

Bill No. 150748: Philadelphia Recycling and Waste Bill

Philadelphia City Councilwoman Cindy Bass' Bill No. 150748 adds to multi-family owners' responsibilities regarding waste management and recycling. The bill was reported out of committee on November 30 and is slated for passage by City Council before the end of the year. The bill changes several sections of Title 10, the Refuse and Littering provisions of the Philadelphia Code. The changes that would impact the multi-family industry include:

- **Definitions (Sec. 701)** There new definitions, including but not limited to:
 - **Debris:** Any material resulting from construction or demolition (i.e.: wood, stones, gravel, etc.)
 - **Municipal waste:** Waste generated from commercial and residential activity that does not include Recyclable Materials
 - **Operator:** The owner of, and any person in control of, any Regulated Premises
 - **Regulated Premises:** Buildings where waste is generated, including multi-unit buildings with greater than six occupied units in which the building operator arranges for the collective removal of waste. In cases where portions of property are used for commercial purposes in a multi-use building, each of those commercial units would be considerate separate regulated premises.
- **Source Separation, Collection and Disposal of Refuse (Sec 717)** repeals the old section in its entirety and replaces with a new section, titled **“Collection of Municipal Waste and Recyclable Materials,”** which includes the following:
 - No entity may place waste or recyclables in the right-of-way or at a pick-up location unless otherwise allowed elsewhere in the Code. The Streets Department can establish regulations pertaining to waste and recyclables, containers, weights and quantities, and dates and times for set-out
 - **Every operator of Regulated Premises not eligible for City collection must contract with one or more private haulers for the collection of municipal waste and recyclable materials**
- Waste Management and Recycling (Sec 724) would be amended to the title **“Waste Management and Recycling Requirements for Certain Regulated Premises”** and would add in the following provisions:
 - **Required Receptacles: The Operator of each Regulated Premises must provide receptacles for collection of recyclable materials and a method of removal by contracting with a recycling service provider**
 - **Required Plan: The Operator of each Regulated Premises must prepare a Solid Waste and Recycling Plan, on a form prescribed by the Streets Department, for each Regulated Premises describing the means that will be used to meet the requirements established in this section. The Plan must:**
 - **List the Recyclable Materials to be separated from waste at the Regulated Premises**
 - **Identify each hauler with which the Operator arranges for removal of waste and recyclables**
 - **Required Information to Tenants: The Operator of each Regulated Premises must:**
 - **Send the Solid Waste and Recycling Plan to the Department**

- **Keep the Plan on file**
 - **Post the Plan in a public area at the Regulated Premises**
 - **Provide waste disposal and recycling information and instructions, in accordance with regulations established by the Department, annually to tenants and to each new tenant within thirty days of their occupancy**
 - **If the Plan is amended for any reason, the Operator of the Regulated Premises shall, within thirty days:**
 - **Send the Solid Waste and Recycling Plan to the Department**
 - **Keep the Plan on file**
 - **Post the Plan in a public area at the Regulated Premises**
 - **Provide the changes to all tenants**
 - **Signage: The Operator must ensure that proper signage is used on the Regulated Premises**
 - **Each drop-off area or container intended or used for multiple people for Waste must be marked “Waste” prominently**
 - **Each drop-off area or container intended or used for multiple people for Recyclables must be affixed with a sign that includes:**
 - **The universal “Chasing Arrows” recycling symbol**
 - **The word “Recycling”**
 - **A written list and graphic representations of the Recyclable Materials that the Operator intends to collect**
- **Enforcement (Sec 718) :**
 - **Notice of violations can be issued by police officers, authorized inspectors within the L & I or the Streets Department or any other person authorized to enforce ordinances. Most fines for violations of the refuse & littering chapter are \$50 per violation**
 - **Violations related to handbills will carry a fine of \$100**
 - **For violations of section 10-702 (Litter in public places), 10-703(2) (Placing household refuse in a public receptacle) or 10-722 (Use of Dumpsters), there will be a fine of \$150**
 - **The Department can provide for stipulated amounts other than those provided for in the Code**