for the program is inspectors' salary and benefits; each inspector is issued their own vehicle; other expenses include uniforms, training, and equipment/tablets/desktop computers
Partnership/agreement with other entities (i.e. BID, citizen associations):	SWEEP will partner with most organizations interested in supporting the program and wanting to advance a clean city; partnerships in DC occur on a weekly basis; the DPW's Helping Hands Program loans items (shovels, brooms, garbage bags, etc.) to organizations to conduct a neighborhood clean-up event; DPW collects bagged refuse from neighborhood clean ups at no cost
<b>Other</b>	
Describe your SWEEP's best characteristic/greatest accomplishments?	Relationships and trust that SWEEP has built with the community
What one program change would you like to make?	Full staff of inspectors
What advice do you have for a City considering the implementation of a SWEEP?	Hire dedicated staff that believe in the program; Mr. Mays encourages the hiring of inspectors that live in the areas targeted by SWEEP; if inspectors have a personal connection to their area they are more dedicated to the program and its mission

**Appendix B**  
**Sample Solid Waste Codes**

**City of Allentown  
Public Health Code  
Solid Waste and Recycling**

**PART ELEVEN  
PUBLIC HEALTH CODE**

**TITLE FIVE - SOLID WASTES**

- 1131 Refuse or Solid Waste Collection and Disposal
- 1137 Residential Recycling
- 1139 Commercial Recycling Ordinance

**TITLE FIVE - MUNICIPAL WASTES**

**ARTICLE 1131 -- Municipal Waste Storage, Collection and Disposal (14373 §1 3/16/06)**

- 1131.01 Definitions
- 1131.02 Authorization of City Contractor(s); Scope of Work; Fee
- 1131.03 Authorization of Collectors
- 1131.04 Storage, Placement and Collection of Municipal Waste (13937 §1 11/21/01)
- 1131.05 Requirements for Non-Municipal Collection (13937 §1 11/21/01)
- 1131.06 Handling of Municipal Waste (13937 §1 11/21/01;14373 §1 3/16/06)
- 1131.07 Disposal of Municipal Waste
- 1131.08 Exclusions
- 1131.94 Enforcement
- 1131.97 Violation Ticket Appeals Process
- 1131.98 Severability
- 1131.99 Fines and Penalties (14271 §1 3/3/05)

**1131.01 DEFINITIONS**

The following words and phrases when used in the ordinance shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

1. **Applicant** means a person desirous of being authorized as a "Collector." (12703 §1 5/7/86)
2. **Bulk Item** is any specific municipal waste item that does not fit in a 32 gallon trash can or in a 30 gallon trash bag, which includes but is not limited to furniture, mattresses, etc. (14373 §1 3/16/06)
3. **Center City** means that section of Allentown that is bounded on the east by the Jordan Creek, on the north by Tilghman Street, on the west by 11th Street and on the south by the Little Lehigh Creek. (13219 §1 10/7/93)
4. **City Curbside Collection Program** is the authorized collection, removal, transportation and disposal of municipal waste and recycling generated from eligible single family dwellings, rooming units, group homes, multi-family dwellings and commercial and institutional establishments who pay the annual Municipal Waste and Recycling Fee to the City of Allentown for this service. (14271 §1 3/3/05)
5. **Collector** means any person, firm or corporation duly authorized to collect and transport municipal waste within or from the City of Allentown. (12703 §1 5/7/86; 13937 §1 11/21/01; 14373 §1 3/16/06)
6. **Construction material** is any material that is a result of new construction, renovation or remodel of a structure of dwelling such as but not limited to lumber, carpeting, paneling, plaster board, ceiling tiles, kitchen cabinets, etc., concrete, brick, stone, rock and similar material is not considered to be construction material. (14373 §1 3/16/06)
7. **Container** is a rigid, durable, water tight, lidded vessel in which municipal waste and recycling is stored until collection. (14373 §1 3/16/06)
8. **Consumer** as defined in the Pennsylvania Covered Device Recycling Act 108 as "An occupant of a single detached dwelling unit or a single unit of a multiple dwelling unit who has used a covered device primarily for personal or small business use. For purposes of this definition, a small business is an entity that is independently owned or operated, employs 50 or fewer people, has purchased or leased a covered computer device from a computer manufacturer or retailer and, but for the program established under this act, would not otherwise have access to electronic recycling programs." (15027 §1 11/01/12)

9. **Contractor** means the person, firm or corporation that has been authorized by the City and by contract to collect, transport and dispose of municipal solid waste from within the City of Allentown. (12703 §1 5/7/86; 13937 §1 11/21/01; 15027 §1 11/01/12)

10. **Commercial establishment** means any establishment engaged in a non- manufacturing or non-processing business, including, but not limited to stores, markets, office buildings, restaurants, shopping centers and theaters. (12703 §1 5/7/86)

11. **Covered devices** as defined in the Pennsylvania Covered Device Recycling Act 108 of 2010 (CDRA) include desktop computers, laptop computers, computer monitors, computer peripherals and televisions. (15027 §1 11/01/12)

12. **Disposal** means the incineration, deposition, injection, dumping, spilling, leaking, or placing of municipal waste into or on the land or water in a manner that the waste or a constituent of the waste enters the environment, is emitted into the air, or is discharged to the waters of the Commonwealth of Pennsylvania. (12703 §1 5/7/86)

13. **Disposal site** means any site, facility, location, area, or premises to be used for the disposal of municipal wastes. (12703 §1 5/7/86)

14. **Dwelling unit** means a group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating for the exclusive use of the occupants thereof, including mobile homes or house trailers. (13409 §1 7/19/96; 14373 §1 3/16/06)

15. **Eligible Entities** means any single family dwelling, multi-family dwellings, rooming units, or commercial or institutional establishments that receive City Contractor service in accordance with the criteria contained herein. (13219 §1 10/7/93; 13937 §1 11/21/01)

16. **Garbage** means all animal and vegetable wastes attending or resulting from the handling, dealing, storing, preparation, cooking and consumption of foods. (12703 §1 5/7/86)

17. **Group home** means residential clients and attendant (24 hours or less) staff, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based upon an intentionally structured relationship providing organization and stability. (13289 §1 11/3/94)

18. **Hazardous Waste** means any waste material or a combination of solid, liquid, semisolid, or contained gaseous material that because of its quantity, concentration, physical, chemical, or infectious characteristics may:

a. Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; and (12703 §1 5/7/86)

b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed. (12703 §1 5/7/86)

19. **Household Hazardous Waste** (HHW) is waste which would be chemically or physically classified as a hazardous waste but is excluded from regulation as a hazardous waste because it is produced in quantities smaller than those regulated by the Pennsylvania Department of Environmental Protection, and because it is generated by persons not otherwise covered as hazardous waste generators by those regulations. Such HHW materials meet one of the following four classifications: Toxic; Flammable; Reactive; or Corrosive. HHW consists of numerous products that are common to the average household such as: Pesticides and herbicides, cleaners, automotive supplies, paints, and acids. (13614 §1 11/20/97)

20. **Hotel** means an establishment having over twenty (20) permanent bedrooms for the use of transient guests. (13289 §1 11/3/94)

21. **Industrial establishment** means any establishment engaged in manufacturing or processing, including, but not limited to, factories, foundries, mills, processing plants, refineries, and the like. (12703 §1 5/7/86)

22. **Institutional establishment** means any establishment engaged in service to persons including, but not limited to hospitals, nursing homes, orphanages, schools, non-profit organizations, churches and universities. (12703 §1 5/7/86; 13289 §1 11/3/94)

23. **Intended to be used.** A building, structure, unit or part thereof is "intended to be used" for the purposes of this Code; in accordance with the use indicated in the Lehigh County Property Tax Assessment records; or the most recent records pertaining to the use on file in any department of the City; or in the absence of any such records; in accordance with the use determined by the City to be the most appropriate for the building, structure, unit or part thereof. (13289 §1 11/3/94)

24. **Management** means the entire process or any part thereof of storage, collection, transportation, processing, treatment, and disposal of municipal wastes by any person engaging in such process. (12703 §1 5/7/86)

25. **Multi-family dwellings** means any building under one roof which contains two (2) or more complete dwelling units. (12703 §1 5/7/86; 12903 4/5/94)

26. **Municipal waste** means any garbage, refuse, industrial lunchroom or office waste, and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation or residential, municipal, commercial, or institutional establishments or from community activities and which are not classified as residual waste or hazardous waste as herein defined. The term does not include source separated recyclable materials or yard waste. (12703 §1 5/7/86; 13040 §1 4/3/91)

27. **Notice of violation** is a written document issued to a person in violation of a city ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action. (14271 §1 3/3/05)

28. **Person** means any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution and agency, or any other legal entity whatsoever which is recognized by law as being subject to such rights and duties. (12703 §1 5/7/86)

29. **Processing** means any technology used for the purpose of reducing the volume or bulk of municipal waste or any technology used to convert part or all of such waste materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, composting facilities, incinerators, recycling facilities and resource recovery facilities. (12703 §1 5/7/86)

30. **Public Officer** means any police officer, authorized inspector, or public official designated by the Mayor to enforce the City Ordinances. (14271 §1 3/3/05)

31. **Recyclable material** means a material in municipal waste, which can be collected, separated and/or processed into a commodity to replace virgin materials in the manufacturing of new materials or products. (13040 §1 4/3/91; 13937 §1 11/21/01)

32. **Regular** means at least three or more times per month. (12703 §1 5/7/86)

33. **Refuse** means the collective term applying to all garbage, ashes, leaves, and grass trimmings from residential, municipal, commercial or institutional premises. (12703 §1 5/7/86)

34. **Residual waste** means any discarded material or other waste including solid, semisolid or contained gaseous materials resulting from construction, industrial, mining, and agricultural operations excluding municipal water and sewer operations. (12703 §1 5/7/86)

35. **Rooming unit** means any room or groups of rooms forming a single habitable unit used or intended to be used for living and sleeping only. (13289 §1 11/3/94)

36. **Solid waste** means any waste, including but not limited to municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials. (Pennsylvania Solid Waste Management Act 97, Section 103) (12703 §1 5/7/86)

37. **Source separate** means to separate recyclable materials from the municipal waste stream at the point of waste generation. (13040 §1 4/3/91)

38. **Storage** means the containment of any municipal waste on a temporary basis in such a manner as not to constitute disposal as such waste. (12703 §1 5/7/86; 14373 §1 3/16/06)

39. **Transportation** means the off-site removal of any municipal waste at any time after generation. (12703 §1 5/7/86; 14373 §1 3/16/06)

40. **Violation Ticket** is a form issued by a police officer or public officer to a person who violates a provision of this Article. The violation ticket is an offer by the City of Allentown extended to a person to settle a violation by paying the fine in lieu of a citation being issued against the violator. (14271 §1 3/3/05)

41. **Yard Waste** means leaves, garden residues, grass clippings, shrubbery and tree trimmings and similar materials. (13030 §1 4/3/91)

## **1131.02 AUTHORIZATION OF CITY CONTRACTOR(S); SCOPE OF WORK; FEE**

### **A. Contracts for Collection; Authority**

The City is authorized to award a contract(s) for the collection, removal, transportation and disposal of municipal waste generated from single family dwellings, rooming units, group homes, multi-family dwellings and commercial and institutional establishments as described below and any other type of entity the City deems necessary or acceptable. The contract(s) shall contain a provision that the contract(s) is to be performed and carried out by the contractor(s) in compliance with all applicable City ordinances. The Bureau of Recycling and Solid Waste shall divide the City into districts and prescribe the days and hours for the collection and removal of municipal waste and recyclable materials from such districts. (13219 §1 10/7/93; 13289 §1 11/3/94; 14271 §1 3/3/05; 14373 §1 3/16/06)

### **B. Scope of City Contract Collection (13289 §1 11/3/94)**

#### **1. Municipal Waste Collection (13289 §1 11/3/94)**

a. Single family and multi-family dwellings up to and including twenty-five (25) units. (13289 §1 11/3/94; 13614 §1 11/20/97)

Municipal waste generated by the occupants or owner of single family and multi-family dwellings, up to and including twenty-five (25) units within the City of Allentown, shall be included for collection by the authorized City Contractor in accordance with all applicable sections of this Ordinance except as set forth in 2, below. (13289 §1 11/3/94; 13614 §1 11/20/97; 13937 §1 11/21/01)

2. Rebates for Eligible Senior Citizens for payment of the Municipal Waste and Recycling Fee-(13614 §1 11/20/97; 1/24/2012 §1 14965; 15027 §1 10/27/12)

a. All bona fide residents of the City of Allentown who are sixty five (65) years of age or over shall be eligible for a rebate of the payment of this fee on their principal place of residence provided that: (15027 §1 10/27/12)

1. Such residence is a single family dwelling, owned and occupied by the claimant.

2. A request for a rebate shall be filed with the Department of Finance on such form as prescribed by that Department for such purpose. The request for rebate shall be filed by June 30 of the current year for a rebate of the Municipal Waste and Recycling Fee paid for the previous calendar year. (15027 §1 10/27/12)

3. The total household income from all sources does not exceed \$15,000.00.

b. The Department of Finance may require such evidence or information as it deems necessary or appropriate in determining eligibility for exoneration in accordance with this section. (15027 §1 10/27/12)

c. Any information gained by any official, agent or employee of the City, as a result of any claim, investigations, or hearings required or authorized by this ordinance shall be confidential and shall not be disclosed to any person except for official use in connection with the administration or enforcement of this ordinance or as otherwise provided by law. (15027 §1 10/27/12)

d. False or untrue statements shall be a violation of this Ordinance. (13219 §1 10/7/93) (12903 §1 4/5/89; 13289 §1 11/3/94; 13289 §1 11/3/9; 14965 §1 1/24/12)

**Moved to 1131.04 (A)(3)(a)** (13937 §1 11/21/01; 14271 §1 3/3/05; 14373 §1 3/16/06)

**Moved to 1131.02 (C) (1)(a)** (13937 §1 11/21/01; 14271 §1 3/3/05; 14373 §1 3/16/06)

b. Commercial and Institutional Establishments

Municipal waste generated within the City of Allentown, by commercial or institutional establishment, shall be eligible for City Curbside Collection, except as set forth in 3, or 4 below. The eligible entity must apply and be approved by the Bureau of Recycling and Solid Waste to terminate City Curbside Collection to an entity for a violation of this Article and/or the Residential and Commercial Recycling Ordinances. (13219 §1 10/7/93; 13289 §1 11/3/94; 13614 §1 11/20/97; 13937 §1 11/21/01; 14373 §1 3/16/06)

c. Rooming Units

Municipal waste generated within the City of Allentown, by the occupants or owner of rooming units which are located in buildings other than hotels, shall be included for collection by the authorized City contractor in accordance with all applicable sections of this Ordinance except as set forth in 2, below. (13289 §1 11/3/94; 13614 §1 11/20/97)

(Deleted 13614 §1 11/20/97) (13289 §1 11/3/94)

d. Collection

1. It shall be a violation of this ordinance to mix or place any designated recyclable material or yard waste with municipal waste.

2. In Center City, all municipal waste generated by any entity included in City collection, and placed out for collection on their designated nights must be collected by the City Contractor by 8:00 AM the following day. (13289 §1 11/3/94; 14373 §1 3/16/06) **(Moved from 1131.04 (C))**

3. All municipal waste generated outside of the Center City zone by any entity included in City collection, and placed out for collection on their designated nights must be collected by the City Contractor by 12:00 PM the following day. 13836 §1 11/21/01; 14373 §1 3/16/06) **(Moved from 1131.04 (C))**

3. Exemption

A. The owners of multi-family dwellings with 25 or less units or rooming units may apply for exemption from inclusion in the City Curbside Collection Program by submitting a written application to the Bureau of Recycling and Solid Waste. For all exempted entities, there shall be a thirty-five (\$35) dollar per property annual inspection fee that shall be paid for all multi-unit rental properties approved for exemption from the City Curbside Collection Program. Multi-unit rental properties exempted from the City Curbside Collection Program who place municipal waste or recycling out for City Curbside Collection will lose their exemption. (14271 §1 3/3/05; 14373 §1 3/16/06)

B. The owners of multi-family dwellings or rooming units may be exempted from municipal solid waste and/or recycling collection and payment of the applicable fee of the Municipal Waste and Recycling Fee provided that: (13614 §1 11/20/97; 13937 §1 11/21/01)

1. There is an area on the property not within the public right-of-way which is sufficient for the placement of bulk containers of adequate size to store all municipal waste and recyclables generated on the property in one (1) week. The bulk containers and location shall be subjected to approval by the Manager of Recycling and Solid Waste. (13937 §1 11/21/01; 14373 §1 3/16/06)

2. That such bulk containers are placed on the property for waste generated by the occupants of the dwelling units in the building. (13937 §1 11/21/01)

3. That the bulk container(s) are collected and emptied on a regular schedule by a licensed Collector and in no event less than one (1) time per week.

4. That there is no curbside storage or collection of municipal waste from the property.

5. That the owner of said multi-family dwellings or rooming units meet the requirements of this Article and the Commercial Recycling Ordinance 13219 or the Residential Recycling Ordinance 12959, respectively. (13289 §1 11/3/94; 13614 §1 11/20/97; 13937 §1 11/21/01)

6. That the owner provide all tenants with recycling bins, source separated recycling collection, and recycling education and must submit evidence of such upon request by the Bureau of Recycling and Solid Waste. (13937 §1 11/21/01; 14373 §1 3/16/06)

7. The owner of said multi-family dwellings or rooming units annually submits to the Bureau of Recycling and Solid Waste substantiating evidence of a current agreement/contract with a licensed Collector for trash and recycling collection as described in Section 1131.03 and in Article 1139 of the Commercial Recycling Ordinance by January 31 of the year for which an exemption is sought. (13289 §1 11/3/94; 13937 §1 11/21/01; 14271 §1 3/3/05)

8. Exemption is renewable on an annual basis pending City review and/or inspection. It shall be the prerogative of the Bureau of Recycling and Solid Waste to terminate exemption status to an entity for a violation of this Article and/or the Residential and Commercial Recycling Ordinances. (13937 §1 11/21/01; 14373 §1 3/16/06)

#### 4. Large Complexes

For the purposes of Section 1131.02(B)(1) subsection (a) above where on a single, undivided tract of land under common ownership there is a building or buildings containing a total of twenty-six (26) or more dwelling units, such apartment complex shall not be included for municipal waste collection by the authorized City contractor. (13289 §1 11/3/94; 13614 §1 11/20/97)

#### 5. Commercial and Institutional Establishments (13289 §1 11/3/94)

a. For the purposes of Section 1131.02(B)(1) subsection (b) above where the municipal waste generated weekly is greater than what can be contained in ten (10) thirty (30) gallon containers, the facility shall not be eligible for municipal waste collection by the authorized City contractor. (13614 §1 11/20/97)

b. By virtue of the type of business conducted and the type of waste generated, certain commercial or institutional facilities listed below shall not be eligible for municipal waste collection by the authorized City Contractor: (13937 §1 11/21/01)

1. Auto repair or service station
2. Dry cleaner
3. Manufacturing, wholesale or warehousing operations
4. Cleaning or construction contractor
5. Medical facilities (including physicians, dentists, laboratories, etc.)
6. Funeral homes
7. Retail facilities over 5,000 square feet
8. Licensed food service establishments
9. Commercial or institutional establishments located in strip shopping centers (13289 §1 11/3/94)
10. Any other entity deemed unsuitable by the Manager of the Bureau of Recycling and Solid Waste or

a designee due to its location, the quantity or nature of the waste generated within the facility or any other factor. (13219 §1 10/7/93; 13289 §1 11/3/94; 14373 §1 3/16/06)

#### 6. Appeals

An Appeals Committee shall be established consisting of the Director of the Department of Administration and Finance, the Director of the Department of Community Development and the Director of the Department of Public Works or their designees who shall review appeals from property owners of multi-unit dwellings requesting exemption from City Curbside Collection and to review appeals from commercial and institutional establishments for inclusion in the City Curbside Collection Program. (13937 §1 11/21/01; 14373 §1 3/16/06)

#### C. Municipal Waste and Recycling Fee (13614 §1 11/20/97)

##### 1. Fee Imposed

a. There is hereby imposed upon the owner of each dwelling unit, as determined by the Bureau of Zoning, and all entities included in City collection, an annual Municipal Waste and Recycling Fee, in the amount approved by City Council in the annual budget process. It shall be a violation of this Ordinance for a person to place municipal waste or recycling out for the City Curbside Collection Program without paying the annual Municipal Waste and Recycling Fee. The fee is Three Hundred seventy-five dollars (\$375) per Ordinance 14973 12/13/2011. (14033 §1 12/15/01; 13167 §1 12/10/92; 13232 §1

12/9/93; 13289 §1 11/3/94; 13374 §1 12/28/95; 13438 §1 12/12/96; 13614 §1 11/20/97; 13805 §1 1/1/00; 13937 §1 11/21/01; 13957 §1 12/15/01; 14033 §1 12/10/02; 14271 §1 3/3/05; 14373 §1 3/16/06; 14545 §1 12/7/07; 14847 12/3/2010.)

The City is authorized to pro-rate the annual Municipal Waste and Recycling Fee for entities included in City collection as applicable. (13937 §1 11/21/01)

b. Commercial and Institutional Establishments

There is hereby imposed upon the owner or operator of each approved commercial or institutional establishment, for inclusion in the City Curbside Collection Program, except those that provide private municipal waste and recycling services in accordance with Article 1131.03 herein, an annual Municipal Waste and Recycling Fee in an amount equal to the fee set for a single dwelling unit. Commercial or institutional establishments approved for inclusion on or between January 1 and June 30 of the current calendar year shall pay the annual fee. Commercial or institutional establishments approved for inclusion on or between July 1 and December 31 of the current calendar year shall be required to pay one half (1/2) the annual fee. (13219 §1 10/7/93; 13232 §1 12/9/93; 13289 §1 11/3/94; 13614 §1 11/20/97; 13937 §1 11/21/01; 14373 §1 3/16/06)

Eligible commercial or institutional establishments may apply to the Appeals Committee for approval for municipal waste collection only at a fee equal to 86% of the total annual Municipal Waste and Recycling Fee. Establishments approved for recycling collection only shall be required to pay an amount equal to 48% of the total annual Municipal Waste and Recycling Fee. Commercial or institutional establishments approved for inclusion for only municipal waste or recycling collection on or between January 1 and June 30 of the current calendar year shall pay the percentage fee (86% or 48%, respectively) for the requested service. Commercial or institutional establishments approved for inclusion for only municipal waste or recycling collection on or between July 1 and December 31 of the current calendar year shall pay one half (1/2) the percentage fee (43% or 24%, respectively) for the requested service. (13614 §1 11/20/97; 14373 §1 3/16/06)

c. There is hereby imposed upon the owner or operator of rooming units included in City collection an annual Municipal Waste and Recycling Fee in an amount equal to the fee for a single dwelling unit for every three (3) (or any portion thereof) rooming units. (13289 §1 11/3/94; 13614 §1 11/20/97)

d. Said annual fees shall be due and payable each year on or before the last day on which the gross amount of the real estate tax is payable without penalty, pursuant to billing, collection and exoneration procedures established by the Department of Administration and Finance. A penalty of ten (10%) percent shall be added to bills not paid within the period described above. In addition thereto, any costs or fees incurred in conjunction with the collection of any such delinquencies shall be the responsibility of, and paid by, the owner(s) or operator of the subject property. (13167 §1 12/10/92); 13232 §1 12/9/93; 13289 §1 11/3/94; 13614 §1 11/20/97)

2. Exoneration of Certain Senior Citizens from payment of the Municipal Waste and Recycling Fee and other residents from paying the \$35 increase in the calendar year 2012. (13614 §1 11/20/97; 14965 §1 1/18/12)

a. All bona fide residents of the City of Allentown who are sixty five (65) years of age or over shall be eligible for exoneration from payment of this fee on their principal place of residence provided that:

1. Such residence is a single family dwelling, owned and occupied by the claimant.
2. A request for exoneration shall be filed with the Bureau of Finance on such form as prescribed by that Bureau for such purpose.
3. The total household income from all sources does not exceed \$15,000.00.

b. All bona fide residents of the City of Allentown who are sixty-five (65) years of age or over shall be eligible for exoneration from payment of the thirty-five dollar (\$35) increase to this fee on their principal place of residence provided that:

1. Such residence is single family dwelling, owned and occupied by the claimant.
2. A request for exoneration shall be filed with the Bureau of Finance on such form as prescribed by that Bureau for such purpose.
3. The total household income from all sources is between \$15,000.00 and \$19,999.

4. This exoneration is for calendar year 2012.

d. The Bureau of Finance may require such evidence or information as it deems necessary or appropriate in determining eligibility for exoneration in accordance with this section.

e. Any information gained by any official, agent or employee of the City, as a result of any claim, investigations, or hearings required or authorized by this ordinance shall be confidential and shall not be disclosed to any person except for official use in connection with the administration or enforcement of this ordinance or as otherwise provided by law.

f. False or untrue statements shall be a violation of this Ordinance. (13219 §1 10/7/93) (12903 §1 4/5/89; 13289 §1 11/3/94; 13289 §1 11/3/94)

### **1131.03 AUTHORIZATION OF COLLECTORS**

#### **A. Authorization required**

It shall be unlawful for any person, firm or corporation other than such persons as are duly authorized by the County of Lehigh, Pennsylvania, to collect and transport municipal waste of any nature as a regular hauling business within or from the City of Allentown. (13937 §1 11/21/02; 12903 §1 4/5/89; 13614 §1 11/20/97; 13937 §1 11/21/01; 14373 §1 3/16/06)

### **1131.04 STORAGE, PLACEMENT AND COLLECTION OF MUNICIPAL WASTE**

#### **A. General**

1. It shall be the duty of every owner of property and every person occupying any dwelling unit, premises or place of business within the City of Allentown where municipal waste is produced and is accumulated, by his own expense and cost, to provide and keep at all times, a sufficient number of containers to hold all municipal wastes which may accumulate during the intervals between collection of such municipal waste by an authorized collector.

2. The containers shall be plainly and legibly marked with the participant's address and apartment number, if any, excluding plastic bags. (13915 11/21/01)

3. It shall be the duty of every owner of multi-family dwellings, rooming units, and any other residential units included in City collection except owner-occupied single family dwellings to permanently post and maintain in each unit the Trash and Recycling procedures issued by the Bureau of Recycling and Solid Waste. (13289 §1 11/3/94)

#### **B. Storage and Placement by Entities Eligible for City Contract Collection (13289 §1 11/3/94; 13937 §1 1/21/01)**

1. **Containers:** All municipal waste, except bulk items (e.g. furniture, mattresses, carpeting, cabinets, etc.), generated by owners and/or the occupants of eligible entities shall be placed in containers for collection by an authorized collector. (14373 §1 3/16/06)

a. The containers shall be durable, water tight, and made of metal or rigid plastic. The containers shall have tightly fitting covers that remain in use and shall be kept clean. Each container shall not weigh more than seventy (70) pounds when filled. (13937 §1 11/21/01)

b. Plastic bags may be used as municipal waste containers, at curbside for City Curbside collection, provided they are sealed to prevent scattering of their contents and do not contain any rips, tears or punctures. Plastic bags of municipal waste shall not weigh more than forty (40) pounds when filled. (13762 §1 7/22/99; 14373 §1 3/16/06)

c. Cardboard boxes may not be used as municipal waste containers. (14373 §1 3/16/06)

#### **2. Storage of Containers:**

a. No person shall store a container, as defined above, in front of the property's main structure (including on the front porch), except when it is placed at the curblin or street for collection, as described below.

b. Furthermore, plastic bags are not to be stored anywhere on the exterior of the property except in approved containers prior to being placed at the curblin or street for collection, as described below. (13762 §1 7/22/99; 14373 §1 3/16/06)

c. Property owners of multi-family dwellings included in City Curbside Collection must provide a location on their property for the storage of trash and recycling in between collections. Storage must be in compliance with all City of Allentown Ordinances and must not create a public nuisance or vector control issues. Exceptions and alternate storage locations may be subject to review and approval by the Bureau of Recycling and Solid Waste. (14373 §1 3/16/06)

### **3. Placement and Removal of Containers:**

a. Only municipal waste generated at the entity included in the City Curbside Collection Program by the owner or occupants of said entity may be placed out for collection in front of that entity. It shall be a violation of this Ordinance to place, or cause to be placed, municipal waste generated at a different location at an entity included for City collection; this may constitute illegal dumping and a violation of the Anti-Litter Ordinance. (14373 §1 3/16/06)

b. All municipal waste containers shall be placed at the curblin or street directly in front of the included residential entity where the municipal waste was generated not before 5:00 PM, and prior to 10:00 PM, only on their designated nights of collection. (13289 §1 11/3/94; 13614 §1 11/20/97; 13762 §1 7/22/99; 14373 §1 3/16/06; 14688 §1 3/12/09)

c. All municipal waste containers shall be placed at the curblin or street directly in front of the included commercial or institutional entity where the municipal waste was generated, not before 5:00 PM and prior to 10:00 PM, only on their designated nights. (14373 §1 3/16/06)

d. All containers shall be removed from the street or curblin as soon as practicable, within 12 hours, after collection. (13289 §1 11/3/94; 13614 §1 11/20/97; 13762 §1 7/22/99; 14373 §1 3/16/06)

e. All material shall be placed at the curblin in a manner as not to result in spilled or scattered trash or litter on public or private property. All material placed out for collection shall be the responsibility of the property owner, responsible agent or occupant until it is collected by the Contractor. (14373 §1 3/16/06)

f. No municipal waste may be set out at the curblin or in the public right-of-way for collection by a privately contracted Collector without written approval by the Bureau of Recycling and Solid Waste. (14373 §1 3/16/06)

### **4. Municipal Waste Limits**

The City of Allentown hereby establishes limits to the quantity and nature of municipal waste, bulk items and construction material placed out by entities included in the City Curbside Collection Program. It shall be a violation of this ordinance to exceed or violate the limits as set forth below:

#### **a. Per Collection Night Maximum**

No more than five (5) thirty (30) gallon trash bags, each weighing no more than forty (40) pounds, or two (2) thirty-two (32) gallon trash container, each weighing no more than seventy (70) pounds per container may be placed out for City Curbside Collection by entities included in City Curbside Collection.

#### **b. Second Collection Night Allowances**

Only on the second collection night of a designated collection zone, i.e. Wednesday, Thursday or Friday, may an eligible entity place out for collection one bulk item (furniture, mattress, etc.) or forty (40) pounds maximum of construction material (carpeting, lumber, etc.). The construction material may not exceed four (4) feet in length and must be in an acceptable container or bundled. A fee of Fifteen Dollars (\$15) for each additional bulk item is hereby established and must be paid to the Bureau of Recycling and Solid Waste prior to collection. (14373 §1 3/16/06)

c. Tires, vehicle parts containing fluids, non-recyclable vehicle parts, liquid paint and hazardous wastes may not be placed at the curb for City Curbside Collection. Concrete, brick, stone, rock or any other material that may damage compacting vehicles, as determined by the Bureau of Recycling and Solid Waste, is prohibited from City Curbside Collection. (14271 §1 3/3/05; (14373 §1 3/16/06)

5. **Collection of Source Separated Recyclable Materials and Yard Waste:** The collection of source separated recyclable materials and yard waste is otherwise regulated by City ordinance. It shall be a violation of this ordinance for any person to place any designated recyclable material or yard waste in containers which also contain municipal waste. (13040 §2 4/3/9; 13038;13219 §1 10/7/93; 13937 §1 11/22/01; (14373 §1 3/16/06)

6. **Prohibition of Covered Devices from Municipal Solid Waste** (15027 §1 11/01/12)

No person may dispose of a covered device, or any of its components, with municipal solid waste. These devices and their components must be properly recycled through an electronics collection program and may not be taken to, nor accepted by, landfills or other solid waste disposal facilities for disposal. It shall be a violation of this ordinance for any person or consumer to dispose of any covered device with municipal solid waste. (15027 §1 11/01/12)

**1131.05 REQUIREMENTS FOR NON-MUNICIPAL COLLECTION**

1. Private Collection and Disposal Responsibility

A. General

It shall be the responsibility of the owners/operators of all commercial, industrial and institutional establishments, and multi-family dwellings not included in City Contractor service or exempted under Section 1131.02(B)(2) to provide, at their own expense, for the storage, collection and disposal of their own waste. Such storage, collection and disposal shall be carried out in such a manner as to avoid the creation of a public nuisance, including but not limited to, noise disturbances, sanitation, littering, and vector control issues.

B. Containers

1. Storage of municipal waste on all multi-family dwelling properties which are using private collection shall be in a bulk container, subject to approval by the Manager of the Bureau of Recycling and Solid Waste, and as specified in (2, 3, and 4) below. Storage of municipal waste on commercial, industrial and institutional properties shall be done in the same manner and kept in the same type of containers except where the accumulation for each commercial, industrial or institutional property precludes their use, in which case such owner or occupant shall make special arrangements with the authorized collector for the storing of such additional quantities. (13937 §1 11/21/01; (14373 §1 3/16/06)

2. Collection

a. The owners/operators contracting for private collection shall provide an area on the property not within the public right-of-way which is sufficient for the placement of bulk containers of adequate size to store all municipal waste and recyclables generated on the property in one (1) week. (13937 §1 11/21/01)

b. Such locations shall not interfere with public or private sidewalks, walkways, driveways, roads, streets, highways or entrances and exits of public or private buildings and be in compliance with all applicable laws. (13937 §1 11/21/01)

c. Municipal waste intended for collection by a private Collector may not be set out at the curblines for collection without written approval by the Bureau of Recycling and Solid Waste. (14373 §1 3/16/06)

3. The special bulk containers shall have lids which must remain closed except when municipal waste is being removed from the container. The containers shall be kept clean and in good repair.

4. The owners/operators contracting for private collection shall:

a. Provide bulk containers on the property for use for waste generated by employees of the commercial, industrial or institutional establishment and/or by the occupants of the dwelling units in the building. (14373 §1 3/16/06)

b. Provide collection for the bulk container(s) on a regular schedule by a licensed collector and in no event less than one (1) time per week.

c. Not allow the curbside storage or collection of municipal waste from the property.

d. Meet the requirements of this Article and the Commercial Recycling Ordinance 13219 or the Residential Recycling Ordinance 12959, respectively. (13289 §1 11/3/94; 13614 §1 11/20/97)

e. Provide all tenants with recycling bin, source separated recycling collection, and recycling education. (13937 §1 11/21/01)

C. Reporting Responsibility

It shall be the responsibility of the owners/operators of all commercial, industrial or institutional establishments, and multi-family dwellings not included in City Contractor service or exempted under Section 1131.02(B)(2) to annually submit upon request to the Bureau of Recycling and Solid Waste evidence of a current agreement/ contract with a licensed collector including the collector's name, address, and telephone number. This information shall also include the days and times of collection. The Bureau of Recycling and Solid Waste must be notified in writing within ten (10) days of such changes, said licensed collectors shall notify the Bureau of Recycling and Solid Waste, on a form to be provided, when an agreement/ contract for the collection and disposal of municipal waste has been terminated. (12903 §1 4/5/89; 13289 §1 11/3/94; 13289 §1 11/3/94; 13937 §1 11/21/01; 14373 §1 3/16/06)

**1131.06 HANDLING OF MUNICIPAL WASTE**

A. Transportation

All Collectors transporting municipal waste within the City of Allentown shall prevent and remedy any spillage from their vehicles or containers used in the transport of such municipal waste. (13289 §1 11/3/94; 13937 §1 11/21/01; 14373 §1 3/16/06)

Such vehicles or containers shall not be overfilled, and shall be cleansed at sufficiently frequent intervals to prevent obnoxious odors or unhealthful conditions. They shall be so constructed, loaded and driven as to prevent any portion of the load from falling out upon the streets or highways. Open-truck bodies of such vehicles shall be covered and fastened with devices that will secure and contain the contents. (13937 § 1 11/21/01)

B. Removal by Collectors

All Collectors shall return the refuse receptacle or receptacles to the premises from which they have been removed. They shall also collect and remove all municipal waste which, by accident or otherwise, may have been put or fallen on the sidewalks, streets or highways immediately or within four (4) hours notification by the Bureau of Recycling and Solid Waste. (12903 §1 4/5/89; 13289 §1 11/3/94; 13937 §1 11/21/01; 4373 §1 3/16/06)

C. Mixing Recyclable Materials and Municipal Waste

It shall be a violation of this Ordinance for any Collector to mix or place any designated recyclable material or yard waste in with the collection of municipal waste. 14373 §1 3/16/06)

**1131.07 DISPOSAL OF MUNICIPAL WASTE**

Disposal at Approved Facilities

All municipal waste produced, collected, and transported from within the jurisdictional limits of the City of Allentown shall be disposed of at licensed and approved disposal facilities in accordance with the Lehigh County Solid Waste Plan, and in compliance with all Department of Environmental Protection regulations and with any other applicable local, state or federal statute. (13289 §1 11/3/94; 14373 §1 3/16/06)

**1131.08 EXCLUSIONS**

A. Disposal of Personal Wastes

Nothing contained herein shall be deemed to prohibit any person not regularly engaged in the business of collecting municipal waste from hauling his own municipal waste on an irregular and unscheduled basis, to a State permitted disposal facility.

B. Hazardous or Residual Wastes

The provisions of this ordinance do not apply to anything but the storage, collection, transportation and disposal of municipal waste and do not apply, therefore, to hazardous or residual wastes as defined by the Pennsylvania Solid Waste Management Act. (12903 §1 4/5/89)

It shall be a violation of this Ordinance for any entity included in City Curbside Collection to place any hazardous or household hazardous waste for collection by the authorized City Contractors. (13614 §1 11/20/97; 13937 §1 11/21/01; 14373 §1 3/16/06)

**1131.94 ENFORCEMENT**

A. The provisions of this Article shall be enforced by police officers or any other public officer authorized to enforce ordinances.

B. Any violation of the provisions of this Article may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the violator.

C. A notice of violation or violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record.

D. Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

E. A public officer is authorized and empowered to cause a violation to be corrected.

F. If the City has effected the correction of the violation, the cost thereof may be charged to the owner of the property, tenant or offending party. The cost shall be determined by the Manager of Recycling and Solid Waste or designee in order that the City shall be compensated for both direct and indirect costs and expenses incurred. (14271 §1 3/3/05)

**1131.97 VIOLATION TICKET APPEALS PROCESS**

A. A person in receipt of a violation ticket may appeal to the Bureau of Recycling & Solid Waste by filing a request within ten (10) days of receipt of the violation ticket.

B. A Hearing Officer, designated by the Manager of the Bureau of Recycling & Solid Waste, may uphold the Appeal, deny the Appeal or may modify the violation ticket and/or any associated costs, fines or penalty amounts. (14271 §1 3/3/05)

**1131.98 SEVERABILITY**

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect. (14271 §1 3/3/05)

**1131.99 FINES AND PENALTIES**

(14271 §1 3/3/05)

**A. Violation Ticket Fines**

1. Violation tickets shall be issued in the amounts of Twenty-five (\$25) Dollars or One Hundred (\$100) Dollars. (14271 §1 3/3/05)

2. Any person who receives a violation ticket for any violation of this Article, may within ten (10) days, admit the violation, waive a hearing and pay the fine in full satisfaction of twenty-five (\$25) dollars or one hundred (\$100) dollars, as indicated on the violation ticket. (14271 §1 3/3/05)

**B. Violation Ticket Penalties**

1. If the person in receipt of a twenty-five (\$25) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a ten (\$10) dollar penalty for days eleven (11) through twenty (20).

2. If the person in receipt of a one hundred (\$100) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a twenty-five (\$25) dollar penalty for days eleven (11) through twenty (20).

3. Failure of the person to make payment within twenty (20) days shall make the person subject to a citation.

**C. Citation Fines (14271 §1 3/3/05)**

Whoever violates the provisions of this ordinance shall, upon conviction, be fined not more than One Thousand (\$1,000.00) Dollars or imprisoned not more than ninety (90) days, or both.

Whoever shall violate Article 1131.04, Storage of Municipal Waste, Section 3, Placement and Removal of Containers, shall be fined no less than Twenty-five (\$25) Dollars on the first offense. ( 13916 - 7/5/01)

Every violator of the provisions of this ordinance shall be deemed guilty of a separate offense for each and every day such violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.

D. Removal of Accumulated Waste

In addition to the foregoing penalty, the City of Allentown may require the owner or occupant of a property to remove any accumulation of municipal waste and should said person fail to remove such municipal waste following written notice, the City of Allentown may cause the municipal waste to be collected and disposed of with the costs for such actions to be charged to the owner or occupant of the property in a manner provided by law. (12903 §1 4/5/89; 14271 §1 3/3/05;14373 §1 3/16/06)

E. The City's Department of Public Works, Bureau of Recycling and Solid Waste, Health Bureau and other City enforcement bureaus are authorized and directed to enforce this Ordinance. The Manager of Recycling and Solid Waste is hereby authorized and directed to promulgate, establish reasonable rules and regulations for the collection, storage and disposal of municipal waste in accordance with the terms hereof and any other matters required to implement this Ordinance. The City may change, modify, repeal or amend any portion of said rules and regulations at any time. (13289 §1 11/3/94; 13937 §1 11/21/01;14373 §1 3/16/06)

---

**ARTICLE 1137  
RESIDENTIAL RECYCLING**

- 1137.01 Definitions
- 1137.02 Establishment of a Residential Recycling Program
- 1137.03 Preparation of Designated Recyclable Materials and Placement for Collection
- 1137.04 Collection by Unauthorized Person(s) - Scavenging
- 1137.05 Damage or Misuse of Recycling Containers
- 1137.06 Non-interference with Existing Contracts
- 1137.07 Mandatory Source Separation of Leaf Waste
- 1137.08 Residential Dwelling Units not in the City Curbside Collection Program
- 1137.09 Enforcement and Administration
- 1137.10 Violation Ticket Appeals Process
- 1137.11 Severability
- 1137.12 Fines and Penalties
- 1137.13 Franchise or License (14263 §1 3/3/05)

**1137.01 DEFINITIONS**

The following words and phrases when used in the ordinance shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

1. **Aluminum Can** means an empty container consisting entirely of aluminum and used solely for packing of beverage or food.
2. **City Curbside Collection Program** is the authorized collection, removal, transportation and disposal of municipal waste and recycling generated from eligible single family dwellings, rooming units, group homes, multi-family dwellings and commercial and institutional establishments who pay the annual Municipal Waste and Recycling Fee to the City of Allentown for this service. (14263 §1 3/3/05)
3. **Collector** means a person authorized by the Department of Public Works to collect, transport, and dispose of municipal waste or recyclable materials.
4. **Commingled** means source separated, non-putrescible recyclable materials that have been mixed at the source of generation (i.e., placed in the same container).

5. **Corrugated Cardboard** means any structural paper material with an inner core shaped in rigid parallel furrows and ridges.
6. **Designated Recyclable Materials** means those recyclable materials specified by the City for separate collection in accordance with this ordinance. Such materials may include, but not be limited to, aluminum cans, ferrous and bi-metal cans, glass containers, newspapers, magazines and periodicals, plastic containers, and yard wastes.
7. **Dwelling unit** means a group of rooms located within a structure and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating for the exclusive use of the occupants thereof.
8. **Ferrous Can** means an empty steel or tin food or beverage containers.
9. **Freon Appliances** are refrigerators, freezers, air conditioners, dehumidifiers, coiled water coolers or other appliances which contain Freon gas or any other type of refrigerant that requires special handling for disposal and recycling according to the Environmental Protection Agency standards. (14370 §1 3/8/06)
10. **Glass Container** means an empty bottle or jar made of clear, green or brown glass. Expressly excluded are non-container glass, plate glass, blue glass and porcelain and ceramic product, drinking glasses and light bulbs.
11. **High Grade Office Paper** means any bond, copier, letterhead or mimeograph paper typically sold as "white ledger" paper; and computer paper. (14263 §1 3/3/05)
12. **Mixed office paper** means any combination of high grade office paper, colored paper, file stock, advertising mail, magazines and catalogs. (14263 §1 3/3/05)
13. **Multi-family Dwelling** means any building under one roof which contains two (2) or more complete dwelling units.
14. **Municipal Waste** means any garbage, refuse, industrial, lunchroom or office waste, and other material including solid, liquid, semi-solid, or container gaseous material resulting from operation or residential, municipal, commercial, or institutional establishments or from community activities and which are not classified as residual waste or hazardous waste. The term does not include source separated recyclable materials.
15. **Newspaper** means paper of the type commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news and opinions, containing advertisements and other matters of public interest.
16. **Notice of violation** is a written document issued to a person in violation of a city ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action. (14263 §1 3/3/05)
17. **Person** means any individual, partnership, corporation association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution and agency, or any other legal entity whatsoever which is recognized by law as being subject to such rights and duties.
18. **Public Officer** means any police officer, authorized inspector, or public official designated by the Mayor to enforce the City Ordinances. (14263 §1 3/3/05)
19. **Recyclable material** means a material which would otherwise become municipal waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products.
20. **Recycling** means the separation, collection, processing, recovery, and sale or re-use of metals, glass, paper, plastics and other materials which would otherwise be disposed of as municipal waste.
21. **Source Separate** means to separate recyclable materials from the municipal waste stream at the point of waste generation.
22. **Solid Waste** means any waste, including but not limited to municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials. (Pennsylvania Solid Waste Management Act 97, Section 103). (12959 §1 2/21/90)

23. **Steel Can** means an empty container made of steel.

24. **Violation Ticket** is a form issued by a police officer or public officer to a person who violates a provision of this Article. The violation ticket is an offer by the City of Allentown extended to a person to settle a violation by paying the fine in lieu of a citation being issued against the violator. (14263 §1 3/3/05)

25. **Yard Waste** means leaves, garden residues, grass clippings, shrubbery and tree trimmings and similar materials. (13040 §1 4/3/91)

#### **1137.02 ESTABLISHMENT OF A RESIDENTIAL RECYCLING PROGRAM**

A. There is hereby established a recycling program for the mandatory source separation, separate collection and recycling of designated recyclable materials from all entities included in the City Curbside Collection Program. (14263 §1 3/3/05)

B. Collection of recyclable materials pursuant to this section shall be made once per week. The Department of Public Works shall divide the City into districts and prescribe the days and hours for collection and removal of recyclable materials from such districts.

C. All entities included in the City Curbside Collection Program shall source separate all designated recyclable materials and commingle them into a recycling container in the manner designated by Section 1137.03 of this ordinance and shall place said recyclables for collection at a place, in a manner and at such times as designated by the City of Allentown.

D. Designated recyclables for the recycling program established pursuant to this section shall be determined by regulation from the following list of materials:

1. Corrugated paper
2. Newspaper
3. High-grade office paper
4. All white and mixed colored paper
5. Clear glass containers
6. Brown glass containers
7. Green glass containers
8. Aluminum cans
9. Steel cans
10. Bi-metal cans
11. Plastics
12. Appliances
13. Other recyclable materials as designated by the Manager of the Bureau of Recycling and Solid Waste or designee, effective thirty (30) days after designation.

E. The City reserves the right to add or remove an item or items from its designated list at any time upon notification of the public. (12959 §1 2/21/90; (14263 §1 3/3/05)

#### **F. Freon Appliance Collection Fee**

1. There is hereby imposed upon the owner of the Freon Appliance a fee of Twenty Dollars (\$20) for the collection, transportation, proper handling and recycling for each Freon Appliance placed out at the curb line by an entity included in City Curbside Collection. The fee must be paid in full to the City of Allentown, Bureau of Recycling and Solid Waste, prior to its collection.

2. It shall be a violation of this Article to place Freon Appliances out for collection without prepayment of said fee and for Freon Appliances to remain out for collection without payment of the Freon Appliance collection fee. (14370 §1 3/8/06)

#### **1137.03 PREPARATION OF DESIGNATED RECYCLABLE MATERIALS AND PLACEMENT FOR COLLECTION**

A. Designated recyclables shall be prepared, stored, and placed at the curbside separate from municipal waste for collection at such times and dates as may be established by regulation. Preparation and storage of recyclables shall

consist of those procedures which are set forth in regulations established by the Director of Public Works. (13762 §2 7/22/99)

B. All recyclable materials placed out for collection shall be owned by, and be the responsibility of the occupants (residents) of the residential property from which the recyclable materials originated until such materials are collected. The recyclable materials become the property of the City of Allentown and the responsibility of the City's Contractor upon the collection of said materials. (12959 §1 2/21/90; 14263 §1 3/3/05)

#### **1137.04 COLLECTION BY UNAUTHORIZED PERSON(S) - SCAVENGING**

A. It shall be a violation of this ordinance for any person(s), unauthorized by the City, to collect or pick up or cause to be collected or picked up any recyclable material placed at curbside for City collection. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

B. Notwithstanding any provision of this ordinance, any person having ownership of the same, may sell or donate recyclable materials to any person, partnership or corporation, whether operating for profit or not for profit; provided, however, that such sold or donated material was not placed for collection at, or collected from the curbside. (12959 §1 2/21/90)

#### **1137.05 DAMAGE OR MISUSE OF RECYCLING CONTAINERS**

A. The City shall provide a recycling containers to each household participating in the residential recycling program. The recycling containers provided by the City, shall remain the property of the City and shall be used solely for the specific use of storage and collection of designated recyclable materials by participants and for no other purpose. The participant shall plainly and legibly mark the containers with their address and apartment number. (13915 §2 7/5/01; (14263 §1 3/3/05)

B. It shall be a violation of this ordinance for any person(s) to damage, misappropriate, or use for any purpose other than that set forth above said recycling containers. Each such action in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided. (12959 §1 2/21/90)

#### **1137.06 NON-INTERFERENCE WITH EXISTING CONTRACTS**

A. Nothing contained in this ordinance shall be construed to interfere with or in any way modify the provisions of any existing contracts which are in force in the City on the effective date of this ordinance.

B. 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 recyclables shall be entered into after the effective date of this ordinance, unless such renewal or such contact shall conform to the requirements of this ordinance. (12959 §1 2/21/90)

#### **1137.07 MANDATORY SOURCE SEPARATION OF YARD WASTE**

A. Each person shall separate yard waste from other municipal waste generated at their homes, apartments and other residential establishments until collection unless those persons have otherwise provided for the composting of yard waste.

B. Nothing herein shall require any person to gather yard waste or prevent any person from utilizing yard waste for compost, mulch, or other agricultural, horticultural, silvicultural, gardening or landscaping purposes. (12959 §1 2/21/90; 13039 §2 5/3/91)

C. Yard waste shall be prepared and placed at curbside, separate from municipal waste and recyclable materials, for collection at such times and dates as may be established by regulation or yard waste may be taken to the City's designated yard waste site. Yard waste preparation and other procedures are set forth in regulations established by the Director of Public Works. (13039 §2 4/3/91; 14263 §1 3/3/05; 14957 12/26/2011)

D. The Bureau of Recycling and Solid Waste operates and processes yard waste at the city's designated yard waste site. A yard waste material loading fee is hereby established at a rate of \$12 per cubic yard for loading services provided by city staff for mulch. (§1 14957 12/26/2011)

#### **1137.08 RESIDENTIAL DWELLING UNITS NOT IN THE CITYCURBSIDE COLLECTION PROGRAM**

The owner of multi-family rental housing properties not in the City Curbside Collection Program shall establish a collection system for recyclable materials in accordance with the Commercial Recycling Ordinance Article 1139 including suitable containers for each dwelling unit, for their storage and collection and provide written instructions to the occupants. Said owners who comply with this section shall not be liable for the non-compliance of occupants of their buildings. (12959 §1 2/21/90; 14263 §1 3/3/05)

### **1137.09 ENFORCEMENT AND ADMINISTRATION**

A. The City's Department of Public Works, the Bureaus of Recycling and Solid Waste and Health and other City enforcement bureaus are authorized and directed to enforce this ordinance. The Director of Public Works is hereby authorized to promulgate, establish reasonable rules and regulations in accordance with the terms hereof and any other matters required to implement this ordinance. The City may change, modify, repeal or amend any portion of said rules and regulations at any time. (12959 §1 2/21/90)

B. Any violation of the provisions of this Article may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the violator.

C. A notice of violation or violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record.

D. Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

E. A public officer is authorized and empowered to cause a violation to be corrected.

F. If the City has effected the correction of the violation, the cost thereof may be charged to the owner of the property, tenant or offending party. The cost shall be determined by the Manager of Recycling and Solid Waste or designee in order that the City shall be compensated for both direct and indirect costs and expenses incurred. (14263 §1 3/3/05)

### **1137.10 VIOLATION TICKET APPEALS PROCESS**

A. A person in receipt of a violation ticket may appeal to the Bureau of Recycling & Solid Waste by filing a request within ten (10) days of receipt of the violation ticket.

B. A Hearing Officer, designated by the Manager of the Bureau of Recycling & Solid Waste, may uphold the Appeal, deny the Appeal or may modify the violation ticket and/or any associated costs, fines or penalty amounts. (14263 §1 3/3/05)

### **1137.11 SEVERABILITY**

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect. (14263 §1 3/3/05)

### **1137.12 FINES AND PENALTIES**

#### **A. Violation Ticket Fines**

1. Violation tickets shall be issued in the amounts of Twenty-five (\$25) Dollars or One Hundred (\$100) Dollars. (14263 §1 3/3/05)

2. Any person who receives a violation ticket for any violation of this Article, may within ten (10) days, admit the violation, waive a hearing and pay the fine in full satisfaction of twenty-five (\$25) dollars or one hundred (\$100) dollars, as indicated on the violation ticket.

#### **B. Violation Ticket Penalties**

1. If the person in receipt of a twenty-five (\$25) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a ten (\$10) dollar penalty for days eleven (11) through twenty (20).

2. If the person in receipt of a one hundred (\$100) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a twenty-five (\$25) dollar penalty for days eleven (11) through twenty (20).

3. Failure of the person to make payment within twenty (20) days shall make the person subject to a citation.

### C. Citation Fines

Whoever violates, or does not comply with any provision of this ordinance or any regulation thereof, shall be punishable by a fine not less than Twenty-five (\$25) Dollars upon a first conviction; \$50.00 upon a second conviction; and \$100.00 upon a third or subsequent conviction. The above fines shall not be applicable to a conviction for Section 1137.04 and 1137.05 hereof which shall be punishable by a fine not to exceed \$1,000.00. (12959 §1 2/21/90; 13039 §3 4/3/91; 14263 §1 3/3/05; 14370 §1 3/8/06)

#### **1137.13 FRANCHISE OR LICENSE**

The City may enter into an agreement(s) with public or private agencies or firms to authorize them to operate or administer all or any part of the residential recycling program mandated by this ordinance. (12959 §1 2/21/90; 14263 §1 3/3/05)

**ARTICLE 1139  
COMMERCIAL RECYCLING ORDINANCE**

1139.01	Definitions
1139.02	Establishment of a Commercial Recycling Program
1139.03	Non-interference with Existing Contracts
1139.04	Reporting Requirements
1139.05	Applicability of Regulations
1139.06	Storage and Placement of Designated Recyclable Materials
1139.07	Preparation of Designated Recyclable Materials and Placement for Collection
1139.08	Required Education Program
1139.09	Exemption from Program Requirements
1139.10	Collection and Transportation of Designated Recyclables
1139.11	Collection by Unauthorized Person(s)
1139.12	Enforcement and Administration
1139.13	Violation Ticket Appeals Process
1139.14	Severability
1139.15	Fines and Penalties

(14264 §1 3/3/05)

---

**1139.01 DEFINITIONS**

The following words and phrases when used in the ordinance shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

1. **Aluminum Cans, Foil and Plates** means an empty container consisting entirely of aluminum and used solely for packing of beverage or food; includes aluminum foil and pie plates. (14882 §1 04/06/11)
2. **Bi-Metal Can** means an empty food or beverage container consisting of a combination of ferrous and aluminum metals.
3. **Center City** means that section of Allentown that is bounded on the east by the Jordan Creek, on the north by Tilghman Street, on the west by 11th Street and on the south by the Little Lehigh Creek. (13219 §1 10/7/93)
4. **City** means the City of Allentown.
5. **City Curbside Collection Program** is the authorized collection, removal, transportation and disposal of municipal waste and recycling generated from eligible single family dwellings, rooming units, group homes, multi-family dwellings and commercial and institutional establishments who pay the annual Municipal Waste and Recycling Fee to the City of Allentown for this service. (14264 §1 3/3/05)
6. **Collector** means a person authorized by the Department of Public Works to collect, transport and dispose of municipal waste or recyclable materials.
7. **Commercial Establishment** means an establishment engaged in non-manufacturing or non-processing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.
8. **Commingled** means source separated, non-putrescible recyclable materials that have been mixed at the source of generation (i.e., placed in the same container).
9. **Community Activity** means events that are sponsored in whole or in part by the City or conducted within the City and sponsored privately, which include but are not limited to fairs, bazaars, socials, picnics and organized sporting events that are open to the general public and will be attended by 200 or more individuals per day.
10. **Condominium** means an apartment building or housing area in which the dwelling units are owned individually.
11. **Corrugated Cardboard** means industrially prefabricated boxes, primarily used for packaging goods and material; includes other similar box containers. (14882 §1 04/06/11)

12. **Designated Recyclable Materials** means those recyclable materials specified by the City to be separated from municipal waste for the purpose of recycling in accordance with this ordinance. Such materials may include, but not be limited to, aluminum cans, ferrous and bi-metal cans, glass containers, newspapers, magazines and periodicals, plastic containers, corrugated cardboard, paperboard, office paper, white goods and leaf wastes. (14882 §1 04/06/11)

13. **Dwelling unit** means a group of rooms located within a structure and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating for the exclusive use of the occupants thereof.

14. **Eligible Entities** means any residence or place of business that receives City contractor service in accordance with the criteria contained herein. (13219 §1 10/7/93)

15. **Food Service Establishment** means any establishment licensed as such by the City. (14882 §1 04/06/11)

16. **Glass Container** means an empty food or beverage bottle or jar made of clear, green or brown glass. Expressly excluded are non-container glass, plate glass, blue glass and porcelain and ceramic products, drinking glasses, light bulbs and the like.

17. **High Grade Office Paper** means any bond, copier and similar paper. (14882 §1 04/06/11)

18. **Industrial Establishment** means any establishment engaged in manufacturing or processing, but not limited to, factories, foundries, mills, processing plants, refineries, mines and slaughterhouses. (14882 §1 04/06/11)

19. **Institutional Establishment** means any establishment engaged in service, including, but not limited to, hospitals, nursing homes, day care facilities, schools and universities. (14882 §1 04/06/11)

20. **Litter** includes, but is not limited to, all waste material, garbage, trash, i.e. waste paper, tobacco products, wrappers, food or beverage containers, newspapers, etc., municipal waste, human waste, damaged and deteriorated furniture or motor vehicle seats, vehicle parts, automotive products, recyclable material, dirt, mud and yard waste that has been abandoned or improperly discarded, deposited or disposed. (14264 §1 3/3/05; 14882 §1 04/06/11)

21. **Mixed paper** means any combination of high grade office paper, white and colored paper, file stock, advertisements, mail, magazines and catalogs and similar paper. (13219 §1 10/7/93; 14882 §1 04/06/11)

22. **Municipal Establishment** means any facility or building owned or operated by a local government or county government, local government or county government authority, State Government or agency or Federal Government or agency. (14882 §1 04/06/11)

23. **Multi-family Dwelling** means any building under one roof which contains two (2) or more complete dwelling units. (14882 §1 04/06/11)

24. **Municipal Waste** means any garbage, refuse, industrial lunchroom or office waste and other material including solid, liquid, semisolid or contained gaseous material resulting from operation or residential, municipal, commercial or institutional establishments or from community activities and which is not classified as residual waste or hazardous waste. The term does not include source separated recyclable materials. (14882 §1 04/06/11)

25. **Newspapers** means paper of the type commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news, opinions, matters of public interest, advertisements and circulars. (14882 §1 04/06/11)

26. **Notice of violation** is a written document issued to a person in violation of a city ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action. (14264 §1 3/3/05; 14882 §1 04/06/11)

27. **Paperboard** means a rigid, durable form of paper, often called cardboard, that is used for packaging and other end uses. (14882 §1 04/06/11)

28. **Person** means any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution and agency or any other legal entity whatsoever which is recognized by law as being subject to such rights and duties.

29. **Plastics** means bottles, jugs, containers and buckets marked with the #1 through #7 recycling symbol such as but not limited to soda, milk, water, water, liquid laundry bottles, yogurt, margarine, condiments, etc. (14882 §1 04/06/11)

30. **Public Officer** means any police officer, authorized inspector, or public official designated by the Mayor to enforce the City Ordinances. (14264 §1 3/3/05) (14882 §1 04/06/11)

31. **Recyclable Material** means a material which can be collected, separated or processed and returned to the economic mainstream in the form of raw materials or products. (14882 §1 04/06/11)

32. **Recycling** means the separation, collection, processing, recovery and sale or re-use of metals, glass, paper, plastics and other materials which would otherwise be disposed of as municipal waste. (14882 §1 04/06/11)

33. **Recycling Facility** means any facility employing a technology that is a process that separates or classifies municipal waste and creates or recovers reusable materials that can be sold to or reused by a manufacturer as a substitute for or a supplement to virgin raw materials. The term recycling facility shall not mean transfer stations or landfills for solid waste nor composting facilities or resource recovery facilities. (14882 §1 04/06/11)

34. **Source Separate** means to separate recyclable materials from the municipal waste stream at the point of waste generation. (14882 §1 04/06/11)

35. **Solid Waste** means any waste, including, but not limited to municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials (Pennsylvania Solid Waste Management Act 97, Section 103). (12993 §1 8/15/90) (13219 §1 10/7/93; 14882 §1 04/06/11)

36. **Steel and Tin Cans** used as food and beverage containers. (14882 §1 04/06/11)

37. **Violation Ticket** is a form issued by a police officer or public officer to a person who violates a provision of this Article. (14264 §1 3/3/05; (14882 §1 04/06/11)

38. **Yard Waste** means leaves, garden residues, grass clippings, shrubbery and tree trimmings and similar materials. (14882 §1 04/06/11)

#### **1139.02 ESTABLISHMENT OF A COMMERCIAL RECYCLING PROGRAM**

A. There is hereby established a commercial recycling program for the mandatory source separation, separate collection and recycling of designated recyclable materials generated from all commercial, institutional, municipal and industrial establishments within the City and by residents of institutions, multi-family dwellings greater than twenty-five (25) residential units, multi-family dwellings approved for exemption from the City Curbside Collection Program and dwelling units located on private roads which are not served by the City's residential recycling collection system. Said owner who complies with the provisions of this Article shall not be liable for the non-compliance of their occupants. (14264 §1 3/3/05; 14882 §1 04/06/11)

B. Collection of recyclable materials pursuant to this section shall be made once per month or more often, as necessary as determined by the Manager of the Bureau of Recycling and Solid Waste or designee. The storage of recyclable materials shall not result in litter or in the creation of a public nuisance. (14264 §1 3/3/05)

C. All commercial, institutional, municipal or industrial establishments, multi-family dwellings which are not part of the City's residential recycling collection system and sponsors of community activities serving over 200 people per day shall be required to source separate all specific designated recyclable materials generated on the premises and shall arrange for the collection for recycling of said materials. Recycling program development, implementation and operation shall be the responsibility of the same entity which contracts for the private collection and disposal of waste. (14264 §1 3/3/05)

D. Designated recyclable materials for commercial, industrial, institutional, municipal establishments, licensed food service establishments, community activities serving over 200 people per day and multi-family dwellings not included in the City Curbside Recycling Program and shall be determined by regulation from the following list: (14264 §1 3/3/05)

1. High Grade office Paper
2. Mixed Paper
3. Corrugated Cardboard
4. Aluminum Cans, Foil and Pie Plates
5. Steel and Tin Cans

6. Glass food and beverage containers (clear, brown and green)
7. Plastics
8. Newspaper
9. Yard Waste
10. Paperboard
11. Other recyclable materials as designated by the Manager of the Bureau of Recycling and Solid Waste or designee.

(14264 §1 3/3/05; 14882 §1 04/06/11)

E. Commercial institutional and other approved establishments participating in the City Curbside Collection Program shall be responsible for the recycling of all corrugated cardboard generated by the establishments. (14264 §1 3/3/05) (14882 §1 04/06/11)

F. The City reserves the right to add or remove recyclable materials, from its designated lists at any time. (12993 §1 8/15/90) (13219 §1 10/7/93) (14882 §1 04/06/11)

### **1139.03 NON-INTERFERENCE WITH EXISTING CONTRACTS**

A. Nothing contained in this ordinance shall be construed to interfere with or in any way modify the provisions of any existing contracts which are in force in the City on the effective date of this ordinance, as amended.

B. 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 recyclables shall be entered into after the effective date of this ordinance, as amended, unless such renewal or such contract shall conform to the requirements of this ordinance, as amended. (14882 §1 04/06/11)

### **1139.04 REPORTING REQUIREMENTS**

A. It shall be the responsibility of the owners/operators of all commercial, institutional, municipal, industrial and licensed food service establishments, sponsors of community activities serving over 200 people and multi-family dwelling units not included in the City Curbside Collection Program to annually submit to the City or upon request by the City, evidence of a current agreement/contract with a licensed collector for trash and separate recycling collection. (14264 §1 3/3/05) (14882 §1 04/06/11)

B. It shall be the responsibility of the above-named owners/operators to submit a recycling report to the City on an annual basis. Said report shall identify the total tonnages of municipal waste generated and recyclable materials recovered per establishment, and the type and weight of individual recyclable materials recovered, along with the identification of the markets and destinations of each recovered recyclable material. All such reports of the previous year shall be submitted to the Bureau of Recycling and Solid Waste by January 31st, on forms provided by the City. (14264 §1 3/3/05)

C. It shall be the responsibility of the licensed trash haulers collecting municipal waste in the City to submit a recycling report to the City on an annual basis. Said report shall identify the tonnages of municipal waste generated per establishment, and the type and weight of individual recyclable materials recovered, along with the identification of the markets and destinations of each recovered recyclable material. All such reports of the previous year shall be submitted to the Bureau of Recycling and Solid Waste by January 31st, on forms provided by the City. (14264 §1 3/3/05)

D. It shall be the responsibility of all commercial recycling haulers collecting designated recyclable materials generated in the City of Allentown to submit a recycling report to the City on an annual basis. Said report shall identify individual establishments being serviced and the total tonnages of recyclable materials by type and weight of material that was processed along with the identification of the markets and destinations of each recovered recyclable material. All such reports of the previous year shall be submitted to the Bureau of Recycling and Solid Waste by January 31st, on forms provided by the City. (14264 §1 3/3/05)

E. All documentation shall be retained by haulers of trash and recyclable materials. Said documentation shall be available for inspection by City officials for a period of not less than five (5) years. (13219 §1 10/7/93)

F. The City reserves the right to require any additional information as deemed necessary by the Bureau of Recycling and Solid Waste. (12993 §1 8/15/90; 14264 §1 3/3/05)

### 1139.05 APPLICABILITY OF REGULATIONS

Any person or persons engaged in the collection, processing and marketing of designated recyclable materials and all householders, firms, corporations, co-partnerships and any and all persons who may or do produce designated recyclable materials shall at all times be subject to any and all legislation, which may from time to time be enacted by the City as needed to be consistent with the rules and regulations of Act 101. (12993 §1 8/15/90; 14264 §1 3/3/05)

### 1139.06 STORAGE AND PLACEMENT OF DESIGNATED RECYCLABLE MATERIALS (14264 §1 3/3/05)

#### A. General

It shall be the duty of every owner of property, premises or place of business within the City of Allentown where designated recyclable materials are produced and accumulated, by his/her own expense and cost, to provide and keep at all times, a sufficient number of containers to hold all designated recyclable materials which may accumulate during the intervals between collection of such recyclable materials by an authorized collector.

#### B. Containers and Storage in Multi-Family Dwelling Units

1. Owners of multi-family dwelling units shall provide each dwelling unit with a bin(s) sufficient to hold all designated recyclable materials accumulated by the occupants of the dwelling unit during the intervals between collections. Bins provided for storage of designated recyclable materials shall remain the property of the owner of the multi-family dwelling unit and shall remain with the individual unit should the occupant vacate. (14264 §1 3/3/05) (14882 §1 04/06/11)

2. All designated recyclable materials accumulated by owners and/or the occupants of multi-family dwelling units shall be placed in bins prior to transfer to bulk containers as specified in Section C for collection by an authorized collector. The bins shall be durable, water tight and made of metal or plastic and marked with the recycling symbol or other acceptable markings. The containers shall be kept clean. (14264 §1 3/3/05) (14882 §1 04/06/11)

#### C. Storage on multi-family dwelling, commercial industrial, municipal and institutional properties (14882 §1 04/06/11)

1. Containers: Storage of designated recyclable materials on all multi-family dwelling properties which are using private collection shall be in container(s) as specified in (a) below. Storage of designated recyclable materials on commercial, institutional, municipal and industrial properties shall be done in the same manner and kept in the same type of bins as are required for multi-family dwelling properties except where the accumulation for each said property precludes their use, in which case such owner or occupant shall make special arrangements with the authorized collector for the storing of such additional quantities. Container arrangements shall include the following: (14882 §1 04/06/11)

a. The type of container to be furnished by the collector shall be acceptable to the Manager of the Bureau of Recycling and Solid Waste or designee. The containers shall have lids to avert a public nuisance and litter problem and to protect the marketing quality of recyclable materials. Such lids must remain closed except when designated recyclable materials are being placed in or removed from the container. The containers shall be clearly marked with both the recycling symbol and with the type of material(s) to be deposited in the container. The containers shall be kept clean and in good repair. (14264 §1 3/3/05) (14882 §1 04/06/11)

b. The number of such containers shall be agreed to between the collector and such owner or occupant of the multi-family dwelling, commercial, institutional, municipal or industrial property to be used in any collection period.

2. Location of Containers: Storage containers for collection at multi-family dwellings, commercial, institutional, municipal or industrial properties using private collection shall be located on such premises at a place agreed upon by such owner or occupant of the property and the authorized collector and shall not be unsatisfactory to the Department of Public Works. Such locations shall not interfere with public or private sidewalks, walkways, driveways, roads, streets, highways or entrances and exits of public or private buildings and shall be in compliance with all applicable laws. Bulk storage containers which are on wheels to facilitate their movement shall remain blocked at all times while unattended to prevent unintentional movement.

3. Property owners/operators of all commercial, institutional, municipal, industrial, licensed food service establishments, and multi-family dwelling units not included in City Curbside Collection must provide a location on their property for the storage of trash and recycling in between collections. Storage must be in compliance with all City of Allentown Ordinances and must not create a public nuisance or vector control issues. Exceptions and alternate storage

locations may be subject to review and approval by the Bureau of Recycling and Solid Waste. (12993 §1 8/15/90) (14882 §1 04/06/11)

### **1139.07 PREPARATION OF DESIGNATED RECYCLABLE MATERIALS AND PLACEMENT FOR COLLECTION**

A. Designated recyclable materials shall be separated and prepared in a manner consistent with recycling market requirements and placed at a designated area separate from municipal waste for collection at such times and dates as may be hereinafter established by regulation. No establishment may place municipal waste or recycling at the curblin or in the public right-of-way for collection by a privately contracted Collector without written approval by the Bureau of Recycling and Solid Waste. (12993 §1 8/15/90; 13219 §1 10/7/93) (14882 §1 04/06/11)

B. Commercial and institutional establishments participating in the City collection system shall separate, prepare and store designated recyclable materials in a manner consistent with the requirements of the City of Allentown. No establishment may place municipal waste or recycling at the curblin or in the public right-of-way for collection by the City's Contracted hauler without approval by the Bureau of Recycling and Solid Waste and payment of the Municipal Waste and Recycling Fee. (12993 §1 8/15/90; 13219 §1 10/7/93) (14882 §1 04/06/11)

### **1139.08 REQUIRED EDUCATION PROGRAM**

Recycling education programs shall be developed for and instituted at all entities mandated to recycle by this ordinance as follows:

#### **A. Multi-family Dwellings, Commercial, Institutional, Municipal Industrial and Food Service Establishments**

It shall be the responsibility of all mandated establishments to adequately inform all employees, occupants and patrons of the recycling program. The required educational program, at a minimum, shall include written instructions to all parties identifying the materials to be recycled, how the materials are to be prepared, how to use the collection system and updates detailing any changes in the program. (14882 §1 04/06/11)

#### **B. Community Activities**

It shall be the responsibility of sponsors of all community activities to inform all employees as well as users (patrons) of the recycling program. The required educational program shall describe the recycling program's features and requirements. The recycling program shall require that receptacles for recyclable materials be clearly marked with both the recycling symbol and the type of material to be deposited in the receptacle or other marking as approved by the Director of Public Works. Recycling signs shall be prominently displayed stating the requirements of the recycling program. (12993 §1 8/15/90)

### **1139.09 EXEMPTION FROM PROGRAM REQUIREMENTS**

Persons required to participate in the recycling program established herein may request an exemption to the requirements of this ordinance pursuant to Section 1501 of Act 101. All such requests must be made in writing to the Director of Public Works or designee and will be evaluated on a case by case basis by the as to approve modify or deny the request. (12993 §1 8/15/90) (14882 §1 04/06/11)

### **1139.10 COLLECTION AND TRANSPORTATION OF DESIGNATED RECYCLABLES**

#### **A. Collection**

Collectors shall collect and remove all recyclable materials for which they are responsible to collect. Collectors shall return the recycling receptacle(s) to the premises from which they have been removed in a manner so as not to create litter or a public nuisance. (12993 §1 8/15/90; 14264 §1 3/3/05)

#### **B. Transportation**

Any person transporting designated recyclable materials within the City of Allentown shall prevent or remedy any spillage from vehicles or containers used in the transport of such designated recyclable materials. Such vehicles or containers shall not be overfilled and shall be cleansed at sufficiently frequent intervals to prevent obnoxious odors or unhealthful conditions. Such vehicles shall be so constructed, loaded and driven as to prevent any portion of the load from falling out upon the streets or highways.

### **1139.11 COLLECTION BY UNAUTHORIZED PERSON(S)**

A. It shall be a violation of this ordinance for any person(s) unauthorized by the City to collect or pick up or cause to be collected or picked up any recyclable material placed at curbside or designated location for storage and subsequent collection by authorized collectors. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

B. Notwithstanding any provision of this ordinance, any person having ownership of the same, may sell or donate recyclable materials for the purpose of recycling to any person, partnership or corporation, whether operating for profit or not for profit; provided, however, that such sold or donated material may not be placed for collection at or collected from the curbside. (12993 §1 8/15/90)

### **1139.12 ENFORCEMENT AND ADMINISTRATION**

A. The City's Department of Public Works, the Bureau of Recycling and Solid Waste and Health and other City enforcement bureaus are authorized and directed to enforce this ordinance. The Director of Public Works is hereby authorized to promulgate, establish reasonable rules and regulations in accordance with the terms hereof and any other matters required to implement this ordinance. The City may change, modify, repeal or amend any portion of said rules and regulations at any time. (12993 §1 8/15/90; 14264 §1 3/3/05)

B. Any violation of the provisions of this Article may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the violator.

C. A notice of violation or violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record.

D. Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

E. A public officer is authorized and empowered to cause a violation to be corrected.

F. If the City has effected the correction of the violation, the cost thereof may be charged to the owner of the property, tenant or offending party. The cost shall be determined by the Manager of Recycling and Solid Waste or designee in order that the City shall be compensated for both direct and indirect costs and expenses incurred. (14264 §1 3/3/05)

### **1139.13 VIOLATION TICKET APPEALS PROCESS**

A. A person in receipt of a violation ticket may appeal to the Bureau of Recycling & Solid Waste by filing a request within ten (10) days receipt of the violation ticket.

B. A Hearing Officer, designated by the Manager of the Bureau of Recycling & Solid Waste, may uphold the Appeal, deny the Appeal or may modify the violation ticket and/or any associated costs, fines or penalty amounts. (14264 §1 3/3/05)

### **1139.14 SEVERABILITY**

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect. (14264 §1 3/3/05)

### **1139.15 FINES AND PENALTIES (14264 §1 3/3/05)**

A. Violation Ticket Fines

1. Violation tickets shall be issued in the amounts of Twenty-five (\$25) Dollars or One Hundred (\$100) Dollars. (14264 §1 3/3/05)

2. Any person who receives a violation ticket for any violation of this Article, may within ten (10) days, admit the violation, waive a hearing and pay the fine in full satisfaction of twenty-five (\$25) dollars or one hundred (\$100) dollars, as indicated on the violation ticket. (14264 §1 3/3/05)

B. Violation Ticket Penalties

1. If the person in receipt of a twenty-five (\$25) dollar violation ticket does not pay the fine or

request a hearing within ten (10) days, the person will be subject to a ten (\$10) dollar penalty for days eleven (11) through twenty (20). (14264 §1 3/3/05)

2. If the person in receipt of a one hundred (\$100) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a twenty-five (\$25) dollar penalty for days eleven (11) through twenty (20). (14264 §1 3/3/05)

3. Failure of the person to make payment within twenty (20) days shall make the person subject to a citation. (14264 §1 3/3/05)

C. Citation Fines (14264 §1 3/3/05)

That any person, firm or corporation who shall fail, neglect or refuse to comply with any of the terms or provisions of this article or of any regulation or requirement pursuant hereto and authorized hereby, shall upon conviction thereof be ordered to pay a fine of not less than Twenty-five (\$25.00) Dollars nor more than One Thousand (\$1,000) Dollars and in default of payment of fine and costs, imprisoned not more than ninety (90) days. Each occurrence shall constitute a separate offense. (12995 §1 8/15/90)

---

**TITLE ONE  
ADMINISTRATION**

**1101 Board of Health**

- 1101.01 Establishment; Members
- 1101.02 Power and Duties
- 1101.03 Meetings
- 1101.04 Secretary
- 1101.05 Director
- 1101.06 Administration

**TITLE THREE  
FOOD SERVICE SANITATION  
1123 Food Service Sanitation**

- 1123.01 General Provisions
- 1123.02 Food Care
- 1123.03 Personnel
- 1123.04 Equipment and Utensils
- 1123.05 Cleaning, Sanitization and Storage of Equipment and Utensils
- 1123.06 Sanitary Facilities and Controls
- 1123.07 Construction and Maintenance of Physical Facilities
- 1123.08 Mobile Food Units or Pushcarts
- 1123.09 Temporary Food Service
- 1123.10 Compliance Procedures
- 1123.99 Penalty

**TITLE FIVE  
SOLID WASTE**

**1131 Solid Waste Storage, Collection and Disposal**

- 1131.01 Definitions
- 1131.02 Authorization of City Contractor(s); Scope of Work; Fee
- 1131.03 Authorization of Collectors
- 1131.04 Storage, Placement and Collection of Municipal Waste (13937 §1 11/21/01)
- 1131.05 Requirements for Non-Municipal Collection (13937 §1 11/21/01)
- 1131.06 Transportation of Solid Waste (13937 §1 11/21/01)
- 1131.07 Disposal of Municipal Waste
- 1131.08 Exclusions
- 1131.99 Penalties, Remedies and Severability

**1137 Residential Recycling**

- 1137.01 Definitions
- 1137.02 Establishment of a Residential Recycling Program
- 1137.03 Preparation of Designated Recyclable Materials and Placement for Collection
- 1137.04 Collection by Unauthorized Person(s)
- 1137.05 Damage or Misuse of Recycling Containers
- 1137.06 Non-interference with Existing Contracts
- 1137.07 Mandatory Source Separation of Leaf Waste
- 1137.08 Residential Dwelling Units no the Subject of Collection of Municipal Waste by City of Allentown
- 1137.09 Enforcement and Administration
- 1137.10 Violation and Penalty
- 1137.11 Franchise or License

**1139 Commercial Recycling**

- 1139.01 Definitions
- 1139.02 Establishment of a Commercial Recycling Program
- 1139.04 Reporting Requirements
- 1139.05 Authorization of Collectors

- 1139.06 Collection and Transportation of Designated Recyclables
- 1139.07 Storage of Designated Recyclable Materials
- 1139.08 Preparation of Designated Recyclable Materials and Placement for Collection
- 1139.09 Required Education Program
- 1139.10 Exemption from Program Requirements
- 1139.11 Collection by Unauthorized Person(s)
- 1139.12 Enforcement and Administration
- 1139.13 Violation and Penalty

**TITLE SEVEN  
CHILD CARE FACILITY ORDINANCE  
1141 Child Care Facility**

- 1141.01 Adoption and Purpose
- 1141.02 Type of Facilities
- 1141.03 Definitions

**1143 Child Care Centers**

- 1143.01 Staff - Child Ratios
- 1143.02 Facilities, Building and Physical Site
- 1143.03 Program
- 1143.04 Child Health
- 1143.05 Staff Health
- 1143.06 CPR and First Aid Certification
- 1143.07 Food Service
- 1143.08 Food and Nutrition
- 1143.09 Transportation
- 1143.10 Records

**1145 Group Child Care Homes and Family Child Care Homes**

- 1145.01 Staff - Child Ratios
- 1145.02 Facilities, Building and Physical Site
- 1145.03 Program
- 1145.04 Child Health
- 1145.05 Staff
- 1145.06 CPR and First Aid Certification
- 1145.07 Food Service
- 1145.08 Food and Nutrition
- 1145.09 Transportation
- 1145.10 Records

**1147 Special Child Care Programs**

- 1147.02 School-Age Programs
- 1147.02 Night Care
- 1147.03 Head Start Programs

**1149 Inspections and Compliance Procedures**

- 1149.01 General Requirements
- 1149.02 Inspections
- 1149.03 Compliance Procedures
- 1149.04 Operational Certificate Fees
- 1149.05 Effective Date
- 1149.99 Penalty

**1151 WEEDS**

- 1151.01 Definitions
- 1151.02 Nuisance Declared
- 1151.03 Violation Notification and Remedy
- 1151.04 Cost of Remedy
- 1151.99 Penalty

## **1155 COCKROACH AND VERMIN CONTROL**

- 1155.01 Definitions
- 1155.02 Prohibiting Conditions Conducive Cockroach and Vermin Life
- 1155.03 Investigation of Premises Believed to Harbor Cockroach and Vermin Life
- 1155.04 Right of Entry
- 1155.05 Determination of Cockroach or Other Vermin Infestation
- 1155.06 Notice to Exterminate
- 1155.07 Liability for the Spread of Cockroaches and Vermin
- 1155.08 Methods of Extermination
- 1155.09 Period of Time Required for Proper Extermination
- 1155.10 Right of Inspection
- 1155.99 Penalty

## **1156 ADULT ARCADES**

- 1156.01 Purpose
- 1156.02 Definition of Terms
- 1156.03 Arcade Device Booths
- 1156.04 Warning Signs
- 1156.99 Penalty

## **1157 MESSAGE ESTABLISHMENTS AND SCHOOLS**

- 1157.01 Definitions
- 1157.02 License Procedure
- 1157.03 Licensing Procedure
- 1157.04 License Fee
- 1157.05 Advertisement
- 1157.06 Qualifications for Licenses
- 1157.07 Display of Licenses
- 1157.08 Issuance and Revocation of Licenses
- 1157.09 Inspections
- 1157.10 Posting of Rules and Regulations
- 1157.11 Registration of Apprentices and Students
- 1157.12 Rules and Regulations
- 1157.13 Duty of Property Owners and Operators
- 1157.14 Violations
- 1157.15 Practitioners on Effective Date
- 1157.16 Validity
- 1157.99 Penalty

## **1159 LEAD POISONING PREVENTION AND CONTROL ACT**

- 1159.01 Definitions
- 1159.02 Inspections
- 1159.03 Testing Procedures
- 1159.04 Determination of Health Hazard
- 1159.05 Notice to Health Hazard
- 1159.06 Examination of Children and Others
- 1159.07 Mandatory Reporting of Cases of Lead Poisoning
- 1159.08 Required Compliance
- 1159.09 Presumption of Lead Source Health Hazard
- 1159.10 Protection of Occupants
- 1159.95 Variances
- 1159.96 Severability
- 1159.97 Remedy
- 1159.98 Enforcement and Administration
- 1159.99 Penalty

## **1160 LICENSING AND REGULATION OF CIGARETTE ENDING MACHINES**

- 1160.02 Purpose
- 1160.04 Definition of Terms

- 1160.06 License Required
- 1160.08 License Procedures
- 1160.10 License Fees
- 1160.12 Display of License
- 1160.14 Prohibitions and Restrictions
- 1160.90 Revocation of License
- 1160.98 Severability
- 1160.99 Penalty

**1161 REGULATING THE KEEPING OF DOMESTIC BEES**

- 1161.01 Definitions
- 1161.02 Registration Certificate Required; Compliance with Provisions
- 1161.03 Application for Registration Certificate
- 1161.04 Issuance of Registration Certificate
- 1161.05 Expiration and Renewal of Registration Certificate
- 1161.06 Registration Certificate Terms and Conditions
- 1161.07 Compliance Required; Inspections
- 1161.08 Feral Bees
- 1161.98 Severability
- 1161.99 Penalty

**1162 AUTOMATED EXTERNAL DEFIBRILLATOR NOTIFICATION PROGRAM**

- 1162.01 Purpose
- 1162.02 Notification Procedures

**1170 SCHOOL SANITATION ORDINANCE**

- 1170.01 Adoption and Purpose
- 1170.02 Definitions
- 1170.03 Plan Review
- 1170.04 Water Supply
- 1170.05 Plumbing
- 1170.06 Sewage
- 1170.07 Food Service
- 1170.08 Toilet Facilities
- 1170.09 Locker Rooms
- 1170.10 Floors
- 1170.11 Walls and Ceilings
- 1170.12 Insect and Rodent Control
- 1170.13 Lighting
- 1170.14 Safety
- 1170.15 Heating and Ventilation
- 1170.16 Municipal Waste and Recyclable Materials Storage, Collection and Disposal
- 1170.17 Bathing Places
- 1170.18 Inspections
- 1170.19 Enforcement
- 1170.98 Severability
- 1170.99 Penalty

City of Allentown  
General Offenses Code  
Neighborhood Improvement

**PART SEVEN**  
**GENERAL OFFENSES CODE**

---

**ARTICLE 720**  
**NEIGHBORHOOD IMPROVEMENT ORDINANCE**

**ARTICLE 721**  
**ABANDONED REFRIGERATORS**

**ARTICLE 720**  
**NEIGHBORHOOD IMPROVEMENT ORDINANCE**

- 720.01 Purpose
- 720.02 Definitions
- 720.03 Deposit of Litter Prohibited
- 720.04 Use of Authorized Litter Receptacles
- 720.05 Depositing Litter in Storm Sewer
- 720.06 Handbills, Newspapers, and Posted Advertisements
- 720.07 Illegal Dumping
- 720.08 Litter from Vehicles
- 720.09 Maintaining Property
- 720.10 Graffiti
- 720.11 Sale and Possession of Pressurized Cans Containing Paint and Certain Markers Prohibited
- 720.12 Shopping Carts
- 720.90 Violations By a Minor
- 720.94 Enforcement
- 720.95 Regulations
- 720.97 Violation Ticket Appeals Process
- 720.98 Severability
- 720.99 Fines and Penalties

---

**720.01 PURPOSE**

Litter, dumping and graffiti are costly problems that contribute to the deterioration of property values and general disorder in a community. Litter and littered properties degrade the physical appearance of the City which reduces business and tax revenue and inhibits economic development. The quality of life and community pride of Allentown's citizens are negatively affected by litter, dumping, and graffiti. Recognizing these are community problems, the purpose of this ordinance is to promote the health, safety and general welfare of the City by helping to create a clean environment for the citizens of Allentown. (13008 §1 11/7/90; 14262 §1 3/3/05)

**720.02 DEFINITIONS**

The following words, terms and phrases when used in this article shall be defined as follows, unless the context clearly indicates otherwise:

1. **Authorized Litter Receptacle** is a litter collection receptacle which is placed on the public right-of-way or on public property by the City for use by the public to deposit small quantities of hand-held trash, but not household or commercial waste. (13008 §1 11/7/90; 14262 §1 3/3/05)
2. **Dumping** includes, but is not limited to, depositing of litter, depositing durable goods (refrigerators, washers, dryers, etc.) small appliances, furniture, carpets, tires, vehicles, vehicle parts and automotive products and other such municipal waste, hazardous waste, residual waste and construction or demolition debris on public or private property, except as authorized by Article 1131, Solid Waste Storage, Collection and Disposal. (13008 §1 11/7/90; 13222 §1 10/20/93; 13344 §1 8/3/95; 14262 § 3/3/05)
3. **Graffiti** shall include any and all unauthorized inscriptions, words, figures, paintings, or other defacements that is written, marked, etched, scratched, sprayed, drawn, painted or engraved on or otherwise affixed to any surface of public or private property including but not limited to building structures, fences, walls, vehicles, transport trailers, railroad cars, dumpsters, etc. Graffiti shall not be construed to apply to easily removable chalk markings on the public sidewalk and streets used in

connection with traditional children's games. (13343 §1 6/22/95; 14636 §1 10/16/08)

4. **Hazardous Waste** means any waste material or a combination of solid, liquid, semisolid, or contained gaseous material that because of its quantity, concentration, physical, chemical, or infectious characteristics may:

a. Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; and

b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed. (13344 §1 8/3/95)

5. **Household Hazardous Waste (HHW)** is waste which would be chemically or physically classified as a hazardous waste but is excluded from regulation as a hazardous waste because it is produced in quantities smaller than those regulated by the Pennsylvania Department of Environmental Protection, and because it is generated by persons not otherwise covered as hazardous waste generators by those regulations. Such HHW materials meet one of the following four classifications: Toxic; Flammable; Reactive; or Corrosive. HHW consists of numerous products that are common to the average household such as: Pesticides and herbicides, cleaners, automotive products, paints, and acids. (14262 §1 3/3/05)

6. **Junked Vehicle** means any vehicle which presents a hazard or danger to the public or is a public nuisance by virtue of its state or condition of disrepair.

The following conditions, if present, are examples of a state or condition of disrepair:

- (1) Rusted and/or jagged metal on or protruding from the body of the vehicle;
- (2) Broken glass or windows on or in the vehicle;
- (3) Leaking of any fluids from the vehicle or deflated or flat tire(s);
- (4) Unsecured and/or unlocked doors, hood or trunk;
- (5) Storage or placement of the vehicle in an unbalanced condition, on concrete blocks or other similar apparatus;
- (6) Harboring of rodents, insects or other pests.

The foregoing examples are not inclusive of all conditions which may constitute a state or condition of disrepair. (14480 §1 5/2/07)

7. **Litter** includes, but is not limited to, all waste material, garbage, trash, i.e. waste paper, tobacco products, wrappers, food or beverage containers, newspapers, etc., municipal waste, human waste, domestic animal waste, furniture or motor vehicle seats, vehicle parts, automotive products, shopping carts, construction or demolition material, recyclable material, dirt, mud and yard waste that has been abandoned or improperly discarded, deposited or disposed. (14262 §1 3/3/05; 14480 §1 5/2/07)

8. **Minor** shall mean any person under the age of eighteen (18) years. (13008 §1 11/7/90)

9. **Municipal waste** means any garbage, refuse, industrial, lunchroom or office waste, and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation or residential, municipal, commercial, or institutional establishments or from community activities and which is not classified as residual waste or hazardous waste as defined herein. (13008 §1 11/7/90; 1322 2 §1 10/20/93; 13344 §1 8/3/95; 14262 §1 3/3/05)

10. **Notice of violation** is a written document issued to a person in violation of a city ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action. (14262 §1 3/3/05)

11. **Person** means every natural person, firm, corporation, partnership, association, or institution. (13008 §1 11/7/90)

12. **Planter Strip** is the non-concrete space in the sidewalk area filled with dirt and/or grass. (14262 §1 3/3/05)

13. **Private Property** means any land and the improvements thereon owned by any person and includes front, side and rear yards; vacant lots, buildings and other structural improvement; walkways and alleyways; and parking areas, designed or used either wholly or in part for private residential, industrial or commercial purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure. (13008 §1 11/7/90; 13344 §1 8/3/95)

14. **Public Officer** means any police officer, authorized inspector, or public official designated by the Mayor to enforce

the City Ordinances. (13344 §1 8/3/95; 13833 §1 5/4/00)

15. **Public Nuisance** means any condition or premises which is unsafe or unsanitary. (14480 §1 5/2/07)

16. **Public Right-of-Way** means the total width of any land used, reserved or dedicated as a street, alley, driveway, sidewalk or utility easement, including curb and gutter areas. (13008 §1 8/3/95)

17. **Recyclable Material** means material which would otherwise become municipal waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products. These materials are designated by the regulations promulgated under Article 1137, Residential Recycling.

18. **Residual Waste** means any discarded material or other waste including solid, semisolid or contained gaseous materials resulting from construction, industrial, mining, and agricultural operations excluding municipal water and sewer operations. (13344 §1 8/3/95)

19. **Responsible Agent** means any person residing or working within the County of Lehigh designated to accept service on behalf of a legal owner or operator of a rental dwelling unit. (14262 § 3/3/05)

20. **Shade Tree**, unless otherwise specified, includes all trees, shrubs, and woody vegetation in the public right-of-way. (14262 §1 3/3/05)

21. **Sidewalk Area** means the public right-of-way between the property line and the curblin or the established edge of the roadway. (14262 §1 3/3/05)

22. **Shopping or Grocery Cart** includes any small or light vehicle, typically owned by and used at retail stores, that is moved by hand and used to carry groceries and other such items. (13008 §1 11/7/90; 14262 §1 3/3/05; 14480 §1 5/2/07)

23. **Tree Well** is the non-concrete area surrounding a shade tree planted in a sidewalk area. (14262 §1 3/3/05)

24. **Vegetation** is any planting that is cultivated and managed for edible or ornamental purposes such as vegetable gardens, trees, shrubs, hedges, flowers, etc. 14636 §1 10/16/08)

25. **Violation Ticket** is a form issued by a police officer or public officer to a person who violates a provision of this Article. The violation ticket is an offer by the City of Allentown extended to a person to settle a violation by paying the fine in lieu of a citation being issued against the violator. (14262 §1 3/3/05)

26. **Weeds** shall be defined as all grasses, annual plants and vegetation, which meet any of the following criteria:

- a. exceed ten (10) inches in height,
- b. exhale unpleasant noxious odors or pollen such as ragweed, dandelion and miscellaneous other vegetation commonly referred to as weeds or brush,
- c. may conceal filthy deposits or serve as breeding places for mosquitoes, other insects or vermin,
- d. may cause a public nuisance.

Weeds shall not include cultivated and managed vegetation planted for edible or ornamental purposes such as vegetable gardens, trees, shrubs, flowers, etc. (14480 §1 5/2/07)

#### **720.03 DEPOSIT OF LITTER PROHIBITED**

No persons shall throw, scatter, deposit or sweep litter, or cause litter to be on any public place, such as a street, sidewalk, park or playground, nor onto any private property, except in authorized receptacles. (13008 §1 11/7/90; 13344 §1 8/3/95; 13356 §3 10/5/95; 14262 §1 3/3/05)

#### **720.04 USE OF AUTHORIZED LITTER RECEPTACLES**

A. No person shall deposit household or commercial waste in an authorized litter receptacle. Only small quantities of hand-held trash may be placed in authorized litter receptacles.

B. Persons shall deposit litter in authorized litter receptacles in such a manner as to prevent it from overflowing the receptacle. (13344 §1 8/3/95)

C. No person shall damage, deface, abuse or misuse any litter receptacle so as to interfere with its proper function or to detract from its proper appearance.

#### **720.05 DEPOSITING LITTER IN STORM SEWER**

No person shall throw, scatter or deposit litter in any storm sewer inlet in the City. (13344 §1 8/3/95)

#### **720.06 HANDBILLS, NEWSPAPERS AND POSTED ADVERTISEMENTS**

A. No person shall place any commercial or noncommercial handbill or other forms of written material with the exception of legal notice or citation in or upon any vehicle parked on private property without the permission of the owner or in the public right-of-way or in municipally-owned parking lots or garages, including those of the Parking Authority of the City of Allentown. (13444 §1 8/3/95)

B. No person shall deliver or distribute newspapers or advertising matter to any premises unless it is handed to the recipient, placed on the driveway, porch, stoop or entrance way of the building or firmly affixed to a building so as to prevent the newspaper or advertising matter from being blown about, becoming scattered or in any way causing litter. It shall be unlawful to distribute these materials as described above if the owner or occupant has informed the person delivering or causing delivery that he/she does not wish to receive it.

C. No person shall post or affix any advertisement, notice, poster or other paper or device, to any lamp post, street sign, traffic signal pole and control box, public utility pole or tree or upon any private or public structure or building, except as may be authorized or required by law. (14262 § 3/3/05; 14480 §1 5/2/07)

#### **720.07 ILLEGAL DUMPING**

A. No person shall dump or cause to be deposited trash, debris, municipal waste, durable goods (refrigerator, washer, dryer, etc.), small appliances, furniture, carpets, shopping carts, tires, vehicles, vehicle parts, automotive products, construction or demolition material or other such items on public or private property, except as authorized by Article 1131, Solid Waste Storage, Collection and Disposal. (13344 §1 8/3/95; 14262 § 3/3/05)

B. No person shall dump or cause to be deposited household hazardous, hazardous or residual waste on public or private property.

#### **720.08 LITTER FROM VEHICLES**

A. No person shall throw, scatter or deposit litter from a vehicle upon any public street or other public place within the City, or upon private property. (13344 §1 8/3/95; 14262 § 3/3/05)

B. The owner or operator of any motor vehicle from which the aforementioned litter is thrown, discharged, dumped, deposited, placed, left or caused to be thrown, discharged, dumped, deposited, placed or left shall be responsible for such litter. (13344 §1 8/3/95; 14636 §1 10/16/08)

C. No person shall operate a vehicle unless the vehicle is so constructed or loaded as to prevent its contents from falling, being blown, scattered or deposited upon any street, other public place or private property. Nor shall any person drive or move any vehicle or truck within the City, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind. (14262 §1 3/3/05)

#### **720.09 MAINTAINING PROPERTY**

##### **A. LITTER**

1. No owner, possessor or responsible agent of real property shall permit litter to accumulate on the property and adjacent sidewalk area including the tree well and planter strip. It shall be the owner's, possessor's or responsible agent's duty to remove such litter to prevent any such accumulation. (14262 §1 3/3/05; 14480 §1 5/2/07)

2. No owner, possessor or responsible agent of real property shall accumulate, permit or store items such as furniture, durable goods (refrigerators, washers, dryers, etc.) small appliances, carpets, tires, vehicles, vehicle parts, automotive products or municipal waste, hazardous waste, residual waste or construction or demolition debris on the exterior of the property if it poses a threat to the physical appearance, safety or public health of the community or if their presence creates the potential for a public nuisance. (14262 §1 3/3/05; 14636 §1 10/16/08)

3. The owner, possessor or responsible agent of a commercial or institutional property may be required to procure, place, empty and maintain a sufficient number of litter receptacles on their property for public use by its customers to prevent the chronic accumulation of litter. These litter receptacles may not be placed in the public right of way. 14262 § 3/3/05)

4. It shall be unlawful for anyone to obstruct or reduce in any way clear width of any doorway, hallway, passageway,

fire escapes or other exitways. (14480 §1 5/2/07)

B. WEEDS

1. No owner, possessor or responsible agent of real property shall permit weeds to exceed ten (10) inches in height in the tree well, sidewalk, curblin or planter strip. It shall be the owner's, possessor's or responsible agent's duty to cut the weeds to prevent such growth.

2. No owner, possessor or responsible agent of real property or any tract of land shall allow any growth of weeds to exceed ten (10) inches in height. (14480 §1 5/2/07)

C. VEHICLES

A junk or abandoned vehicle may not be parked, stored or left to remain on any lot, tract, parcel of land or portion thereof on public or private property, occupied or unoccupied, improved or unimproved, within the City of Allentown, unless necessary for the operation of a business enterprise lawfully permitted on private property. Any junk or abandoned vehicle or parts thereof shall be removed. (14480 §1 5/2/07)

D. GRAFFITI

No owner or responsible agent of real property shall permit graffiti to remain on such property for more than ten (10) days and it shall be the owner's, or responsible agent's duty to remove or cause to be removed such graffiti. The City shall notify the owner or responsible agent of this requirement and if not removed within ten (10) days of notification, the City shall have the authority to remove said graffiti. (14262 § 3/3/05; 14480 §1 5/2/07; 14636 §1 10/16/08)

E. VEGETATION

No owner, possessor or responsible agent of real property shall permit vegetation on the property to grow in such a manner as to create a public nuisance. (14636 §1 10/16/08)

**720.10 GRAFFITI**

(14262 § 3/3/05)

A. No person shall apply graffiti to any natural or man-made surface on public or private property.

B. All persons directly or indirectly involved in the acts of graffiti may be found to be equally responsible and guilty of the act, in addition to the individual who may personally deface the object or area, such as others in a group who knowingly made available the tools, writing material, ladders, lookouts, materials or assistance, or who knowingly supplied funds to acquire such materials for such purposes. (13008 §1 11/7/90; 13343 §2 6/22/95; 14262 § 3/3/05)

C. Writing, drawing, printing or marking with ink, paint, chalk or other substances on any real or personal property shall be permitted only to the extent that compliance with Article 1343 of the Zoning Code, relating to signs, has been met and upon the procurement of a permit from the City where the following conditions are met:

1. The permit shall specify the size, location and the materials to be used and shall include a small design of the proposed writing, drawing, printing or marking. A signed, notarized statement authorizing permission for the writing, drawing, printing or marking from the record owner of the property or a duly authorized agent must also be included with the permit application.

2. No writing, drawing, painting or marking shall contain any threats or offensive language.

3. A permit fee, established by the City of Allentown shall be paid in full to the Department of Administration and Finance. (13343 §1 6/22/95; 14262 § 3/3/05)

**720.11 SALE AND POSSESSION OF PRESSURIZED CANS CONTAINING PAINT AND CERTAIN MARKERS PROHIBITED**

A. Sale or Purchase of Spray Paint and Markers.

1. It is unlawful for any person and/or commercial establishment to sell, exchange, give or loan, or cause or permit to be sold, exchanged, given or loaned, any pressurized can containing any substance commonly known as paint or dye and any marker containing a fluid which is not water soluble and has a point, brush, applicator or other writing surface of three-eighths of an inch or greater to anyone under the age of eighteen (18) years. Retail stores that sell these items

shall provide and post adequate signage stating the prohibition of the sale of these products to anyone under the age of eighteen (18) years. The signs shall be posted on the product display shelving and at the store check out areas. (13397 §1 6/7/96; 14636 §1 10/16/08)

2. It is unlawful for anyone under the age of eighteen (18) years to purchase any pressurized can containing paint or dye or marker as defined above.

3. No person shall aid, assist or abet a person under the age of 18 in obtaining possession of paint in a spray can or any marker containing a fluid which is not water soluble and has a point, brush, applicator or other writing surface of three-eighths of an inch or greater.

B. Possession of Spray Paint and Markers by Minors; and Exemptions:

1. It shall be unlawful for any person under the age of eighteen (18) to have, in their possession, any pressurized can containing any substance commonly known as paint, or dye, or any marker containing a fluid which is not water soluble and has a point, brush, applicator or other writing surface of three-eighths of an inch or greater while on any public highway, street, alley or way, park, playground, swimming pool, or other public place or property, or on private property unless the owner of that property consented to the presence of the paint or marker. (13397 §1 6/7/96)

2. This prohibition shall not apply to a child using paint or a marker while under the immediate supervision of their parent or legal guardian; a student under direct supervision of their teacher or an employee using paint or a marker at the direction and under the supervision of their employer.

C. Prohibition of Spray Paint in Public Parks and Buildings

It is unlawful for any person to have, in his possession, any pressurized can containing any substance commonly known as paint or dye or any marker containing a fluid which is not water soluble and has a point, brush, applicator or other writing surface of three-eighths of an inch or greater while in any public park, playground, swimming pool, recreational facility, (other than a highway, street, alley or way), except authorized employees of the City of Allentown or an individual or authorized employee of an individual or company under contract with the City of Allentown. (13397 §1 6/7/96)

D. Fraudulent Evidence

No minor shall, at the times of purchase of items specified in this section, knowingly furnish fraudulent evidence of age when furnishing identification which must be in the form of a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, an identification card issued to a member of the Armed Forces, or any document issued by a federal, state, county or municipal government. (13397 §1 6/7/96)

**720.12 SHOPPING CARTS**

A. No person shall use a shopping or grocery cart to transport groceries, goods or other items in the public right of way unless that person is the owner of the shopping or grocery cart.

B. All shopping or grocery carts shall be identified in a prominent and conspicuous manner. The identification must include the name of the establishment wherein the carts are used or the owner thereof. (13008 §1 11/7/90)

C. All stores that provide shopping carts must take measures to prevent the removal of such carts from the area of the property under their control. The measures pursuant to this section shall be determined by regulation. All stores that provide shopping carts shall post a notice at all store exits pertaining to the prohibitions in Part A, and that violators are subject to a fine or citation should they leave the premises with a shopping cart. (13833 §1 5/4/00; 14229 §1 11/18/04; 14480 §1 5/2/07)

D. Shopping carts that have been removed from their premises and left elsewhere on public or private property must be retrieved by their owners within twelve (12) hours of notification. (14480 §1 5/2/07)

E. Shopping carts not retrieved by their owner after the notification period may be declared abandoned and subject to confiscation and disposal by the City or by an authorized agent of the City. (14480 §1 5/2/07)

**720.90 VIOLATIONS BY A MINOR**

A. Any violation of the provisions of this Article by a minor ten (10) years of age and older may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the minor or to the parent or legal guardian of the minor. Any violation of the provisions of this Article by a minor under the age of ten (10) may be cause for a citation, a violation ticket and/or

a notice of violation to be issued to the parent or legal guardian of the minor.

B. It shall be unlawful for any parent, legal guardian or other person having custody and care of any minor child under the age of eighteen (18) years to knowingly assist, aid, abet, allow, permit or encourage said minor to violate the provisions of this Article, as herein defined, either by words, overt act, or by failing to act. (13343 §2 6/22/95)

#### **720.94 ENFORCEMENT**

A. The provisions of this Article shall be enforced by police officers, or any other public officer authorized to enforce ordinances. (14262 §1 3/3/05)

B. Any violation of the provisions of this Article may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the violator. (14262 §1 3/3/05)

C. A notice of violation or violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record. (13344 §1 8/3/95;14262 §1 3/3/05)

D. Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

E. A public officer is authorized and empowered to cause a violation to be corrected.

F. If the City has effected the correction of the violation, the cost thereof may be charged to the owner of the property, tenant or offending party. The cost shall be determined by the Manager of Recycling and Solid Waste or designee in order that the City shall be compensated for both direct and indirect costs and expenses incurred. (13344 §1 8/3/95; 13356 §1 10/5/95)

#### **720.95 REGULATIONS**

The City may publish and post any regulations governing the procedures and enforcement of any provisions of this Article. (13344 §1 8/3/95)

#### **720.97 VIOLATION TICKET APPEALS PROCESS**

A. A person in receipt of a violation ticket may appeal to the Bureau of Recycling & Solid Waste by filing a request within ten (10) days of receipt of the violation ticket.

B. A Hearing Officer, designated by the Manager of the Bureau of Recycling & Solid Waste, may uphold the Appeal, deny the Appeal or may modify the violation ticket and/or any associated costs, fines or penalty amounts. (14262 §1 3/3/05)

#### **720.98 SEVERABILITY**

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect. (13222 §1 10/20/93; 13344 §1 8/3/95)

#### **720.99 FINES AND PENALTIES**

A. Violation Ticket Fines

1. For the first and second offense of a violation of this Article within a twelve (12) month period, violation tickets shall be issued in the amounts of Twenty-five (\$25) Dollars or One Hundred (\$100) Dollars. (14262 § 3/3/05; 14636 §1 10/16/08)

2. For the third offense of a violation of this Article within a twelve (12) month period, violation tickets shall be issued in the amounts of One Hundred and fifty (\$150) Dollars or Two Hundred and fifty (\$250) Dollars (14636 §1 10/16/08)

3. For the fourth offense of a violation of this Article within a twelve (12) months period, violation tickets shall be issued in the amounts of Three Hundred (\$300) Dollars or Five Hundred (\$500) Dollars. (14636 §1 10/16/08)

4. Any persons who receives a violation ticket for any violation of this article, except Section 720.07, may within ten (10) days, admit the violation, waive a hearing and pay the fine in full satisfaction. (14636 §1 10/16/08)

5. Any person who violates Section 720.07 of this article shall pay a fine of One Thousand (\$1,000) Dollars

or Five Thousand (\$5,000) Dollars for each offense plus all direct and indirect costs incurred by the City for the clean up and abatement of the violation. (14636 §1 10/16/08)

6. Any person who violates section 720.09 (D) of this article shall pay a fine of Twenty-five (\$25) Dollars or One Hundred (\$100) Dollars for the first offense with no additional cost to abate the violation. For the second and subsequent violations of Section 720.09 (D) the owner shall pay a fine as indicated in Section 720.99 (A) and the owner shall pay all direct and indirect costs incurred by the City for the abatement of the violation. (14636 §1 10/16/08)

#### B. Violation Ticket Penalties

1. If the person in receipt of a twenty-five (\$25) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a ten (\$10) dollar penalty for days eleven (11) through twenty (20).

2. If the person in receipt of a one hundred (\$100) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a twenty-five (\$25) dollar penalty for days eleven (11) through twenty (20).

3. If the person in receipt of a One Hundred and Fifty (\$150) Dollar, Two Hundred and Fifty (\$250) Dollar, Three Hundred (\$300) Dollar or Five Hundred (\$500) Dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a Fifty (\$50) Dollar penalty for days eleven (11) through twenty (20). (14636 §1 10/16/08)

4. If the person in receipt of a One Thousand (\$1,000) Dollar or a Five Thousand (\$5,000) Dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a One Hundred (\$100) Dollar penalty for days eleven (11) through twenty (20). (14636 §1 10/16/08)

5. Failure of the person to make payment or request a hearing within twenty (20) days of a violation ticket shall make the person subject to a citation. (14636 §1 10/16/08)

#### C. Citation Fines

1. Any person, firm or corporation who shall fail, neglect or refuse to comply with any of the terms or provisions of this Article, except Section 720.07, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction, be ordered to pay a fine not less than One Hundred (\$100) Dollars, not more than One Thousand (\$1,000) Dollars on each offense or imprisoned no more than ninety (90) days, or both. (13222 §1 10/20/93; 13344 §1 8/3/95; 13356 §5 10/5/95; 13397 §2 6/7/96; 13833 §1 5/4/00; 14026 §1 10/17/02; 14636 §1 10/16/08)

2. Any person, firm or corporation who shall fail, neglect or refuse to comply with the provisions of Section 725.07 of this Article shall, upon conviction, be ordered to pay a fine not less than One Thousand (\$1,000) Dollars, not more than Five Thousand (\$5,000) Dollars on each offense or imprisoned no more than ninety (90) days, or both. In addition, the Magisterial District Judge may impose any other such remedy deemed proper, including, without limitation, an order to clean up unlawful dump sites. (14262 § 3/3/05; 14636 §1 10/16/08)

3. Any person, firm or corporation who shall fail, neglect or refuse to comply with any of the terms or provisions of Section 720.09 (D) and 720.11 shall, upon conviction, be ordered to pay a fine not less than One Hundred (\$100) Dollars, not more than Two Thousand Five Hundred (\$2,500) Dollars on each offense or imprisoned not more than ninety (90) days, or both. (14636 §1 10/16/08)

#### D. Restitution 14262 § 3/3/05)

The Magisterial District Judge may order the violator to make restitution to said real or personal property owner. (14262 § 3/3/05)

---

### ARTICLE 721 ABANDONED REFRIGERATORS

721.01 Abandoned Refrigerators  
721.99 Penalty

CROSS REFERENCES  
Refrigerators and Iceboxes - 18 P.S. §6502

---

### 721.01 ABANDONED REFRIGERATORS

A. No person shall leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has a door or lock which may not be released for opening from the inside of such icebox, refrigerator or container. (7360 §1 11/4/53)

B. No person shall leave outside of any building or dwelling in a place accessible to children any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has a snap-lock or other device thereon without first removing the snap-lock or doors from such icebox, refrigerator or container. (7360 §2 11/4/53)

### 721.99 PENALTY

Any person violating the provisions of this article shall be fined not more than Six Hundred (\$600.00) Dollars or imprisoned not more than ninety (90) days, or both. (11995 §1 2/21/73; 13034 §2 3/6/91)

---

### EDITORS NOTES

14480 (5/2/07)The legislation is from the Bureau of Recycling & Solid Waste and changed litter, trash, debris, and related issues on public and private property. It allows for the issuance of notices of violations, violation tickets, i.e., SWEEP tickets, or citations for violations of this Ordinance. The Bureau of Recycling & Solid Waste will be addressing all of the high grass and weed complaints beginning in 2007. This will allow the SWEEP Officers to address all outdoor property violations in an efficient manner. The Bureau of Building Standards and Safety will continue to address junked vehicles, and this change will allow SWEEP tickets to be issued to owners who do not remove dangerous and junked vehicles. Retail stores who own and provide shopping carts for their patrons will be asked to prevent and/or inhibit the removal of carts from their property. The legislation will provide for greater staff efficiency and enforcement of outdoor property violations. The use of SWEEP tickets will allow for more efficient and timely resolutions to the outdoor quality of life issues.

14262 (3/3/2005) amended the 725, the anti-litter provisions, by giving Sweep Officers enforcement authority and other changes.

14150 (2/20/04) amends the Noise provisions to exempt snow blowers.

14156 (2/22/004) amended the Skateboard by establishing a fine of at least \$25.

14229 (11/18/04) amended the Shopping Cart provisions to make the penalty section dovetail with general penalty.

### AMENDMENT TO THE REGULATIONS:

#### For Anti-Litter Ordinance, Ordinance No. 13008, as amended by Ordinance No. 14480 §1 5/2/07)

Pursuant to Section 720.12 (C) the City of Allentown hereby establishes these regulations regarding shopping carts.

At a minimum, retail stores who provide shopping carts shall take the following measures:

- A. Construct and/or purchase shopping carts that inhibit removal from store property or provide a shopping cart retrieval service that must collect the cart within twelve (12) hours of notification.
- B. Print and post signs at all store entrances and exits to notify the customers that any person who removes a shopping cart from the store property is in violation of City ordinance and subject to a fine or citation. The signs shall be a minimum in size of 8 1/2" x 11" and the City will provide suggested wording in English and Spanish.
- C. Provide education to their customers (e.g. shopping bag "stuffers") to inform them that any person who removes a shopping cart from the store property is in violation of City ordinance and subject to a fine or citation. The City will provide suggested wording in English and Spanish.

Failure for a retail store to provide these measures shall be in violation of this ordinance.

In accordance with Section 720.95, Anti-Litter Ordinance, I hereby authorize the establishment and promulgation of the said regulations.

**City of Harrisburg  
Solid Waste Code**

**Municipal Waste, Recycling and Composting**

City of Harrisburg, PA  
Monday, August 19, 2019

## Chapter 9-301. Municipal Waste, Recycling and Composting: General Provisions

[HISTORY: Adopted by the City Council of the City of Harrisburg 7-3-2018 by Ord. No. 5-2018.<sup>[1]</sup> Amendments noted where applicable.]

[1] *Editor's Note: This ordinance also repealed former Ch. 9-301, Municipal Waste and Recycling, adopted by Ord. No. 22-1992, as amended.*

### § 9-301.1. Title.

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

### § 9-301.2. Definitions.

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.<sup>[1]</sup>

#### **ASH**

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

#### **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.

#### **CARDBOARD**

All corrugated or other cardboard normally used for packing, mailing, shipping, or containerizing goods, merchandise or other material, but excluding plastic-, foam- or wax-coated or soiled cardboard.

#### **CART**

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

#### **COMMERCIAL**

Any structure or part of a structure within the City used for commercial purposes or not used solely as a residential property. This includes, but shall not be limited to: businesses, apartment buildings with five or more individual domiciles, and structures that are partially residential and partially nonresidential.

**COMPOSTING MATERIAL**

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

**CONSTRUCTION AND DEMOLITION WASTE (C&D WASTE)**

Solid waste resulting from the construction or demolition of buildings and other structures, including, but not limited to: wood, plaster, metals, asphaltic substances, bricks, block and unsegregated concrete. The term does not include the following if they are separate from other waste and are used as clean fill:

- A. Uncontaminated soil, rock, stone, gravel, brick and block, concrete and used asphalt.
- B. Waste from land clearing, grubbing and excavation, including trees, brush, stumps and vegetative material.

**COUNTY**

The County of Dauphin, Commonwealth of Pennsylvania.

**COUNTY PLAN**

The Solid Waste Management Plan for Dauphin County as approved by the Pennsylvania Department of Environmental Protection.

**DIRECTOR DPW**

The Director of the Department of Public Works of the City of Harrisburg.

**DISPOSAL FACILITY**

The municipal waste disposal facility designated to receive municipal waste generated within the City.

**DUMPSTER**

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

**ELECTRONIC WASTE**

Any electrical or electronic devices or equipment to be discarded; also referred to as "e-waste."

**ENFORCEMENT OFFICER**

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

**GLASS, BOTTLES, AND JARS**

All glass (clear and colored) food and/or beverage containers.

**HAZARDOUS WASTE**

Any material or substance which, by reason of its composition or characteristics:

- A. Is toxic or hazardous waste, as defined in any applicable law; the Solid Waste Disposal Act, 42 U.S.C. § 6901 et seq.; or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 et seq., as the same may be amended, replaced or superseded, and any regulations, orders, guidelines and policies implementing the same;
- B. Constitutes material regulated by the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq., as the same may be amended, replaced or superseded, and any regulations, orders, guidelines and policies implementing the same;
- C. Constitutes materials within the meaning of the Atomic Energy Act of 1954, 42 U.S.C. § 2011 et seq., as the same may be amended, replaced or superseded, and any regulations, orders, guidelines and policies implementing the same; or
- D. Under any other law of similar purpose or effect, or under regulations and policies implementing same, is not permitted to be processed at the disposal facility.

#### **HOUSEHOLD HAZARDOUS WASTE (HHW)**

Waste that would be considered hazardous waste under the Pennsylvania Solid Waste Management Act of 1980 ("Act 97")<sup>[2]</sup> but for the fact that it is produced in quantities smaller than those regulated as hazardous waste under Act 97 and is generated by persons not otherwise covered as hazardous waste generators by Act 97. Household hazardous waste is unacceptable waste for purposes of disposal in the City of Harrisburg.

#### **IMPROVED PROPERTY**

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

#### **MEDICAL WASTE**

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

#### **METAL CAN**

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

#### **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<sup>[3]</sup> 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.

**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, notepad 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.

**PICKUP POINT**

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

**PRIVATE HAULER**

Any person, other than the City or other governmental entity, who collects and disposes of municipal waste, recycling, or composting generated in the City.

**PROHIBITED MATERIALS**

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

**RECYCLABLE MATERIAL**

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

**RECYCLING**

The process by which materials, which would otherwise become solid waste, are collected, separated or processed for the purpose of being returned to the economic mainstream in the form of raw materials or products.

**RECYCLING BARREL**

A receptacle used for the express purpose of storing recyclables for collection by the City or its agent(s).

**RESIDENTIAL PROPERTY**

Any structure in the City used or designed to be used as a residential dwelling space.

**RESIDUAL WASTE**

Any garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid or contained gaseous materials, resulting from industrial mining or agricultural operations or any sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility,

provided that it is not hazardous. The term shall not include coal refuse as defined in the Act of September 24, 1968 (P.L. 1040, No. 318), known as the "Coal Refuse Disposal Control Act."<sup>[4]</sup> The term shall not include treatment sludge from coal mine drainage treatment plants, disposal of which is being carried on pursuant to and in compliance with a valid permit issued pursuant to the Act of June 22, 1937 (P.L. 1987, No. 394), known as the "Clean Streams Law."<sup>[5]</sup>

#### **SCRAP METAL**

Any appliances or furniture made primarily out of metal, such as stoves, water heaters, clothes washers, clothes dryers, and file cabinets, or materials left over from product manufacturing and consumption or parts of vehicles, building supplies, and surplus materials, that are primarily composed of metal and suitable for reprocessing.

#### **SINGLE-STREAM RECYCLING**

Household recycling material that can go into the recycling barrel for curbside collection.

#### **SOURCE-SEPARATE**

To separate materials from the municipal waste stream at the point of waste generation to be collected and processed accordingly.

#### **UNACCEPTABLE WASTE**

Unacceptable waste includes the following:

- A. Any material that by reason of its composition, characteristics, or quantity is ineligible for disposal at any county-designated facility pursuant to the provisions of the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 et seq., and the regulations thereunder, or any other applicable law, rule, or regulation (including but not limited to the following laws and regulations, if any, promulgated under each: the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. § 136 et seq.; the Federal Water Pollution Control Act, 33 U.S.C. § 1251 et seq.; the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq.; the Hazardous Sites Cleanup Act, Act 108, enacted October 18, 1988;<sup>[6]</sup> and any similar or substituted legislation or regulations or amendments to the foregoing, as well as any laws coextensive with the foregoing);
- B. Any other materials that any governmental agency or unit having appropriate jurisdiction has determined to be ineligible for disposal at any county-designated facility;
- C. Any waste that a county-designated facility is precluded from accepting pursuant to an existing permit governing that facility;
- D. Hazardous waste and household hazardous waste;
- E. Residual waste;
- F. Special handling municipal solid waste, including, but not limited to, friable asbestos waste, sludge, infectious/pathological waste, and chemotherapeutic waste;
- G. An individual truckload of municipal waste which contains white goods (e.g., refrigerators, freezers, washers, dryers, dishwashers, air conditioners, stoves, ranges and any similar appliances) in quantity and/or whole tires in quantity; or

- H. Any other materials that present an endangerment to a county-designated facility or the public health and safety, including truckloads of leaf and yard waste.

#### **VACANT PROPERTY**

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

- A. Lack of human activity, furnishings, or equipment inside the building or structure;
- B. Accumulated mail, newspapers, circulars, shutoff notices;
- C. Lack of utility services (water, electricity, natural gas);
- D. Broken or boarded-up windows or doors.

Vacant property shall include any building, structure, lot, or parcel of land where no municipal waste has been generated for collection for at least 90 consecutive days. Vacant property shall not include property that is unoccupied and undergoing construction, renovation, or rehabilitation in compliance with applicable legislation, regulations, codes, and ordinances.

#### **WASTE GLASS**

Light bulbs, window glass, mirrors, laminated glass (car windows), and wired or tempered glass. Waste glass is municipal waste.

#### **YARD WASTE**

Includes leaves, grass clippings, tree trimmings, brush, chipped shrubbery, and garden residue.

#### **YARD WASTE FACILITY**

A dropoff point or area designated by the City where leaves, tree trimmings, brush and garden residue, and, if designated, grass clippings, can be collected for processing.

[1] *Editor's Note: See 53 P.S. § 4000.101 et seq.*

[2] *Editor's Note: See 35 P.S. § 6018.101 et seq.*

[3] *Editor's Note: See 35 P.S. § 6018.101 et seq.*

[4] *Editor's Note: See 52 P.S. § 30.51 et seq.*

[5] *Editor's Note: See 35 P.S. § 691.1 et seq.*

[6] *Editor's Note: See 35 P.S. § 6020.101 et seq.*

### **§ 9-301.3. Source-separating.**

The City reserves the right to and retains the option, at its discretion, to designate certain materials for source-separation; to require deposit of such materials into separate receptacles; to prescribe the method of disposal; and to direct other related activities as determined necessary. All residents and businesses within the City of Harrisburg shall participate in the process of source-separating. The City finds that the reduction in the amount of municipal waste and the conservation of recyclable and compostable materials is an important public concern and is necessary to implement the requirements of Pennsylvania Act 101, the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, and the Solid Waste Management Plan for Dauphin County, as approved by the Pennsylvania Department of Environmental Protection. The separation of materials for

recycling and composting from residential and commercial establishments in this City will minimize potential adverse environmental effects of landfilling by reducing the need for additional landfills and conserving existing landfill capacity; facilitate the implementation and operation of other forms of resource recovery called for by the county plan; conserve natural resources; and reduce the cost of municipal waste disposal generally.

## § 9-301.4. Authority.

Sanitation services shall be supervised by 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 receptacle and 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.

## Chapter 9-303. Municipal Waste

[HISTORY: Adopted by the City Council of the City of Harrisburg 7-3-2018 by Ord. No. 5-2018.<sup>[1]</sup> Amendments noted where applicable.]

[1] *Editor's Note: This ordinance also repealed former Ch. 9-303, Municipal Waste Collection, adopted by Ord. No. 22-1992, as amended.*

### § 9-303.1. Designation of municipal waste.

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. 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.

- D. Owners of commercial properties may apply for a waiver from the Director DPW to collect municipal waste based on the amount and type of municipal waste to be collected. Approved private haulers shall be in compliance with the rules and regulations promulgated by the Director DPW. Individual agreements may be entered into between private haulers and the owners of commercial properties who have been granted a waiver for the time period provided in the waiver, and the fees and charges therefor shall be determined solely by private agreement between the parties. Private haulers collecting municipal waste generated within the City shall dispose of such waste in accordance with and under the provisions of § 9-303.3. All vehicles utilized by private haulers under this section shall be equipped with a tight cover and shall be so operated as to prevent offensive odors escaping therefrom or any refuse from being blown, dropped or spilled therefrom within the City.
- E. Municipal waste receptacles. Municipal waste receptacles, including carts, dumpsters, and compactors, shall comply with the rules and regulations promulgated by the Director DPW and shall be maintained in good condition. Any receptacle which does not conform to the provisions of this chapter, or which may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof, shall be promptly replaced.
- F. Points of collection. All carts, dumpsters, and compactors shall be placed together at the same location on each property and be easily accessible to the street, alley or walkway from which collection is made, in compliance with the rules and regulations promulgated by the Director DPW. In cases in which a property owner is unable to comply with the foregoing requirements of this section due to age or continuing illness or physical handicap, the same shall be reported promptly to the Director DPW, and special arrangements for collection shall be made to accommodate such property owner without additional charge, where possible. If special arrangements cannot be made without unusual expense to the City, the Director DPW shall establish a reasonable additional charge for such special arrangements and shall publish a schedule of such additional charges as may be applicable to the different types of special arrangements which may be needed from time to time.
- G. Placement of bulk items. Each residential property is permitted to place one bulk item per week at the point of collection, provided that such item is not otherwise prohibited from municipal waste collection and such item is of a size that can be handled by the persons responsible for waste collection. If such item cannot be collected by the persons responsible for waste collection, the person(s) who placed such item must remove it within 24 hours. Any bulk item(s) placed for collection in excess of the allowable one per week per residential property will be collected for disposal, and the residential property will be charged accordingly for such service.

### § 9-303.3. Municipal waste disposal.

All municipal waste produced, collected, and transported from within the jurisdictional limits of the City shall be disposed of at a licensed and approved disposal facility in accordance with the Dauphin County Solid Waste Plan, and in compliance with all Department of Environmental Protection regulations and with any other applicable local, state or federal

statute or rules and regulations. The designated facility for disposal of all municipal waste produced, collected and transported from within the jurisdictional limits of the City shall be the Susquehanna Resource Management Complex (formerly known as the Harrisburg Incinerator) which is currently owned and managed by Lancaster County Solid Waste Management Authority ("LCSWMA").

## § 9-303.4. Rates for municipal waste services.

- A. General provisions. All persons receiving municipal waste services by the City or its agent(s) under this chapter, as defined by the rules and regulations promulgated by the Director DPW, are subject to the rates in this section.
- B. Collection rates. The collection rates for each property, or part of a property, within the City shall be related to the kind, quality, and quantity of municipal waste to be collected from such property, as set forth below:
- (1) Residential property utilizing carts: \$156 per year; \$13 monthly per cart for once-a-week collection of up to 95 gallons of municipal waste not weighing in excess of 160 pounds.
  - (2) Commercial. The collection rates for each property, or part of a property, utilized for commercial purposes within the City shall be set forth in rules and regulations promulgated by the Director DPW related to the kind, quality, and quantity of municipal waste to be collected from such property, provided that such rates shall not be less than \$411 per year; \$34.25 monthly for once-a-week collection of up to 95 gallons of municipal waste not weighing in excess of 160 pounds.
  - (3) Dumpsters. The collection rates for dumpsters, whether located on property classified as residential or commercial, shall be at the rates as set forth in Appendix, Chapter 9, of the Codified Ordinances. The City, through the Director DPW, shall set the collection rates for individual customers whose dumpsters, due to size of dumpster(s) or compaction of waste, do not fit within the rate schedule set forth in the Appendix.
- C. Disposal rates. In addition to the rates for collection of municipal waste by the City, there is imposed upon each property within the City a refuse ready-to-serve and use of facilities charge for the disposal of municipal waste delivered by the City to the disposal facility, pursuant to the following:
- (1) Residential dwelling units of four units or less: \$232.08 per year per cart; \$19.34 monthly for once-a-week disposal of up to 95 gallons of municipal waste not weighing in excess of 160 pounds.
  - (2) Commercial properties: a charge for each person using a structure or part of a structure for a separate nonresidential use or for residential use within a single property containing five or more separate living units at the rates set forth in Appendix, Chapter 9, of the Codified Ordinances. The City, through the Director DPW, shall set the disposal rates for individual customers whose municipal waste is collected in dumpsters which, due to size of dumpster(s) or compaction of waste, do not fit within the rate schedule set forth in the Appendix.
  - (3) The charges imposed for disposal of municipal waste in the City shall be imposed upon the owners of all improved property within the City, except for improved

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

- D. Billing accounts. All billings for charges under this chapter shall be prepared in the name of the owner of the premises for which the collection charges are being made, and the charge is hereby imposed upon such owner. The deed registry in the office of the City Engineer shall be prima facie evidence of the owner of property in the City, and the burden of proving that such registry is in error shall be upon the person asserting the same. The charges provided herein shall be paid in advance by the owner or occupant of the property involved. The Director of Public Works shall cause an annual report to be issued to Council summarizing the prior year's billing history and account status.
- E. Vacant property exemption. The owner of vacant property shall be exempt from the payment of disposal and collection fees for municipal waste services. In order to be considered for a vacant property exemption, the owner or owner's agent must annually complete an exemption application certifying that the property is vacant. The Director DPW or the Director's designee(s) shall be responsible for determining whether an applicant's property is vacant for purposes of this chapter.

## § 9-303.5. Collection procedures for unpaid, delinquent municipal waste services.

- A. General provisions. Pursuant to 11 Pa.C.S.A. § 12409(e)(2) of the Third Class City Code, delinquent payment of municipal waste services rates and other charges shall be collected pursuant to the Municipal Claims and Tax Liens Law, 53 P.S. § 7101 et seq., or by civil action.
- B. Liens. Rates imposed under this chapter shall be a lien on the properties served from the date the charge first becomes due and payable. In addition to all other rights of the City, if such charges are not paid, the City may file such liens and collect same in the manner provided by law for the filing and collection of municipal liens and claims and may proceed to collect such charges by an action in assumpsit in the name of the City against the owner of the property charged.

## Chapter 9-305. Recycling

[HISTORY: Adopted by the City Council of the City of Harrisburg 7-3-2018 by Ord. No. 5-2018.<sup>[1]</sup> Amendments noted where applicable.]

[1] *Editor's Note: This ordinance also repealed former Ch. 9-305, Municipal Waste Disposal, adopted by Ord. No. 22-1992, as amended.*

### § 9-305.1. Designation of recyclable materials.

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

## § 9-305.2. Recycling collection.

- A. General provisions. All commercial, municipal or institutional establishments are required to source-separate all designated recyclable materials and to provide for transportation of those designated recyclable materials, either through the City or its agents or a private hauler. The Director DPW or a designee shall be responsible for all aspects of a recycling program in the City of Harrisburg, including the preparation of all necessary plans for recyclable materials and the coordination of those plans with local, state and federal agencies. Authority is conferred upon the Director DPW to promulgate rules and regulations as are necessary to implement and carry out the intent of this chapter. All collection of recycling under this chapter shall be done in accordance with the rules and regulations.
- B. Curbside collection. It shall be the responsibility of the City or its agents to make periodic curbside collections of reasonable accumulations of recycling from residential and commercial properties. A reasonable accumulation of recycling shall be such accumulation as can be conveniently collected and handled by the persons responsible for the periodic collection of recycling material. Recycling shall be collected by the City or its agents at times pursuant to a plan and schedule designated by the Director DPW in the promulgated rules and regulations.
- C. Recycling receptacles. Recycling receptacles, including barrels, carts, and dumpsters, shall comply with the rules and regulations promulgated by the Director DPW and shall be maintained in good condition by the owner or occupier of the premises. Any receptacle which does not conform to the provisions of this chapter, or which may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof, shall be promptly replaced.
- D. Collection of recyclables. Collection of recyclables in the City of Harrisburg 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. The schedule shall direct recyclables to be collected on a regularly scheduled weekly pickup.
- E. 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 of such contract shall conform to the requirements of this chapter.
- F. Private haulers. If a commercial, municipal or institutional establishment utilizes a private hauler to transport the designated recyclable materials, such establishment which hired the private hauler is required to provide annual written documentation as to the type and weight of materials recycled during the preceding 12 months. Reports are due to the City in a form provided by the City no later than March 1 of each year.

## § 9-305.3. Recycling disposal.

- A. General provisions. Disposal of recycling 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 operation, receiving hours, type of receptacle and conveyance, and the designation of acceptable and unacceptable recycling material. The Director DPW shall 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. 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 of such contract shall conform to the requirements of this chapter.
- C. Other means of disposal. Notwithstanding anything herein to the contrary, any resident of the City may donate or sell any recyclable to any other person, whether operating for a profit or not for profit; provided, however, that the person receiving the recyclable shall not under any circumstances collect the donated or sold material from the curbside without prior written permission from the City for such collection.
- D. Open burning prohibited. No person shall cause or allow the open burning of recyclable material as well as leaf waste (including leaves, garden residues, shrubbery and tree trimmings) in the City.

## § 9-305.4. Rates for recycling.

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

## Chapter 9-307. Composting

[HISTORY: Adopted by the City Council of the City of Harrisburg 7-3-2018 by Ord. No. 5-2018.<sup>[1]</sup> Amendments noted where applicable.]

[1] *Editor's Note: This ordinance also repealed former Ch. 9-307, Collection and Disposal Charges, adopted by Ord. No. 22-1992, as amended.*

### § 9-307.1. Composting materials.

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

### § 9-307.2. Composting collection.

- A.

General provisions. Collection of composting materials 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. Composting 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.

### § 9-307.3. Composting disposal.

- A. General provisions. Disposal of composting materials 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 operation, receiving hours, and type of receptacle and conveyance. The Director DPW shall 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. 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 composting materials 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.

### § 9-307.4. Rates for composting.

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

## Chapter 9-309. Prohibited Acts and Violations

[HISTORY: Adopted by the City Council of the City of Harrisburg 7-3-2018 by Ord. No. 5-2018.<sup>[1]</sup> Amendments noted where applicable.]

[1] *Editor's Note: This ordinance also repealed former Ch. 9-309, Recycling, adopted by Ord. No. 22-1992, as amended. See now Ch. 9-305.*

### § 9-309.1. General provisions.

Any and all acts prohibited by this chapter shall constitute a violation of the Municipal Waste, Recycling, and Composting Code subject to the enforcement and penalties prescribed in Chapter 9-311. Penalties for Category 1 violations of this chapter are found in § 9-311.4B. Penalties for Category 2 violations of this chapter in the absence of deterrence are found in § 9-311.4C. Nothing set forth in this chapter shall limit the pursuit of other appropriate actions or proceedings at law or in equity available to the City.

## § 9-309.2. Illegal dumping.

No person shall throw, drop, deposit or dump within City limits any waste on public or private property that is not licensed through the Pennsylvania Department of Environmental Protection to receive municipal waste. No person shall throw, drop, deposit or otherwise disburse any municipal waste in any stream or other body of water in the City. A violation of this provision shall constitute a Category 1 violation; an offense subject to a nontraffic summary citation and penalty pursuant to § **9-311.4B**.

## § 9-309.3. Improper waste disposal.

Under no circumstances shall construction and demolition waste, hazardous waste, electronic waste, or tires be placed in municipal waste receptacles for regular municipal waste collection. A person may not use another person's receptacles without permission, or place refuse in front of a premises other than the building in which he resides or works. A violation of this provision involving construction and demolition waste or hazardous waste shall constitute a Category 1 violation; an offense subject to a nontraffic summary citation and penalty pursuant to § **9-311.4B**. A violation of this provision involving electronic waste or tires shall constitute a Category 2 violation; an offense subject to a nontraffic summary citation and penalty pursuant to § **9-311.4C**. Municipal waste which is not bagged and placed in the cart shall constitute a Category 2 violation; an offense subject to a nontraffic summary citation and penalty pursuant to § **9-311.4C**.

## § 9-309.4. Excessive accumulation.

It shall be unlawful for any person to accumulate any waste in the City in quantities which exceed those which can be regularly and conveniently collected as provided by the promulgated rules and regulations. A violation of this provision shall constitute a Category 2 violation; an offense subject to a nontraffic summary citation and penalty pursuant to § **9-311.4C**. Accumulations of waste over 1,000 pounds shall constitute a Category 1 violation; an offense subject to a nontraffic summary citation and penalty pursuant to § **9-311.4B**.

## § 9-309.5. Failure to source-separate.

It shall be unlawful for any person to fail to source-separate materials by placing or causing to be placed any material other than a designated material in a receptacle. Under no circumstances shall unacceptable or prohibited materials be placed in a municipal waste or recycling receptacle for collection. A violation of this provision shall constitute a Category 2 violation; an offense subject to a nontraffic summary citation and penalty pursuant to § **9-311.4C**.

## § 9-309.6. Sidewalk or street obstruction.

It shall be unlawful to obstruct any sidewalk or street with any refuse or waste receptacle. All sidewalk areas and streets must be kept free from obstructions that could impede pedestrian or vehicle traffic. A violation of this provision shall constitute a Category 2

violation; an offense subject to a nontraffic summary citation and penalty pursuant to § 9-311.4C.

### § 9-309.7. Failure to comply.

Failure to comply with any requirement or provision of the Municipal Waste, Recycling, and Composting Code or its related rules and regulations shall constitute a violation of the Municipal Waste, Recycling, and Composting Code and be subject to enforcement and penalties, and is in violation of this provision and shall constitute a Category 2 violation; an offense subject to a nontraffic summary citation and penalty pursuant to § 9-311.4C.

### § 9-309.8. Interference with enforcement.

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

### § 9-309.9. Failure to register as a hauler.

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

## Chapter 9-311. Enforcement and Penalties

[HISTORY: Adopted by the City Council of the City of Harrisburg 7-3-2018 by Ord. No. 5-2018. Amendments noted where applicable.]

### 9-311.1. Applicability.

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

### 9-311.2. Enforcement authority.

- A. Authorized enforcement officials. The Director DPW, or any other City employee, agent, or official designated by the Director DPW as an enforcement officer, shall act in the capacity of a law enforcement officer for the limited purpose of issuing nontraffic summary citations to owners of premises, tenants, or persons who are found in

violation of any provisions of the Municipal Waste, Recycling, and Composting Code. An enforcement officer may patrol all public and public-accessible areas at any time and issue citations for any violation of this code. In addition, all law enforcement officers with authority and jurisdiction within the municipal boundaries of the City of Harrisburg shall be deemed invested with the power to enforce the provisions of this code.

- B. Method of enforcement. Enforcement of the provisions of Chapter 9-309 shall be by action brought before a Magisterial District Judge in the same manner provided for the enforcement of summary offenses under Chapter 4 of the Pennsylvania Rules of Criminal Procedure and the Pennsylvania Judicial Code.<sup>[1]</sup>

[1] *Editor's Note: See 42 Pa.C.S.A. § 101 et seq.*

### 9-311.3. Issuance of citation.

Whenever the enforcement officer or other law enforcement officer finds that any person has violated or is violating any provisions of the chapters to which these enforcement provisions apply, any permit issued thereunder, or any applicable federal, state or local regulation, the enforcement officer or other law enforcement shall serve or cause to be served upon such person a written citation stating the nature of the violation. The enforcement officer shall follow the citation procedures provided for the enforcement of summary offenses under Chapter 4 of the Pennsylvania Rules of Criminal Procedure and the Pennsylvania Judicial Code.<sup>[1]</sup>

[1] *Editor's Note: See 42 Pa.C.S.A. § 101 et seq.*


### 9-311.4. Penalties.

- A. General provisions. The imposition of a penalty for any violation of this chapter shall not excuse the violation and shall not constitute permission or grant of right to continue the violation. All persons required to do so shall correct and remedy any violation or defect within the time prescribed by the rules and regulations. When not otherwise specified, each day that a violation continues shall constitute a separate offense. Nothing set forth in this chapter shall be construed to negate or preclude any additional liability, punishment, enforcement action, remedy, fines, or penalties or limit the pursuit of other appropriate actions or proceedings at law or in equity available.
- B. Category 1 violation. A violation subject to penalty under this provision shall be punishable by a fine of \$1,000, plus costs, or imprisonment for not more than 90 days, or both.
- C. Category 2 violation. A violation subject to penalty under this provision shall be punishable as follows:
- (1) For the first offense: \$100, plus costs;
  - (2) For the second offense: \$250, plus costs;
  - (3) For the third offense and all subsequent offenses: \$500, plus costs.
- D.

Cost of cleanup. Violators of 9-309.2 (Illegal dumping) and 9-309.4 (Excessive accumulation) shall be responsible for the cost of cleaning up the waste. An assessment of cleanup costs will be made based on the following schedule:

- (1) Per ton of municipal waste: \$190.
- (2) Per vehicle used for cleanup: \$75.
- (3) Per person cleaning up municipal waste: \$50.
- (4) For fuel per hour and per vehicle used in cleaning up municipal waste: \$25.

- E. Additional fee. In addition to any fines, fees or penalties imposed in accordance with this chapter, an additional neighborhood mitigation penalty shall be imposed in the amount of \$25. All neighborhood mitigation penalties imposed and collected by any division of the unified judicial system existing under § 1 of Article V of the Constitution of Pennsylvania and 42 Pa.C.S.A. § 301 shall be remitted to the City for deposit into the Neighborhood Mitigation Fund for the purpose of funding mitigation exercises performed by the City on private properties, including but not limited to demolitions, cleanups, clean and seals and light repairs. If the fine is paid on installments, the proportionate amount of the neighborhood mitigation penalty shall be remitted on each installment.



**Appendix C**  
**Sample Educational Materials**



Annual Dog Licenses for 2019 are now available at the Recycling Office. State Law requires that dogs and cats, three (3) months and older, **MUST** be vaccinated against rabies. Dog Licenses are also required by law in the state of Pennsylvania.

Annual Dog Licenses can also be acquired at the Lehigh County Humane Society: 610-797-1205

Lifetime Licenses are only available through the Lehigh County Fiscal Office: 610-792-3112

Animals are not allowed to run loose in the city. All animals must be secured by a leash. No domestic animals are permitted in Old Allentown Cemetery at 10th and Linden Streets.

Pet owners must clean up after their animals immediately.



Please do your part to make Allentown a cleaner place to live.

As a property owner or resident you are required to:

- Not store trash and recycling containers in the front of your house.
- Not exceed the trash limits on your night of collection.
- Not let trash or debris accumulate on your property.
- Not use interior furniture on the exterior of your property. Only furniture manufactured for exterior use is permitted.
- Not allow grass and weeds to exceed 10" in height on your property.
- Clear sidewalk of snow and ice within 10 hours of the time the storm ends.

By doing these simple things, you can avoid receiving a fine!

Any questions, contact SWEEP at 610-437-7770



City of Allentown Residents Only  
**By Appointment ONLY**  
Call **610-437-8729** to schedule

### Electronics Recycling

(TVs, computers, printers and other electronics)

A voucher will be mailed to you with your appointment information. You must bring the voucher to the scheduled appointment.

- RESIDENTS MUST UNLOAD ELECTRONICS FROM VEHICLE. Assistance is available for those who may need it.
- LIMIT 3 TVs OR CRTS (COMPUTER MONITORS) PER ADDRESS PER YEAR.

### Confidential Document Shredding

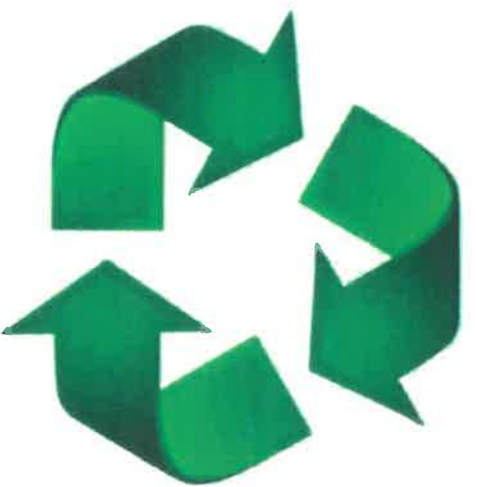
Shredding Services are available to City of Allentown residents and businesses. This service is free and allows residents and businesses to see their documents being shredded.

Nothing bigger than a staple is allowed.

### Large Metal & Appliance Pick-up

- There is a \$20 fee for the collection of FREON appliances (refrigerators, A/Cs, dehumidifiers, water coolers). This fee must be paid before a pick-up is scheduled. The fee is charged even if it does not have Freon.

- The \$20 fee can be paid in person or mailed to the Bureau of Recycling & Solid Waste. Please include your phone number.
- No charge for other appliances or large metal items.



# 2019

# Recycling

# and

# Trash

# Information

Bureau of Recycling and Solid Waste

641 S. 10th St.

610-437-8729



[allentownpa.gov/recycle](http://allentownpa.gov/recycle)



## 2019 Yard Waste Information

**Drop-Off Site**  
1401 Oxford Drive  
Allentown Residents Only

### WINTER DATES (weather permitting)

- February 2 10:00am-12:00pm
- March 2
- December 7

### SEASONAL DATES/HOURS

Monday, April 1 through Saturday, November 16

- MONDAYS** 12:00pm-4:00pm
- WEDNESDAYS** 8:00am-6:30pm (or dusk\*)
- FRIDAYS** 12:00pm-4:00pm
- SATURDAYS** 8:00am-3:00pm

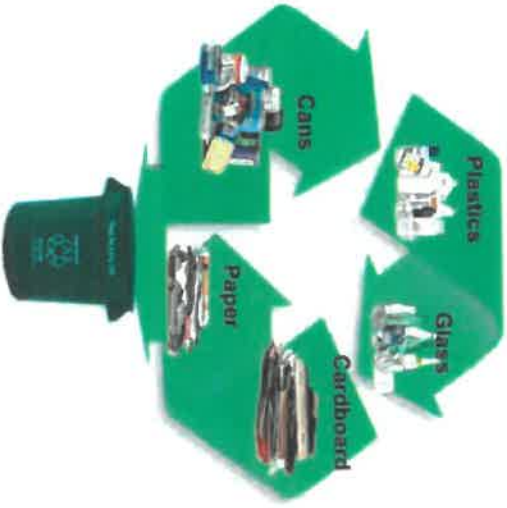
\*whichever comes first

## Curbside Collection

- Yard Waste (grass, branches, trimmings and yard waste etc) is collected in rigid containers. Residents must provide their own container and should place yard waste stickers on the container for collection. These containers should be 32 gallon or less.
- Yard Waste in plastic bags will not be accepted. City issued recycling bins cannot be used for yard waste.
- Container stickers are available at the Recycling Office or they can be mailed to you.



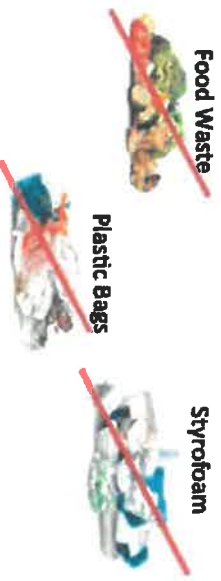
## Curbside Collection



One bin for mixed recycling makes recycling easier than ever! There's no sorting or separating - just put all recyclable items in your recycling bin and we take care of the rest.

Contaminants are items that cannot be recycled in the curbside recycling.

Please do not place these **contaminants** in the recycling bin:



Recycling bins are available at 610 S. 10th St. Only City of Allentown recycling bins are to be used for collection.

Recycling is the law



## Curbside Rules

Trash is collected twice a week and recycling once a week.

Not sure what your collection days are? Call the office at 610-437-8729 or visit [allentownpa.gov/recycle](http://allentownpa.gov/recycle)

- ◆ Trash & recycling must be placed out after 5:00pm and before 10:00pm. Place in front of your property at the curb. SWEEP tickets may be issued for items out before 5:00pm.

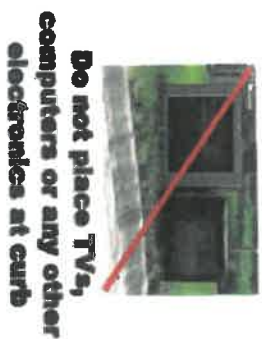


- ◆ Trash and recycling bins/containers may NOT be stored in front of your property, including on the front porch.

- ◆ Trash MUST be in bags or cans (not in boxes). Cardboard boxes must be recycled.

Residents are allowed up to 5 bags (40 lbs. max each) OR two 32 gallon maximum trash cans (70 lbs. max per can) on each trash collection night. (Cans designed for automated collection should not be used.)

One BULK ITEM (sofa, table, chairs) OR 40 lbs. maximum of contained construction material (lumber, drywall, sheet rock, etc.) is allowed on your second trash collection night. Household trash may NOT be placed in sidewalk litter receptacles.



Do not place TVs, computers or any other electronics at curb

For weather and holiday related changes please check [wfnz.com](http://wfnz.com) or [allentownpa.gov/recycle](http://allentownpa.gov/recycle)



# City of Allentown

## Trash & Recycling Curbside Collection Program

**Landlords** – You must provide this information to your tenants. Call for copies.

**QUESTIONS / PREGUNTAS**  
610-437-8729

*Si necesita una explicación en Español, por favor llámenos.*

### Curbside Rules:

- ◆ Trash & recycling bins cannot be stored on the front porch or on the front of the property.
- ◆ Twice a week trash collection and once a week recycling. Call if unsure of your nights.
- ◆ Put trash & recycling out between 5pm and 10pm on your nights only.
- ◆ Trash & Bins must be placed in front of your property for collection.
- ◆ Trash must be in bags or bagged in cans. No loose trash in boxes or cans. Boxes must be recycled.
- ◆ NO TVs, computers or electronics at curb for collection.
- ◆ NO plastic bags, tires, car batteries, car parts, hazardous items, liquid paint, chemicals at curb for collection.
- ◆ Empty containers must be removed from curb within 12 hours after collection.
- ◆ Household trash may not be placed in sidewalk litter baskets or Solar Belly receptacles.

### Limits

#### Trash - Two Times Per Week

- 5 bags of trash (30 gallon bags, 40 pounds max)  
OR
- 2 trash cans (70 pounds max weight per can, 32 gallon can max)

#### Bulk Item / Construction Material

**ONLY on the Second Collection Night (Wednesday, Thursday or Friday Night Zones)**

- One bulk item (furniture, mattress, carpeting, etc.)  
OR
- 40 pounds maximum of contained construction material (lumber, drywall, sheet rock, etc.)

### Mixed Recycling:

- Flattened cardboard & boxes
- Plastic bottles & containers (#1- #7)
- Food & beverage cartons (milk, juice & soup)
- Food & beverage cans (aluminum & steel)
- Aluminum foil and pie plates
- Glass bottles & jars (food & beverage)
- File folders and office paper
- Mail, magazines and newspapers
- Paperboard boxes (cereal, food, tissue and boxes, paper towel rolls)

Flatten bigger boxes and place next to either the green or blue. NO loose cardboard. Containers are for recycling only. Misuse of containers is subject to SWEEP fine.

#### Recycling is The Law

Every resident and tenant must have a recycling bin. They are FREE and can be picked up at 641 S. 10th st

### Yard Waste Recycling

Curbside yard waste pickup on your recycling night begins in April and ends the week of Thanksgiving.

- GRASS, YARD WASTE, BRANCHES, TRIMMINGS, ETC. in a separate can from your trash or bundled. Yard waste stickers are available for your cans.

Yard Waste Site drop off site is open from April through Thanksgiving. Call for more information or visit our website.

### Appliance Recycling

Appliance & large metal items  
Call 610-437-8729 for pickup.  
**\$20 fee for freon appliances.**  
No charge for other appliance or large metal items.



Do not place unapproved metal items out for curb side collection

### Allentown Recycling Drop Off Center

1400 Martin Luther King, Jr. Drive next to the 15th Street Bridge  
Open 24/7 to Everyone

We accept:

- Corrugated cardboard Paperboard (cereal & food boxes, tissue and shoe boxes, paper egg cartons, paper drink carriers, etc.)
- Mixed color paper & magazines
- Newspapers
- Books & phone books
- Glass bottles and jars
- Cans, aluminum foil and pie plates
- Clothing, shoes, hats, drapes, etc.

Paper Shredding Services Available

Please call for an appointment  
610-437-8729

**Taking of recyclables and illegal dumping of non-recyclables is prohibited and subject to fines.**

**Not Accepted at the Recycling Drop Off Center:**  
Freon appliances, construction debris, wood, window glass, trash, mattresses, furniture, Styrofoam, etc

# City of Allentown Litter, Trash & Recycling Laws

## Neighborhood Improvement Ordinance, Article 720

- Littering, causing litter or allowing debris to scatter is prohibited. Children over the age of 10 and/or their parents can be ticketed.
- Trash and/or debris may not accumulate on the exterior of a property.
- Cannot permit or store furniture on the exterior of the property including the front porch.
- Litter must be cleaned and removed daily from the property, including sidewalks and tree wells.
- Sweeping or depositing litter in the street or storm sewer is prohibited.
- Property owners are responsible for the condition of their property.
- Grass or weeds may not exceed 10 inches on property, tree wells and planter strips.
- Illegal dumping on public or private property is prohibited. Dumping of hazardous materials, such as motor oil, is prohibited. Fine up to \$5000
- Litter baskets are for hand-held trash. Household or commercial trash is prohibited in litter baskets or Solar Belly compactors.
- Damaging a City litter basket or Solar Belly is illegal.
- Handbills and flyers cannot be posted in the public right of way or on private property without the permission of the owner.
- Advertising and newspapers must be delivered to private property so as not to cause litter and may not be delivered to property owners who decline delivery.
- Shopping carts from stores may not be used on City streets or sidewalks.
- Shopping carts shall not be removed from the store premises.
- Property owners must have graffiti removed within 10 days of notification.
- The sale to or possession of spray paint by minors is prohibited.
- The possession of spray paint or permanent markers in public parks and buildings is prohibited. Those caught in the act of graffiti are subject to arrest.
- Vehicles can not be parked on grass, dirt or stone.

## Solid Waste Ordinance, Article 1131

- Trash must be set out for collection in closed bags or containers with tight-fitting lids. Boxes may not be used as trash containers.
- No more than 5 bags of trash allowed on each night (30 gallon bags, 40 pounds maximum weight) or no more than 2 trash cans allowed (70 pounds max weight per can) may be placed out on each trash night.
- On the second trash collection night of the week (Wednesday, Thursday or Friday night zones) only 1 bulk item (furniture, mattresses, etc.) or 40 pounds of maximum of construction material (carpeting, lumber, drywall, etc.) may be placed out for collection. NO TVs, computers or electronics.
- Trash and recyclables must be set out in front of the property where they are generated.
- Trash and recyclables from residences must be set out between 5 pm and 10 pm on the designated nights of collection for your area.
- Trash may not cause litter.
- Trash and recycling containers may not be stored in front of a property or on the front porch.
- Containers must be retrieved from the curb within 12 hours after collection.
- Hazardous waste, TV's, electronics, computers, batteries, liquid paint, tires and auto parts with fluids may not be set at the curb for City collection. Call 610 437-8729 for disposal info.
- Businesses, non-profits, organizations, etc. must pay the annual City trash fee to use City collection. Dumpsters may not overflow or cause litter.
- Trash and recyclables from businesses in City collection may not be set out before 5 pm and 10pm on the designated nights of collection for your area.
- Entities with private trash collection containers must prevent waste from overflowing, causing litter or creating a nuisance.
- Mixing recyclables with trash is prohibited.

## Residential and Commercial Recycling Ordinances, Articles 1137 and 1139

- Residents and businesses in City curbside collection must place all recycling in either their green or blue bin.
- All businesses, non-profits, schools and institutions are required to recycle cardboard, office paper, cans and bottles.
- Apartment complexes with private collection must provide recycling bins in each unit and education to the tenants.
- It is illegal to steal recyclables, including appliances, from the curb, the Recycling Center or any private property.



City of Allentown  
Bureau of Recycling & Solid Waste  
641 S 10th St Allentown Pa 18103  
Allentown, PA 18102  
610-437-8729  
[www.allentownpa.gov/recycle](http://www.allentownpa.gov/recycle)

Printed on recycled  
and recyclable paper.



[www.facebook.com/  
/AllentownRecycles](http://www.facebook.com/AllentownRecycles)

**PLEASE REPORT GRAFFITI,  
SCAVENGING, ILLEGAL DUMPING  
AND OTHER PROBLEMS  
TO 610-437-8729  
(In progress call 911)**

**SWEEP Officers and other  
City Bureaus are issuing  
Tickets for Ordinance Violations.**

The City's contracted hauler is rejecting  
items over the allowed limits and in  
violation of the rules and notifying  
Allentown SWEEP.

**For example, tickets are  
issued for:**

- ▶ Large piles of trash & cleanouts on the curb.
- ▶ Excess amounts of construction material.
- ▶ Illegal dumping.
- ▶ Litter accumulation on sidewalks.
- ▶ Litter, trash or debris accumulation on property.
- ▶ Not removing rejected items from curb.
- ▶ High grass and weeds over 10 inches.
- ▶ Misuse of recycling containers.

**Appendix D**  
**Sample Tickets/Violation Notices**

# PVN



CITY OF  
LANCASTER

*A City Authentic*

DATE: \_\_\_\_\_

OFFICER: \_\_\_\_\_

LOCATION: \_\_\_\_\_

REFERENCE #: \_\_\_\_\_

This property has received a \$25.00 fine for a property violation notice. An Invoice will be mailed to the property owner. See below for the violation that was observed. You are responsible to correct the violation as soon as possible.

**Brush/Grass/Weeds:** Vegetation may not exceed 6 inches in length.

**Maintenance of Private Property:**  
\_\_\_\_\_  
\_\_\_\_\_

**Snow Removal:** Snow/Ice must be removed from sidewalk within 5 hours of the last snowfall.  
\_\_\_\_\_

**Indoor Stuffed Furniture on Porch:**  
\_\_\_\_\_

**Failure to Recycle:**  
\_\_\_\_\_

**Improper Storage of Containers:**  
\_\_\_\_\_

**Improper Set Out Day/Time:**  
\_\_\_\_\_

**Appliance/Electronics Disposal:**  
\_\_\_\_\_

If you have questions related to this notice, you may contact the issuing officer at: \_\_\_\_\_ or 717-291-4744. If the violation is not corrected, additional fines and or abatement costs may result.



CITY OF LANCASTER  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SOLID WASTE & RECYCLING  
717-291-4744  
OFFICIAL S.W.E.E.P. NOTICE

Date: \_\_\_\_\_ Officer #: \_\_\_\_\_

Location: \_\_\_\_\_  
THE FOLLOWING SOLID WASTE CODE VIOLATIONS HAVE BEEN OBSERVED AND REQUIRE CORRECTION. ENSURE THE VIOLATIONS ARE CORRECTED WITHIN THE ALLOTTED TIME AS DENOTED ON THIS NOTICE.

NOTED VIOLATIONS/TIME ALLOTTED FOR COMPLIANCE:

- Littered Property/Sidewalk** \_\_\_\_\_  
Please clean up litter and trash from in front of your property.
- Trash/Recycle Out too Early for Collection** \_\_\_\_\_  
Trash/Recycle may not be placed out for collection before 6 P.M. the night before scheduled collection.
- Loose or Messy Trash** \_\_\_\_\_  
Place only tied up bags without rips or tears or in refuse cans with tight fitting lids.
- Improper Trash/Recycle Storage** \_\_\_\_\_  
Trash/Recycle containers may not be stored in front of your property, on your porch or in view of the public.
- Trash Out on Wrong Day for Collection** \_\_\_\_\_  
Trash may only be placed at curbside the night before scheduled collection. Your service day is \_\_\_\_\_.
- Exceeding Trash Limit** \_\_\_\_\_  
Each unit may only have 6-(32) gallon bags/cans or 4-(32) gallon cans/bags with a large refuse item. Tags for extra bags may be purchased at Treasury located at 39 W. Chestnut St.
- Failure to Recycle** \_\_\_\_\_  
City and State law require aluminum and steel cans, plastic containers w/neck labeled #1 or #2, glass jars and bottles and newspaper to be placed in the green recycling bin for weekly collection.
- Trash in Recycle Bin** \_\_\_\_\_  
No pizza boxes, napkins, paper towels, food waste, plastic toys or kitchen dishes, lightbulbs or window glass. Please rinse containers and remove lids.
- Brush/Weeds/Grass** \_\_\_\_\_  
Property owners shall remove, trim or cut all grass, weeds or other vegetation. May not exceed six inches in height.
- Indoor Stuffed Furniture on Porch** \_\_\_\_\_  
Furniture that is designed for indoor use may not be kept in the exterior of the property.
- Other** \_\_\_\_\_

IF YOU HAVE QUESTIONS PLEASE CONTACT THE BUREAU OF SOLID WASTE & RECYCLING AT 717-291-4744

**Future violations may result in a \$25 Administraion Ticket.**



# NOTICE OF VIOLATION

ADDRESS: \_\_\_\_\_

**You are in Violation  
of City Ordinance:**

**You Must:**

<input type="checkbox"/>	<b>Littered sidewalk area/tree well.</b>	<input type="checkbox"/>	Clean up litter in front of your residence daily.
<input type="checkbox"/>	<b>Trash, junk or debris on property:</b>	<input type="checkbox"/>	Remove the trash, junk and debris and clean up the property. Place items out <u>neatly</u> for City collection between 5:00 pm and 10:00 pm only. <b>Trash Limits:</b> 5 bags or 2 containers only per collection night. One bulk item or 40 lbs of construction debris on second night of collection.
<input type="checkbox"/>	<b>Trash or recycling containers stored in front of property or on front porch.</b>	<input type="checkbox"/>	Remove containers from the front of the property.
<input type="checkbox"/>	<b>Trash is messy and could create litter.</b>	<input type="checkbox"/>	Clean up messy trash. Place in tied bags without rips or tears or in lidded trash cans. Place items out <u>neatly</u> for City collection between 5:00 pm and 10:00 pm only.
<input type="checkbox"/>	<b>Trash and/or recycling is out early for collection.</b>	<input type="checkbox"/>	Remove trash and/or recycling from the sidewalk. You may not place trash out for collection prior to 5:00 pm. Recycling bins are for cans & bottles, mail, newspapers and cardboard.
<input type="checkbox"/>	<b>Bulk item or construction debris on wrong night</b>	<input type="checkbox"/>	Place one bulk item or 40 lbs of construction debris on second night of collection.
<input type="checkbox"/>	<b>Trash and/or Recycling containers left at curb after collection.</b>	<input type="checkbox"/>	Remove all containers from the sidewalk within 12 hours after collection. Do not store containers on the front porch or in the front of your residence.
<input type="checkbox"/>	<b>Trash in a recycling bin or misuse of a recycling bin.</b>	<input type="checkbox"/>	Remove and cleanout trash or non-recyclable items from recycling bin. Recycling bins may only be used to recycle cans & bottles and mail, newspaper & cardboard.
<input type="checkbox"/>	<b>Not Recycling. Recyclable cans, bottles, papers are mixed in with the trash.</b>	<input type="checkbox"/>	YOU MUST RECYCLE cans and bottles, mail, newspapers & cardboard in the recycling bin. The recycling bins are FREE. Call 610-437-8729.
<input type="checkbox"/>	<b>Graffiti on property.</b>	<input type="checkbox"/>	Remove graffiti from your property. Call Allentown Recycling, 610-437-8729 to authorize FREE graffiti removal.
<input type="checkbox"/>	<b>High weeds/grass exceeding 10" in height.</b>	<input type="checkbox"/>	Trim/mow high grass or weeds on a regular basis, including sidewalk area and treewell.
<input type="checkbox"/>	<b>Other</b>	<input type="checkbox"/>	



SWEEP OFFICER # \_\_\_\_\_ Date: \_\_\_\_\_

SWEEP  
City of Allentown, Bureau of Recycling and Solid Waste  
641 S 10th Street, Allentown, PA 18103  
610-437-8729

**Violation must be corrected by:**

**Failure to do so may result in  
a SWEEP Violation Ticket  
or a Citation to be issued.**



City of Allentown • SWEEP • Bureau of Recycling and Solid Waste  
641 S. 10<sup>th</sup> Street • Allentown, PA 18103 • 610-437-7770 • Fax 610-437-8732  
[www.allentownpa.gov/SWEEP](http://www.allentownpa.gov/SWEEP)

Date: \_\_\_\_\_

Owner/Violator: \_\_\_\_\_

Re: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### **PUBLIC NUISANCE VIOLATION NOTICE**

An inspection of the above referenced property revealed a violation of Ordinance #13008, as amended, known as the Allentown Neighborhood Improvement Ordinance. The violation listed below constitutes a PUBLIC NUISANCE.

\_\_\_\_\_  
\_\_\_\_\_

You are hereby notified that this PUBLIC NUISANCE must be corrected within \_\_\_\_\_ of posting of this notice.

Failure to comply with this notice will cause the City to secure the services of a private contractor to eliminate this PUBLIC NUISANCE. You will be issued a SWEEP ticket fine in the amount of \$100 plus costs for these services.

**If you do not pay this ticket plus additional costs, a citation will be filed in District Court where the maximum fine is \$1,000 plus Court costs.**

If you have any questions, please contact SWEEP at 610-437-7770.

Sincerely,

\_\_\_\_\_  
SWEEP Officer

TMH:gh (n:\sweep\forms\publicnuisance-general.doc)





City of Allentown • SWEEP • Bureau of Recycling and Solid Waste  
641 S. 10<sup>th</sup> Street • Allentown, PA 18103 • 610-437-7770 • Fax 610-437-8732  
[www.allentownpa.gov/SWEEP](http://www.allentownpa.gov/SWEEP)

Date: \_\_\_\_\_

Owner/Violator: \_\_\_\_\_

Re: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **PUBLIC NUISANCE VIOLATION NOTICE**

An inspection of the above referenced property revealed a violation of Ordinance #13008, as amended, known as the Allentown Neighborhood Improvement Ordinance. The violation listed below constitutes a PUBLIC NUISANCE.

#### **GRASS AND/OR WEEDS ON PROPERTY EXCEEDS 10" IN HEIGHT**

You are hereby notified that this PUBLIC NUISANCE must be corrected within \_\_\_\_\_ of posting of this notice.

Failure to comply with this notice will cause the City to secure the services of a private contractor to eliminate this PUBLIC NUISANCE. You will be issued a SWEEP ticket fine in the amount of \$100 plus costs for these services.

**If you do not pay this ticket plus additional costs, a citation will be filed in District Court where the maximum fine is \$1,000 plus Court costs.**

If you have any questions, please contact SWEEP at 610-437-7770.

Sincerely,

\_\_\_\_\_  
SWEEP Officer

TMH:gh (n:\sweep\forms\publicnuisance-grass weeds.doc)





City of Allentown • SWEEP • Bureau of Recycling and Solid Waste  
641 S. 10<sup>th</sup> Street • Allentown, PA 18103 • 610-437-7770 • Fax 610-437-8732  
[www.allentownpa.gov/SWEEP](http://www.allentownpa.gov/SWEEP)

Date: \_\_\_\_\_

Owner/Violator: \_\_\_\_\_

Re: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

## **PUBLIC NUISANCE VIOLATION NOTICE**

An inspection of the above referenced property revealed a violation of Ordinance #13008, as amended, known as the Allentown Neighborhood Improvement Ordinance. The violation listed below constitutes a PUBLIC NUISANCE.

### **ACCUMULATION OF TRASH AND DEBRIS ON PROPERTY**

You are hereby notified that this PUBLIC NUISANCE must be corrected within \_\_\_\_\_ of posting of this notice.

Failure to comply with this notice will cause the City to secure the services of a private contractor to eliminate this PUBLIC NUISANCE. You will be issued a SWEEP ticket fine in the amount of \$100 plus costs for these services.

**If you do not pay this ticket plus additional costs, a citation will be filed in District Court where the maximum fine is \$1,000 plus Court costs.**

If you have any questions, please contact SWEEP at 610-437-7770.

Sincerely,

\_\_\_\_\_  
SWEEP Officer

TMH:gh (n:\sweep\forms\publicnuisance-trash debris.doc)





City of Allentown Bureau of Recycling and Solid Waste  
641 S 10th St. • Allentown, PA 18103 • 610-437-7770 • Fax 610-437-8732  
[www.allentownpa.gov/sweep](http://www.allentownpa.gov/sweep)

9/13/2018

## NOTICE

RE:

The above referenced property may be in violation of Ordinance #13008, as amended, Article 720.09(C)(2) known as the City of Allentown Neighborhood Improvement Ordinance.

**Vehicle parking is not permitted on grass, stone, dirt or landscaped areas of the property. All parking areas must be in compliance with all applicable City ordinances, codes and regulations.**

You are hereby notified that this vehicle(s) must be removed from the grass, stone, dirt or landscaped areas of the property within 72 hours of receipt of this notice.

Failure to comply with this notice will result in you being issued a SWEEP violation ticket fine in the amount of \$100.00.

If this notice is for a rental property, you as the landlord are responsible to enforce the provisions of your lease to address this violation. Notice will not be transferred by the City to your tenant.

For additional information regarding acceptable surfaces for vehicle parking, you must contact the Bureau of Zoning at 610-437-7630. If you have any questions regarding this notice, please contact SWEEP at 610-437-7770.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Harper".

Thomas M Harper  
SWEEP and Animal Control Manager

0398  
C57161





City of Allentown Bureau of Recycling and Solid Waste  
641 S 10th St. • Allentown, PA 18103 • 610-437-7770 • Fax 610-437-8732  
www.allentownpa.gov/sweep

9/13/2018

## PUBLIC NUISANCE VIOLATION NOTICE

RE:

The above referenced property may be in violation of Ordinance #13008, as amended, Article 720.09D known as the City of Allentown Neighborhood Improvement Ordinance.

### VEGETATION (TREES, SHRUBS, BUSHES, ETC.) ON PROPERTY ARE NOT BEING MAINTAINED

You are hereby notified that this PUBLIC NUISANCE must be corrected within 10 days of the date on this notice. THIS IS THE ONLY NOTICE YOU WILL RECEIVE FOR THIS CALENDAR YEAR.

Failure to comply with this notice will cause the City to secure the services of a private contractor to eliminate this PUBLIC NUISANCE. You will be issued a SWEEP ticket fine in the amount of \$100 in addition to the costs for these services and any associated fees.

If this notice is for a rental property, you as the landlord are responsible to enforce the provisions of your lease to address this violation. Notice will not be transferred by the City to your tenant.

If you have any questions, please contact SWEEP at 610-437-7770.

Thomas M Harper  
SWEEP and Animal Control Manager

0398  
C57161





City of Allentown Bureau of Recycling and Solid Waste  
641 S 10th St. • Allentown, PA 18103 • 610-437-7770 • Fax 610-437-8732  
[www.allentownpa.gov/sweep](http://www.allentownpa.gov/sweep)

9/13/2018

## PUBLIC NUISANCE VIOLATION NOTICE

RE:

The above referenced property may be in violation of Ordinance #13008, as amended, Article 720.09B known as the City of Allentown Neighborhood Improvement Ordinance.

### GRASS AND WEEDS ON PROPERTY EXCEED 10" IN HEIGHT (INCLUDING SIDEWALK AND TREETWELL AREAS IF APPLICABLE)

You are hereby notified that this PUBLIC NUISANCE must be corrected within 5 days of the date on this notice. THIS IS THE ONLY NOTICE YOU WILL RECEIVE FOR THIS CALENDAR YEAR.

Failure to comply with this notice will cause the City to secure the services of a private contractor to eliminate this PUBLIC NUISANCE. You will be issued a SWEEP ticket fine in the amount of \$100 in addition to the costs for these services and any associated fees.

If this notice is for a rental property, you as the landlord are responsible to enforce the provisions of your lease to address this violation. Notice will not be transferred by the City to your tenant.

If you have any questions, please contact SWEEP at 610-437-7770.

Thomas M Harper  
SWEEP and Animal Control Manager

0398  
C57161





City of Allentown  
 Bureau of Recycling and Solid Waste  
 641 S 10th St.  
 Allentown, PA 18103  
 610-437-7770 - Fax 610-437-8732  
 www.allentownpa.gov/sweep

## SWEEP VIOLATION TICKET

JANE DOE  
 1234 BLANK ST  
 ALLENTOWN PA 18101

Location of Violation:  
 1234 BLANK ST

Ticket #	Total Fine
S1150137	\$100.00
Date of Violation	Due Date
9/11/2018	9/26/2018



An investigation by the SWEEP Program has determined you are in violation of the following City of Allentown Ordinance(s), as amended.

**Violation(s):** 720.09 (A)(2) Accumulation or storage of trash/debris or items on the property \$100.00  
**Description:** ACCUMULATION OF TRASH/DEBRIS ON THE PROPERTY. ~ TH

**Total Due.....** **\$100.00**

Ticket must be paid within 10 days to avoid a late penalty fee. This ticket may be appealed by 9/26/2018. Appeal forms are available for download at [www.allentownpa.gov/sweep](http://www.allentownpa.gov/sweep) or you may pick one up in person at the Bureau of Recycling and Solid Waste. Failure to resolve the ticket may result in a citation filed against you in District Court.

Payment options:

1. By mail, make check or money order payable to the City of Allentown and mail in the enclosed envelope.
2. In person, payment can be made at the Bureau of Recycling & Solid Waste or at City Hall.
3. Credit Cards Not Accepted.

**IMPORTANT:** You have 72 hours to correct this violation. Each day the violation continues shall constitute a separate offense and is subject to additional fines. Property may be checked for compliance and failure to correct this violation could result in further legal action to be taken.

If you have any questions, please call 610-437-7770.

RETURN THIS PORTION

SWEEP - Bureau of Recycling and Solid Waste  
 641 S 10th St.  
 Allentown, PA 18103



Issuing Officer: 0398

Ticket #
S1150137
Location of Violation:
1234 BLANK ST

Total due by 9/26/2018..... \$100.00  
 Payment made between 9/27/2018 and 10/7/2018 penalty added..... \$125.00

JANE DOE  
 1234 BLANK ST  
 ALLENTOWN PA 18101

Indicate Amount Paid

Please write the ticket # on your check or money order.



## SubFRM\_ManageViolations

ClerkKey	seesub	Secdesc	Fine	Fine2	Fine3	Fine4
*01		Additional Costs for trash/debris removal by the City	0	0	0	0
*02		Additional Costs for City graffiti clean-up	0	0	0	0
*03		Additional Costs for Grass/Weed Cutting	0	0	0	0
*04		Additional Fines/Fees	0	0	0	0
*05		Additional Costs for City Trash Fee	0	0	0	0
*06		Pruning of shrubbery.	0	0	0	0
*07	700.07 (B)(2)	Animal control City of Allentown impoundment fee.	5	0	0	0
*08		Additional Costs for Property Clean Up	0	0	0	0
*09		Additional Animal Control Costs	0	0	0	0
*11		Abatement of Public Nuisance.	0	0	0	0
*12		Additional cost for cutting vegetation	0	0	0	0
*13	1137.02 (F)(1)	Freon disposal fee	20	20	20	20
*PS1	1760.03	Pre-Sale Inspection Fee				
A01	720.04 (A)	Using litter basket for household or business trash	100	100	100	100
A02	720.04 (C)	Damaging a City litter basket	25	25	150	300
A03	720.06 (A)	Illegal placement of handbills, newspapers or notices	25	25	150	300
A04	720.08 (C)	Vehicle depositing substance onto City street	25	25	150	300
A05	720.09 (F)	Graffiti on property	25	25	150	300
A06	720.10 (B)	Aiding or abetting graffiti vandalism	100	100	250	500
A07	720.11 (A)	Illegal sale or purchase of spray paint/markers	100	100	250	500
A08	720.11 (B)	Illegal possession of spray paint/markers by minor	100	100	250	500
A09	720.11 (C)	Illegal possession of spray paint/markers in public parks and buildings	100	100	250	500
A10	720.12 (A)	Misuse of shopping cart	25	25	150	300
A11	720.12 (B)	Shopping cart not marked with owner's name	25	25	150	300
A12	720.12 (C)	No posted store sign, "Removal of carts/subject to fine."	25	25	150	300
A13	720.12 (D)	Shopping cart not retrieved by owner after notification	25	25	150	300
A14	720.06 (C)	Posted advertisements	100	100	250	500
A15		Junk, trash & debris accumulation	100	100	100	100
A16	720.09 (B)	High grass and weeds (Minor)	25	25	25	25
A17	720.09 (B)	High grass/weeds	100	100	100	100
A18	720.09 (E)(1)	Junk/Abandoned Vehicle	100	100	250	500
A20	720.09 (A)(2)	Storage/use of interior furniture on property exterior	25	25	25	25
A21	720.03	Throwing/sweeping/blowing litter into street	25	25	150	300
A22	720.09 (E)	Unmaintained vegetation on property.	100	100	250	500
A23	720.12	Shopping carts	100	100	100	100
A24	720.09(A)(2)	Storage of appliances on exterior of property.	100	100	100	100
A25	720.09(C)(1)(b)	Running bamboo within 20' of any property line	100	100	100	100
A26	720.09(C)(1)(c)	Running bamboo not contained within approved barrier	100	100	100	100
A27	720.09(C)(2)	Improper disposal of running bamboo	100	100	100	100
AD1	720.94 (F)	Administrative Fee	300	300	300	300
B01	1131.02 (B)(1)(a)	Trash set out in wrong location	25	25	25	25
B02	1131.02 (C)(1)(a)	Using City trash without paying trash fee	100	100	100	100
B03	1131.02 (B)(2)	Failure to pay \$35 annual inspection fee	25	25	25	25
B04	1131.05 (1)	Failure to provide private trash collection	100	100	100	100
B05	1131.03 (A)	Unlicensed waste hauler	100	100	100	100
B06	1131.04 (A)(3)	Failure to post Trash & Recycling Info sticker	25	25	25	25
B07	1131.04 (B)(3)(d)	Containers not removed from curb w/in 12 hours	25	25	25	25
B08	1131.04(B)(3)	More than 40 pounds of construction material out for collection	100	100	100	100
B09	1131.05 (1)(A)	Littered dumpster/trash/recycling storage area	100	100	100	100
B10	1131.06 (C)	Mixing trash & recyclables by a Collector	100	100	100	100

### SubFRM\_ManageViolations

ClerkKey	seesub	Secdesc	Fine	Fine2	Fine3	Fine4
B12	1131.04 (B)(4)	Exceeding trash limits (level 2)	100	100	100	100
B13	1131.04 (B)(4)	Exceeding trash limits (Level 1)	25	25	25	25
B14	1131.04 (B)(4)	Exceeding bag/container weight limits	25	25	25	25
B15	1131.04 (B)(1)(c)	Trash in boxes	25	25	25	25
B16	1131.04 (B)	More than 1 bulk item out for collection	25	25	25	25
B17	1131.08 (B)	Hazardous material	100	100	100	100
B18	1131.02 (C)	Failure to pay annual trash fee	100	100	100	100
B19	1131.04 (B)(2)(c)	Failure to provide container storage area for tenants	25	25	25	25
B20	1131.05 (1)(A)	Dumpster lids not closed.	25	0	0	0
B21	1131.05 (1)(A)	Overflowing dumpster/trash/recycling containers	100	100	100	100
B99	1137.04	Improper search through dumpsters	25	25	25	25
BANK		BANKRUPTCY				
BK1	720.14 (A)	Bicycle riding on sidewalk in Business District	25	25	25	25
BL1		Animal Bite-Human Exposure				
BL2		Animal Bite-Animal on Animal				
BS00	1741	Administrative & Enforcement	100	100	100	100
BS01	1743	Basic Equipment and Facilities	100	100	100	100
BS02	1744	Ventilation and Heating	100	100	100	100
BS03	1745	Safety from Fire	100	100	100	100
BS04	1746	Space, Use and Location	100	100	100	100
BS05	1747	Safe and Sanitary Maintenance	100	100	100	100
BS06	1748	Cooking Equipment	100	100	100	100
BS07	1749	Responsibilities of Owners and Occupants	100	100	100	100
BS08	1750	Discontinuance of Required Services, Facilities, Equipment or Utilities	100	100	100	100
BS09	1751	Rooming Houses	100	100	100	100
BS10	1752	Vacant Buildings	100	100	100	100
BS11	1753	Nonresidential Standards Environmental Requirements	100	100	100	100
BS12	1754	Exterior of Structure	100	100	100	100
BS13	1755	Interior of Structure	100	100	100	100
BS14	1756	Space, Sanitary and Occupancy Requirements	100	100	100	100
BS15	1757	Fire Safety	100	100	100	100
BS16	1759	Licensing Residential Rental Units	100	100	100	100
BS17	1760	Buyer Notification Inspection of Residential Properties and Units	100	100	100	100
BS18	1761	Pre-Sale Inspection	100	100	100	100
C01	1137.03 (A)	Not recycling properly	25	25	25	25
C02	1137.05 (B)	Misuse of recycling container	25	25	25	25
C03	1137.07	Failure to recycle yard waste	25	25	25	25
D01	1139.02 (A)	Failure to recycle by a commercial entity	25	25	25	25
D02	1139.02 (C)	Failure to provide private recycling collection	100	100	100	100
D03	1137.02 (A)	Failure to recycle properly	25	25	25	25
D04	1139.02 (E)	Failure to recycle cardboard (private collection or in city collection)	25	25	25	25
D05	720.09 (A)(4)	Trash stored on the fire escape	25	25	25	25
D06	1139.06 (C)(1)(a)	Overflowing recycling containers causing litter	25	25	25	25
D07	1139.06	Failure to provide tenants with recycling collection/containers/education	100	100	100	100
D08A	1139.04 (A)	Failure to provide proof of contract	100	100	100	100
D08B	1139.04 (B)	Failure to submit annual reports - Owner/Operator	100	100	100	100
D08C	1139.04 (C)	Failure to submit annual Municipal waste reports - Hauler	100	100	100	100
D08D	1139.04 (D)	Failure to submit annual Municipal recycling reports - Hauler	100	100	100	100
D09	1139.10	Transporting recycling and causing litter / unsecured load	100	100	100	100
DOC	720.08 (A)	Placement of unauthorized items at Drop Off Center	100	100	100	100

## SubFRM\_ManageViolations

ClerkKey	seclub	Secdesc	Fine	Fine2	Fine3	Fine4
E01	1139.11	Unauthorized collection of recyclable materials	25	25	25	25
E02	1131.08 (B)	Placing HHW out for city collection	25	25	25	25
E03	1131.04 (A)(1)	Owner not providing sufficient number of containers	25	25	25	25
E04	1131.04 (A)(2)	Containers not marked with address	25	25	25	25
E05	1131.06 (A)	Authorized Collectors' vehicles creating litter / spills	25	25	25	25
EH01	INSP ITEM #1	FAILURE OF PERSON-IN-CHARGE	100	100	100	100
EH02	INSP ITEM #2	EMPLOYEE HEALTH MGMT RESPONSIBILITIES REPORTING	100	100	100	100
EH03	INSP ITEM #3	FAILURE TO RESTRICT OR EXCLUDE ILL EMPLOYEES	100	100	100	100
EH04	INSP ITEM #4	NO WRITTEN PROCEDURE FOR VOMITING / DIARRHEAL EVENTS	100	100	100	100
EH05	INSP ITEM #5	IMPROPER EATING OR DRINKING, TOBACCO USE	100	100	100	100
EH06	INSP ITEM #6	DISCHARGE FROM EMPLOYEE EYES, NOSE OR MOUTH	100	100	100	100
EH07	INSP ITEM #7	HANDS NOT CLEAN, NOT PROPERLY WASHED	100	100	100	100
EH08	INSP ITEM #8	BARE HAND CONTACT WITH READY TO EAT FOOD	100	100	100	100
EH09	INSP ITEM #9	HANDWASHING SINK NOT ACCESSIBLE OR NOT SUPPLIED	100	100	100	100
EH10	INSP ITEM #10	FOOD FROM UNAPPROVED SOURCE	100	100	100	100
EH11	INSP ITEM #11	FOOD NOT RECEIVED AT PROPER TEMPERATURE	100	100	100	100
EH12	INSP ITEM #12	FOOD NOT IN GOOD CONDITION, SAFE OR UNADULTERATED	100	100	100	100
EH13	INSP ITEM #13	FAILURE TO MAINTAIN SHELLSTOCK RECORDS/TAGS, IMPROPER PARASITE DESTRUCTION	100	100	100	100
EH14	INSP ITEM #14	FOOD NOT SEPARATED OR PROTECTED	100	100	100	100
EH15	INSP ITEM #15	FOOD CONTACT SURFACES NOT CLEANED OR SANITIZED	100	100	100	100
EH16	INSP ITEM #16	RETURNED, PREVIOUSLY SERVED, UNSAFE FOOD	100	100	100	100
EH17	INSP ITEM #17	IMPROPER COOKING TIME / TEMPERATURE	100	100	100	100
EH18	INSP ITEM #18	IMPROPER REHEATING FOR HOT HOLDING	100	100	100	100
EH19	INSP ITEM #19	IMPROPER COOLING TIME / TEMPERATURE	100	100	100	100
EH20	INSP ITEM #20	IMPROPER HOT HOLDING TEMPERATURE	100	100	100	100
EH21	INSP ITEM #21	IMPROPER COLD HOLDING TEMPERATURE	100	100	100	100
EH22	INSP ITEM #22	IMPROPER DATE MARKING OR DISPOSITION	100	100	100	100
EH23	INSP ITEM #23	IMPROPER USE OF TIME AS PUBLIC HEALTH CONTROL; IMPROPER PROCEDURE OR RECORD	100	100	100	100
EH24	INSP ITEM #24	FAILURE TO PROVIDE CONSUMER ADVISORY	100	100	100	100
EH25	INSP ITEM #25	USE OF UNPASTEURIZED FOOD, USE OF PROHIBITED FOOD	100	100	100	100
EH26	INSP ITEM #26	USE OF UNAPPROVED FOOD ADDITIVE, IMPROPER USE OF FOOD ADDITIVE	100	100	100	100
EH27	INSP ITEM #27	IMPROPER USE OR STORAGE OF TOXIC SUBSTANCE	100	100	100	100
EH28	INSP ITEM #28	FAILURE TO FOLLOW APPROVED VARIANCE OR HACCP PLAN FOR SPECIALIZED PROCESS	100	100	100	100
EH29	INSP ITEM #29	FAILURE TO USE PASTEURIZED EGGS WHERE REQUIRED	45	45	45	45
EH30	INSP ITEM #30	WATER AND OR ICE FROM UNAPPROVED SOURCE	45	45	45	45
EH31	INSP ITEM #31	NO VARIANCE OBTAINED FOR SPECIALIZED PROCESS	45	45	45	45
EH32	INSP ITEM #32	IMPROPER COOLING METHOD OR INADEQUATE EQUIPMENT FOR TEMPERATURE CONTROL	45	45	45	45
EH33	INSP ITEM #33	PLANT FOOD NOT PROPERLY COOKED FOR HOT HOLDING	45	45	45	45
EH34	INSP ITEM #34	UNAPPROVED THAWING METHOD	45	45	45	45
EH35	INSP ITEM #35	THERMOMETERS NOT PROVIDED OR NOT ACCURATE	45	45	45	45
EH36	INSP ITEM #36	IMPROPER LABELING, NOT ORIGINAL CONTAINER	45	45	45	45
EH37	INSP ITEM #37	PRESENCE OF INSECTS, RODENTS, ANIMALS	45	45	45	45
EH38	INSP ITEM #38	CONTAMINATION DURING FOOD PREPARATION, STORAGE OR DISPLAY	45	45	45	45
EH39	INSP ITEM #39	POOR PERSONAL CLEANLINESS	45	45	45	45
EH40	INSP ITEM #40	WIPING CLOTHS NOT PROPERLY USED OR STORED	45	45	45	45
EH41	INSP ITEM #41	FAILURE TO PROPERLY WASH FRUITS AND VEGETABLES	45	45	45	45

### SubFRM\_ManageViolations

ClerkKey	seesub	Secdesc	Fine	Fine2	Fine3	Fine4
EH42	INSP ITEM #42	IMPROPER STORAGE / HANDLING OF IN-USE UTENSILS	45	45	45	45
EH43	INSP ITEM #43	IMPROPER STORAGE / HANDLING OF UTENSILS EQUIPMENT LINENS	45	45	45	45
EH44	INSP ITEM #44	IMPROPER USE OR STORAGE OF SINGLE-USE / SINGLE-SERVICE ARTICLES	45	45	45	45
EH45	INSP ITEM #45	IMPROPER GLOVE USE	45	45	45	45
EH46	INSP ITEM #46	IMPROPER DESIGN CONSTRUCTION OR USE OF FOOD & NON-FOOD CONTACT SURFACES	45	45	45	45
EH47	INSP ITEM #47	IMPROPER INSTALL, MAINTENANCE OR USE OF WAREWASHING; NO SANITIZER TEST	45	45	45	45
EH48	INSP ITEM #48	NON-FOOD CONTACT SURFACES NOT CLEAN	45	45	45	45
EH49	INSP ITEM #49	NO HOT OR COLD WATER; INADEQUATE WATER PRESSURE	45	45	45	45
EH50	INSP ITEM #50	IMPROPER PLUMBING INSTALL; NO BACKFLOW DEVICE	45	45	45	45
EH51	INSP ITEM #51	IMPROPER DISPOSAL OF SEWAGE & WASTE WATER	45	45	45	45
EH52	INSP ITEM #52	TOILET FACILITIES NOT CONSTRUCTED SUPPLIED CLEANED PROPERLY	45	45	45	45
EH53	INSP ITEM #53	GARBAGE AND REFUSE NOT PROPERLY DISPOSED, FACILITIES NOT MAINTAINED	45	45	45	45
EH54	INSP ITEM #54	PHYSICAL FACILITIES NOT PROPERLY INSTALLED MAINTAINED OR CLEANED	45	45	45	45
EH55	INSP ITEM #55	VENTILATION / LIGHTING NOT ADEQUATE; DESIGNATED AREAS NOT USED	45	45	45	45
EH56	INSP ITEM #56	NO CERTIFIED FOOD EMPLOYEE; DID NOT ACT AS PIC, NOT AVAILABLE	45	45	45	45
EH57	INSP ITEM #57	NO FOOD MANAGER CERTIFICATE; CERTIFICATE NOT VALID, NOT DISPLAYED	45	45	45	45
EH58	5703	OPERATING A FOOD FACILITY WITHOUT A VALID LICENSE	100	100	100	100
H01	700.02 (A)	Dog without current license	25	25	25	25
H01A	700.02 (A)	Dog without a current license	100	100	100	100
H02	700.03	Dog or cat without rabies vaccination	25	25	25	25
H02A	700.03	Failure to provide proof of rabies vaccination	100	100	100	100
H03	700.04 (C)(1)	Animal at-large (docile)	25	25	25	25
H03A	700.04 (C)	Animal not confined or under control of owner	100	100	100	100
H04	700.04 (C)(1)	Animal at-large (aggressive)	100	100	100	100
H05	700.04 (B)	Animal in Old Allentown Cemetery (10th & Linden)	25	25	25	25
H06	700.04 (D)(2)	Feces on own property more than 24 hours	25	25	25	25
H07	700.04 (D)(2)	Feces on own property more than 24 hours - Repeat Offense	100	100	100	100
H08	700.04 (D)(1)	Feces not removed on public or other's private property	100	100	100	100
H09	700.12 (A)(4)	Failure to keep animal in sanitary quarters	100	100	100	100
H10	700.13 (A)	Keeping prohibited wild/exotic animals	100	100	100	100
H11	700.13 (C)	Keeping farm animals	100	100	100	100
H12	700.18	Failure to provide adequate shelter.	100	100	100	100
H13	700.18	Failure to provide food and water.	100	100	100	100
H14	700.11 (A)	Operation of an unapproved kennel.	100	100	100	100
H15	700.02 (A)	Collar and tag requirement.	25	25	25	25
H16	700.18 (1)	Animal left in vehicle under extreme conditions.	100	100	100	100
H17	700.04 (C)(2)	Allowing dog on Hamilton Mall	25	25	25	25
H18	700.06 (A)(2)	Failure to provide proof of animal being rabies free after quarantine.	100	100	100	100
H19	700.12 (4)(C)	Conditions that create a Public Health Hazard nuisance	100	100	100	100
H20	700.09	Slaughtering of Animals	100	100	100	100
H21	700.18	Animal Cruelty	100	100	100	100
H22	700.04 (C)(2)	Dog at large in City Park	100	100	100	100
H23	700.18 (2)	Animal left unprotected in extreme weather conditions	100	100	100	100

### SubFRM\_ManageViolations

ClerkKey	seclub	Secdesc	Fine	Fine2	Fine3	Fine4
ID01	720.07 (A)	Illegal Dumping	1000	1000	1000	1000
ID02	720.07 (A)	Illegal Dumping	5000	5000	5000	5000
LT1	720.03	Littering	100	100	250	500
N01A	710.03 (C)(1)(a)	Amplified Sound Real Property	100	100	100	100
N01B	710.03 (C)(1)(b)	Amplified Sound From Motor Vehicle	100	100	100	100
N01C	710.03 (C)(1)(c)	Amplified Sound Operated By Person	100	100	100	100
N01D	710.03 (C)(1)(d)	Amplified Sound In Public Area	100	100	100	100
N01E	710.03 (C)(1)(e)	Amplified Sound In Specified Park Areas	100	100	100	100
N01F	710.03 (C)(1)(f)	Amplified Sound Hamilton St. Business Area	100	100	100	100
N02A	710.03 (C)(2)(a)	Stationary Non-Emergency Signal Services	100	100	100	100
N04A	710.03 (C)(4)(a)	Loudspeakers And Pas	100	100	100	100
N04B	710.03 (C)(4)(b)	Loudspeakers And Public Address System 10pm to 7am (Level 2)	100	100	100	100
N05	710.03 (C)(5)	Street Sales 10pm - 7am	100	100	100	100
N06	710.03 (C)(6)	Excessive Animal Noise	100	100	100	100
N07	710.03 (C)(7)	Loading And Unloading 10pm - 7am	100	100	100	100
N08	710.03 (C)(8)	Vehicle, Boat And Aircraft Repair	100	100	100	100
N09	710.03 (C)(9)	Domestic Power Tools - 9pm to 7am	100	100	100	100
N10	710.03 (C)(10)	Explosives, Fireworks, Firearms And Similar Devices	100	100	100	100
N11	710.03 (C)(11)	Powered Motor Vehicles	100	100	100	100
N12A	710.03 (C)(12)(a)	Motor Vehicle Exhaust	100	100	100	100
N12B	710.03 (C)(12)(b)	Motor Vehicle Standing	100	100	100	100
N12C	710.03 (C)(12)(c)	Motor Vehicle Horns And Signaling	100	100	100	100
N12D	710.03 (C)(12)(d)(1)	Sound Trucks	100	100	100	100
N12E	710.03 (C)(12)(e)	Amplified Sound Devices In Vehicles	100	100	100	100
P01	951.05 (A)	Removal of park equipment	100	100	100	100
P02	951.05 (C)	Unauthorized digging or excavating in park	100	100	100	100
P03	951.05 (D)	Unauthorized construction in a park	100	100	100	100
P04	951.05 (E)	Damaging plants and/or trees in park	100	100	100	100
P05	951.05 (F)	Unauthorized climbing/sitting on park structures	100	100	100	100
P06	951.05 (G)	Unauthorized use of rope/cable on park structures	100	100	100	100
P07	951.05 (H)	Placement of substances into waters in park	100	100	100	100
P08	951.05 (I)	Improper disposal of trash/rubbish in park	100	100	100	100
P09	951.05 (J)	Hunting/trapping in a City park	100	100	100	100
P10	951.05 (N)	Operating a snowmobile in a City park	100	100	100	100
P11	951.05 (O)	Operating a ATV in a City park	100	100	100	100
P12	951.05 (P)	Operating a motorized aircraft/boat in City park	100	100	100	100
P13	951.06	Feeding of waterfowl	100	100	100	100
P14	951.07	Releasing of animals/waterfowl	100	100	100	100
P15	951.08 (A)	Driving a vehicle in unauthorized areas	100	100	100	100
P16	951.08 (D)	Vehicle not parked in designated parking area	100	100	100	100
P17	951.08 (G)	Drive/operate commercial vehicle in park	100	100	100	100
P18	951.08 (I)	Bringing/parking bus into City park	100	100	100	100
P19	951.08 (J)	Unlicensed food vendor in park	100	100	100	100
P20	951.10	Illegal use of fireworks/explosives in City park	100	100	100	100
P21	951.11 (A)	Illegal advertising in park	100	100	100	100
P22	951.13	Illegal use of unapproved grilling/fire devices	100	100	100	100
P23	951.14	Illegal consumption/use of alcohol in City park	100	100	100	100
P24	951.15 (A)	Camping/overnite stay in City park	100	100	100	100
P25	951.15 (F)	Erect or occupy structure without permit	100	100	100	100

## SubFRM\_ManageViolations

ClerkKey	secsub	Secdesc	Fine	Fine2	Fine3	Fine4
P26	951.15 (G)	Hit golf balls within a park	100	100	100	100
P27	951.15 (H)	Use of generator in a City park	100	100	100	100
P28	951.15 (I)	Amplified music in a City park	100	100	100	100
P29	951.17	Conducting illegal activity in a designated Passive Park	100	100	100	100
PK1	720.09 €(2)	Vehicle parked on grass, dirt, stone or landscaped surface.	100	100	100	100
R01	1137.04 (A)	Theft of recyclables from Drop Off Center	100	100	100	100
R02	720.07 (A)	Illegal dumping of non-acceptable items at Drop Off Center	100	100	100	100
R03	720.07 (A)	Dumping of non-acceptable items at Drop Off Center	1000	1000	1000	1000
S01	741.05	Failure to remove snow/ice within 10 hours of storm ending.	25	25	25	25
S02	741.05	Failure to remove snow/ice within 10 hours of storm ending.	100	100	100	100
S03	720.09 (D)	Overgrown Vegetation	25	25	25	25
S04	720.09 (D)	Overgrown Vegetation	100	100	100	100
SK1	720.13 (A)	Skateboard riding in Business District	25	25	25	25
SNOW	741.05(C)	Placing/throwing snow into street after plowing	100	100	100	100
SS11	740.07 (11)	Right-of-way obstruction - sidewalk	100	100	100	100
T01	720.03	Littering	25	25	150	300
T02	720.05	Litter deposited in storm sewer/street	25	25	150	300
T03	720.08 (A)	Littering from vehicle - accidental	25	25	150	300
T04	1137.04 (A)	Stealing recyclables	25	25	25	25
T05	1139.02 (D)	Failure to recycle	25	25	25	25
T06	720.09 (A)(1)	Litter accumulation - sidewalk area	25	25	150	300
T07	720.09 (A)(1)	Litter accumulation - property	25	25	150	300
T07A	720.09 (A)(1)	Accumulation of litter on the property	100	100	250	500
T08	1131.04 (B)(2)	Trash / Recycling - Improper storage	25	25	25	25
T09	1131.04 (B)(3)(b)	Trash/Recycling Out For Collection Prior to 5pm.	25	25	25	25
T10	1131.04 (B)(3)(b)	Trash / Recycling or Bulk Item out wrong day	25	25	25	25
T11	1131.04 (B)(1)	Trash / Recycling out loose / messy	25	25	25	25
T12	1131.04 (B)(3)(a)	Trash / Recycling: Wrong set out location	25	25	25	25
T13	720.07 (A)	Illegal dumping	100	100	250	500
T14	720.07 (B)	Dumping motor oil, hazardous wastes, etc.	100	100	250	500
T15	1137.04 (A)	Stealing recyclables	100	100	100	100
T16	720.09 (A)(2)	Accumulation or storage of trash/debris or items on the property	100	100	250	500
T17	720.08 (A)	Littering from vehicle - thrown	100	100	250	500
T18	720.08	Littering from vehicle - unsecured	100	100	250	500
T19	1131.04 (B)(3)(b)	Trash cleanout: out early for collection	100	100	100	100
T20	1131.04 (B)(1)	Trash cleanout: not contained for collection	100	100	100	100
T21	1131.04 (B)(4)(a)	Failure to remove from curb (major)	100	100	100	100
T22	1131.04 (B)(4)(a)	Failure to remove from curb (minor)	25	25	25	25
T23	1131.04 (B)(6)	TV/Electronics placed at curb for collection	100	100	100	100
T24	720.05	Depositing grass clipping into street/strom sewer	25	25	25	25
XOD		Late Fee				