

Bill No. 23
AN ORDINANCE

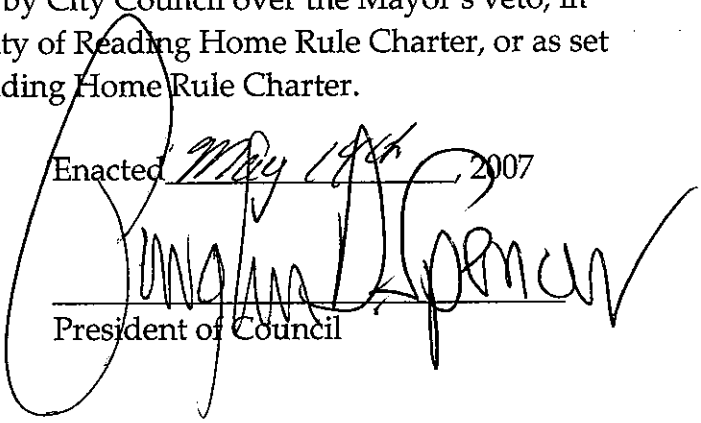
AN ORDINANCE AMENDING THE CITY OF READING CODIFIED ORDINANCES BY AMENDING CHAPTER 20 SOLID WASTE, SECTION 2 DUMPSTER PLACEMENT.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Amending the Codified Ordinances by Chapter 20, Part 2 Dumpster Placement as attached in Exhibit A.

SECTION 2. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted May 14th, 2007



President of Council

Attest:



Deputy City Clerk

Submitted to Mayor: CAZ

Date: 05/15/07

Received by the Mayor's Office: AH

Date: 5/15/07

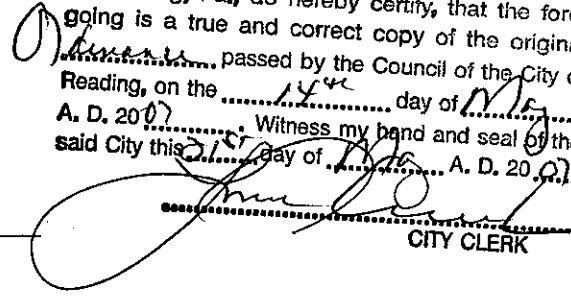
Approved by Mayor: DA

Date: 5/17/07

Vetoed by Mayor: _____

Date: _____

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 14th day of May, A. D. 2007. Witness my hand and seal of the said City this 15th day of May, A. D. 2007.



CITY CLERK

PART 2
DUMPSTER PLACEMENT

§20-201. Definitions.

The following words and phrases when used in this Part shall have, unless the context clearly

indicates otherwise, the meanings given to them in this Section:

BUSINESS DAY - that part of any day on which City Hall is open to the public for carrying on substantially all of its functions.

CART - any container which is made of rigid plastic, with two wheels, which is intended to be mechanically emptied and used for the purpose of temporarily holding refuse with a maximum capacity of ½ cubic yard or 96 gallons.

COMMERCIAL - a property relating to or connected with trade and traffic or commerce in general or a property which includes four or more separate residential dwelling units.

CONTAINER - any dumpster or cart.

CURBLINE - the line in the public right-of-way, constructed or proposed, as shown on the official map, that separates the portion of the public right-of-way dedicated to vehicular traffic from that dedicated to pedestrian traffic.

DUMPSTER - any container used for the purpose of storing refuse until the scheduled collection day with a capacity of 1 cubic yard (202 gallons) or greater.

DUMPSTER OWNER - one who rents dumpsters or toters to another (that is, a licensed hauler).

HAULER - any person, licensed or unlicensed, who collects, transports or disposes of recyclables, solid waste or refuse.

LICENSED HAULER - one who rents dumpsters or toters to another who has a valid City and State hauler's license.

LESSEE - a property owner or agent thereof who or leases a dumpster or toter from a licensed hauler as defined herein.

OBSTRUCTION - any structure or other object whatsoever that, in any manner, impedes, obstructs or otherwise limits or prevents that full and unrestricted use whatsoever, by the public, of any public right-of-way.

OFFICIAL MAP - the topographical survey of Reading, Pennsylvania, on file in the Engineering Office.

PASSABLE - free of any impediment or obstruction, whatsoever, that would hinder the travel of the public.

PERMANENT DUMPSTER - any dumpster - of a 3 cubic yards or less - intended to be used for an undetermined period of time for the purpose of solid waste storage.

PROPERTY OWNER/LESSEE - a property owner or agent thereof who owns or leases a dumpster or toter as defined herein or who applies and receives a permit for permanent placement of trash receptacle in the public right-of-way.

PUBLIC RIGHT-OF-WAY - the area between topographical building lines (for the purpose of this Part) set aside for public use or ownership as a street, alley, crosswalk, easement or other similar facility.

RESIDENTIAL - a property containing four or fewer separate dwelling units.

SIDEWALK - that portion of the sidewalk area for which paving is required by *Ord. 25-1889, 6/28/1889, §1 [§21-503]*.

SIDEWALK AREA - that portion of the public right-of-way occurring between the curblin and the topographical building line (for the purpose of this Part).

STREET PROPERTY LINE - the line that is coincident to and identical with the line marking the extremity of the public right-of-way as shown on the official map of the City of Reading.

TEMPORARY DUMPSTER - any dumpster intended to be used for a specified period of time for the purpose of construction, demolition or rehabilitation waste storage.

TOPOGRAPHICAL BUILDING LINE - the property line as shown on the official map of the City of Reading.

TOTER - any container which is made of rigid plastic, with two wheels, which is intended to be mechanically emptied and used for the purpose of temporarily holding of refuse with a maximum capacity of 2 cubic yards or 96 gallons

TRASH CAN - any container under 95 gallons made of rigid plastic or metal used to hold refuse that differs in any way from a cart (defined above).

TRASH RECEPTACLE - any dumpster/cart or trash container used for the storage of trash.

(Ord. 38-2005, 7/13/2005, §1)

§20-202. General.

1. Dumpster, cart, or trash receptacle lessees, owners, permittees shall be responsible for keeping the area around the container clean and sanitary as required by herein, Health Code Regulations [Chapter 10, Part 1] and the Property Maintenance Code [Chapter 5, Part 6].

2. Dumpster, cart, or trash receptacles shall not be located in areas visible from the public right-of-way, unless permitted by the Codes Enforcement Division Department of Public Works.

3. Each property shall have no more than one cart per unit to a maximum of two carts per property address stored within the public right-of-way.

(Ord. 38-2005, 7/13/2005, §1)

§20-203. CONDITIONS OF USE.

1. Placement and Maintenance for Trash Receptacles.

A. **Placement.** Trash receptacles shall be located in the rear of properties and may not be visible from the public right-of-way area of a property. Trash receptacles shall not be stored within the public right-of-way on commercial, industrial property, or residential property unless it has been determined by the Codes Enforcement Division and Department of Public Works that no other location is available for trash storage and a permit for such storage has been obtained from the City.

B. ~~The owner of the trash receptacles shall place and maintain, on the outside of each container in legible letters not less than 1 inch in height, the owners name or company logo, telephone number, the current city hauler permit number and the dumpster permit issued by the Codes Enforcement Division Department of Public Works for such container.~~

C. ~~Each trash receptacle shall be covered at all times by a clean, leakproof, proper fitting and functioning lid.~~

~~(2) D. Permanent Trash Receptacles~~

(1) **Outside View Of Or Public Right of Way.** Trash receptacles are permitted to be placed in areas that are not in or visible from the public right-of-way without obtaining a permit from the Codes Enforcement Division ~~Department of Public Works.~~

(2) **Generally Visible From or in Public Right of Way.** Trash receptacles may be permanently placed within the public right-of-way when it has been determined by the Code Enforcement Division and Department of Public Works that no other accessible location is available for trash collection and storage and the owner has received the necessary permit. The permit shall be placed on the trash receptacle. ~~The owner must first demonstrate that this trash receptacle is necessary to ensure the health and safety for area residents and patrons.~~ The Codes Enforcement Division in conjunction with the Department of Public Works shall have the authority to determine feasibility.

(3) **Historical Districts.** No permanent trash receptacles shall be allowed on any public right-of-way or be allowed to be visible from any public right-of-way in any area designated as a historic district in the Codified Ordinances of the City. Where it is preclusive to place a trash receptacle out of view of the public right of way as a result of the design of the structure, the location of placement of the receptacle shall be determined and a permit issued accordingly upon consultation with the Codes Division and Historic Preservation Officer. Issuance of a permit for placement of a container in a historic district within the view of the public right of way is subject to the Historical District Ordinance, Ordinance 35-1999 Codified as Chapter 4 Part 1, where appropriate. ~~without review and approval of the~~

~~Department of Public Works and the Historic Preservation Specialist pursuant to Ord. 35-1999, 12/13/1999 [Chapter 4, Part 1 (Historical District Ordinance)].~~

~~E.~~ (4) **In Areas Under the Jurisdiction of the Downtown Improvement District.** No permanent trash receptacles shall be installed in any public right-of-way or be visible from any public right-of-way in any area under the jurisdiction of the Downtown Improvement District without review and approval by the Department of Public Works, Historic Preservation Specialist and the Downtown Improvement District Authority pursuant to *Ord. 134-1994, 1/11/1995 [Chapter 1, Part 4D]*.

B. Identification. The owner of the trash receptacles shall place and maintain, on the outside of each container in legible letters not less than 1 inch in height, the owners name, address receptacle is servicing (if private) ~~or company logo, telephone number, the current city hauler permit number and the dumpster~~ the permit issued by the Codes Enforcement Division ~~Department of Public Works~~ for such container, where applicable.

C. Maintenance. Each trash receptacle shall be covered at all times by a clean, leakproof, proper fitting and functioning lid. All trash receptacles shall not be loaded at any time in such a manner to constitute overloading thereby preventing suitable required covering.

(Ord. 38-2005, 6/13/2005, §1)

~~2.~~ **D. Clearance Requirements.** Permitted trash receptacles shall not obstruct or otherwise limit or prevent the full and unrestricted use of any public right-of-way. Minimum sidewalk clearances of 5 feet must be retained at all times.

A.E. Set Out Requirements.

(1) Trash receptacles may be placed temporarily at curbside directly in front of the property being serviced no earlier than 8:30 p.m. the day before and shall be removed from the public right-of-way by 8:00 p.m. the day of schedule refuse collection.

~~(2) Trash receptacles may be permanently placed within the public right of way when it has been determined by the Department of Public Works that no other accessible location is available for trash collection and storage and the owner has received the necessary permit. The permit shall be placed on the trash receptacle. The owner must first demonstrate that this trash receptacle is necessary to ensure the health and safety for area residents and patrons. The Department of Public Works shall have the authority to determine feasibility.~~

~~(3) Permanent trash receptacles in Historical Districts. No permanent trash receptacles shall be allowed on any public right of way or be allowed to be visible from any public right of way in any area designated as a historic district in the Codified Ordinances of the City with out review and approval of the Department of Public Works and the Historic Preservation Specialist pursuant to Ord. 35-1999, 12/13/1999 [Chapter 4, Part 1 (Historical District Ordinance)].~~

~~(4) Permanent trash receptacles in areas under the jurisdiction of the Downtown Improvement District. No permanent trash receptacles shall be installed in any public right of way or be visible from any public right of way in any area under the jurisdiction of the Downtown Improvement District without review and approval by the Department of Public Works, Historic Preservation Specialist and the Downtown Improvement District Authority pursuant to Ord. 134-1994, 1/11/1995 [Chapter 1, Part 4D].~~

~~(20, PART 2)~~

~~Page Revised 12/19/2005 20-31~~

~~(5) All trash receptacles shall not be loaded at any time in such a manner to constitute overloading thereby preventing suitable required covering. (Ord. 38-2005, 6/13/2005, §1)~~

2. Placement and Maintenance Dumpsters

A. Placement. Dumpsters shall be located in the rear of properties and may not be visible from the public right-of-way area of a property. Dumpsters shall not be stored within the public right-of-way on commercial, industrial property, or residential property UNLESS it has been determined by the Department of Public Works *and the Codes Division* that no other location is available for trash storage and a permit for such storage has been obtained from the City.

(1) Containers in Historic Districts. No dumpsters shall be allowed on any public right-of-way or be allowed to be visible from any public right-of-way in any area designated as a historic district in the Codified Ordinances of the City. Where it is preclusive to place a dumpster out of view of the public right of way as a result of the design of the structure, the location of placement of the dumpster shall be determined and a permit issued accordingly upon consultation with the Codes Division and Historic Preservation Officer. Issuance of a permit for placement of a container in a historic district within the view of the public right of way is subject to the Historical District Ordinance, Ordinance 35-1999 Codified as Chapter 4 Part 1, where appropriate.

(2) Containers in Areas Under the Jurisdiction of the Downtown Improvement District. No containers shall be installed in any public right-of-way or be visible

from any public right-of-way in any area under the jurisdiction of the Downtown Improvement District without review and approval pursuant to *Ord. 134-1994, 1/11/1995* [Chapter 1, Part 4D].

(3) **Sidewalk.** Containers of 3 cubic yards or greater may not be placed on sidewalk.

(4) **Street.** Containers of 3 cubic yards or less may not be placed in the street.

B. Identification. The dumpster owner shall place and maintain, on the outside of each dumpster in legible letters not less than 1 inch in height, the owners name or company logo, telephone number, the current city-hauler permit number and the dumpster permit issued by the *Codes Division* for such container. All dumpsters shall be fitted with Department of Transportation regulated reflective tape in a vertically stripped fashion on each of the four corners from the top of the base (or bottom), extending around each corner by a minimum of 2 feet. [*Ord. 12-2005*]

C. Maintenance. Each container shall be covered at all times by a clean, leakproof, proper fitting and functioning lid. All dumpsters shall be well painted, leak proof, in good repair, clean and free of offensive odors. All trash receptacles shall not be loaded at any time in such a manner to constitute overloading thereby preventing suitable required covering.

D. Containers in Historic Districts. No containers shall be allowed on any public right of way or be allowed to be visible from any public right of way in any area designated as a historic district in the Codified Ordinances of the City. Where it is preclusive to place a dumpster out of view of the public right of way as a result of the design of the structure, the location of placement of the dumpster shall be determined and a permit issued accordingly upon consultation with the Codes Division and Historic Preservation Officer. Issuance of a permit for placement of a container in a historic district within the view of the public right of way is subject to the Historical District Ordinance, Ordinance 35-1999 Codified as Chapter 4 Part 1, where appropriate.

E. Containers in Areas Under the Jurisdiction of the Downtown Improvement District. No containers shall be installed in any public right of way or be visible from any public right of way in any area under the jurisdiction of the Downtown Improvement District without review and approval pursuant to *Ord. 134-1994, 1/11/1995* [Chapter 1, Part 4D].

F. Containers of 3 cubic yards or greater may not be placed on sidewalk.

G. Containers of 3 cubic yards or less may not be placed in the street.

D. Clearance Requirements. Permitted containers shall not obstruct or otherwise limit or prevent the full and unrestricted use, of any public right-of-way. Minimum sidewalk clearances of 5 feet must be retained at all times.

E.. Temporary and Permanent Dumpsters.

(1) **Temporary Dumpsters.** Temporary dumpsters, incidental to construction, rehabilitation or demolition work, may be placed within the public right-of-way for a maximum of 10 calendar days after receipt of the necessary permit. The permit shall be displayed on the dumpster. All temporary dumpsters/trash receptacles shall be well painted, leak proof, in good repair, clean and free of offensive odors and be fitted with Department of Transportation regulated reflective tape in a vertically stripped fashion on each of the four corners from top to bottom, extending around each corner by a minimum of 2 feet. All temporary dumpsters with contents shall be covered with a

suitable cover or tarpaulin during: (a) periods of non-use; (b) night hours (6:00 p.m. to 6:00 a.m.); (c) high wind conditions; or (d) transport in order to prevent unauthorized use and/or scattering of any contents therein.

B. Permanent Dumpsters. Permanent dumpsters - 3 cubic yards or less - may be placed within the public right-of-way when it has been determined by the Codes Enforcement Division in conjunction with the Department of Public Works that no other location is available for trash collection and storage and the owner has received the necessary permit. The owner must first demonstrate that this dumpster is necessary to ensure the health and safety for area residents and patrons. Dumpster 3 cubic yards or greater cannot be permanently placed in any right-of-way.

C. All dumpsters shall not be loaded at any time in such a manner to constitute overloading, thereby preventing suitable required covering.

6. Trash Receptacles.

A. Set-Out Requirements.

~~(1) Trash receptacles may be placed temporarily at curbside directly in front of the property being serviced no earlier than 8:30 p.m. the day before and shall be removed from the public right of way by 8:00 p.m. the day of schedule refuse collection.~~

~~(2) Trash receptacles may be permanently placed within the public right of way when it has been determined by the Department of Public Works that no other accessible location is available for trash collection and storage and the owner has received the necessary permit. The permit shall be placed on the trash receptacle. The owner must first demonstrate that this trash receptacle is necessary to ensure the health and safety for area residents and patrons. The Department of Public Works shall have the authority to determine feasibility.~~

~~(3) Permanent trash receptacles in Historical Districts. No permanent trash receptacles shall be allowed on any public right of way or be allowed to be visible from any public right of way in any area designated as a historic district in the Codified Ordinances of the City with out review and approval of the Department of Public Works and the Historic Preservation Specialist pursuant to *Ord. 35-1999, 12/13/1999* [Chapter 4, Part 1 (Historical District Ordinance)].~~

~~(4) Permanent trash receptacles in areas under the jurisdiction of the Downtown Improvement District. No permanent trash receptacles shall be installed in any public right of way or be visible from any public right of way in any area under the jurisdiction of the Downtown Improvement District without review and approval by the Department of Public Works, Historic Preservation Specialist and the Downtown Improvement District Authority pursuant to *Ord. 134-1994, 1/11/1995* [Chapter 1, Part 4D].~~

~~(20, PART 2)~~

Page Revised 12/19/2005 20-31

~~(5) All trash receptacles shall not be loaded at any time in such a manner to constitute overloading thereby preventing suitable required covering.~~

~~(*Ord. 38-2005, 6/13/2005, §1*)~~

3. Placement and Maintenance of Permanent Carts.

A. **Placement.** Carts shall be located in the rear of properties and may not be visible from the public right-of-way area of a property. Carts shall not be stored within the public right-of-way on commercial, industrial property, or residential property UNLESS it has been determined by the Department of Public Works *and the Codes Division* that no other location is available for trash storage and a permit for such storage has been obtained from the City.

(1) **Containers in Historic Districts.** No carts shall be allowed on any public right-of-way or be allowed to be visible from any public right-of-way in any area designated as a historic district in the Codified Ordinances of the City. Where it is preclusive to place a cart out of view of the public right of way as a result of the design of the structure, the location of placement of the cart shall be determined and a permit issued accordingly upon consultation with the Codes Division and Historic Preservation Officer. Issuance of a permit for placement of a container in a historic district within the view of the public right of way is subject to the Historical District Ordinance, Ordinance 35-1999 Codified as Chapter 4 Part 1, where appropriate.

(2) **Containers in Areas Under the Jurisdiction of the Downtown Improvement District.** No cart shall be installed in any public right-of-way or be visible from any public right-of-way in any area under the jurisdiction of the Downtown Improvement District without review and approval pursuant to *Ord. 134-1994, 1/11/1995* [Chapter 1, Part 4D].

(3) **Sidewalk.** Carts of 3 cubic yards or greater may not be placed on sidewalk.

(4) **Street.** Carts of 3 cubic yards or less may not be placed in the street.

B. **Identification.** The cart owner shall place and maintain, on the outside of each dumpster in legible letters not less than 1 inch in height, the owners name or company logo, telephone number, the current city-hauler permit number and the permit issued by the *Codes Division* for such container. All carts shall be fitted with Department of Transportation regulated reflective tape in a vertically stripped fashion on each of the four corners from the top of the base (or bottom), extending around each corner by a minimum of 2 feet. [*Ord. 12-2005*]

C. **Maintenance.** All carts shall be well painted, leak proof, in good repair, clean and free of offensive odors. All carts shall not be loaded at any time in such a manner to constitute overloading thereby preventing suitable required covering.

D. **Clearance Requirements.** Permitted carts shall not obstruct or otherwise limit or prevent the full and unrestricted use, of any public right-of-way. Minimum sidewalk clearances of 5 feet must be retained at all times.

§20-204. Permits, Fees and Fines.

1. Temporary Dumpsters.

A. The cost of the permit shall be five dollars a day not to exceed \$75 in 10 calendar days with a minimum of \$25.

B. Permits for temporary dumpsters may be renewed for up to 10 calendar day increments at the sole discretion of the Codes Enforcement Division ~~Department of Public Works~~ if the work is deemed to be in the best interest of the public. Each renewal permit shall cost equal to the cost of the first 10 calendar days.

C. The permit shall be displayed on the trash receptacles for which the permit was issued.

D. In the event the City incurs costs described herein, an accounting of such expenses shall be delivered along with a bill to the licensed hauler at which time payment to City shall be due and payable. This shall have no effect on other action the City may take such as issuing citations for violations of this Part.

2. Permanent Dumpsters.

A. Permits shall be obtained by the licensed hauler and are required for each dumpster in the public right-of-way in the City of Reading. The licensed hauler applying for a dumpster permit shall list the address where the dumpster will be serviced.

B. The dumpster permits may be transferred to other locations within the City of Reading. The licensed hauler must provide the new service address within 1 business day prior to the relocation of service for the license to be transferred without fee or fine. The dumpster permit may be transferred to other locations within the City of Reading. The licensed hauler must provide the new service address prior to relocating the dumpster to the new address and a new permit will be issued without fee by the Codes Enforcement Division Department of Public Works, which must be placed on the dumpster.

C. The permit shall be displayed on the trash receptacles for which the permit was issued. The permit shall be issued for a period of 1 year.

D. The cost of the dumpster permit shall be \$150 annually. The lessee shall provide to the City, upon request, a copy of the lease agreement if applicable and the agreement with the licensed hauler with schedule of pickup.

E. In the event the City incurs costs described herein, an accounting of such expenses shall be delivered along with a bill to the licensed hauler, at which time payment to City shall be due and payable. This shall have no effect on other action the City may take such as issuing citations for violations of this Part.

~~F. Trash receptacles are permitted to be placed in areas that are not visible from the public right-of-way without obtaining a permit from the Department of Public Works.~~

3. Permanent Cart.

A. Permits shall be obtained by a licensed hauler and are required for each cart in the public right-of-way in the City of Reading. The licensed hauler applying for a cart permit shall list the address of the property where the cart will be serviced.

B. The cart permit permits may be transferred to other locations within the City of Reading. The licensed hauler must provide the new service address prior to relocating the cart to the new address and a new permit will be issued without fee by the Department of Public Works, which must be placed on the cart.

C. The permit shall be displayed on the cart in a conspicuous location. The permit shall be issued for a period of 1 year.

D. The cost of the cart permit shall be \$150 annually. The lessee shall provide to the City, upon request, a copy of the lease agreement if applicable and the agreement with the licensed hauler with schedule of pickup.

E. In the event the City incurs costs described herein, an accounting of such expenses

shall be delivered along with a bill to the licensed hauler at which time payment to City shall be due and payable. This shall have no effect on other action the City may take such as issuing citations for violations of this Part.

F. Containers are permitted to be stored on private property without obtaining a permit.

(Ord. 38-2005, 6/13/2005, §1)

4. Trash Receptacle.

A. Permits shall be obtained by a property owner as required to place a trash receptacle permanently in the public right of way in the City of Reading. The property owner applying for a receptacle permit shall list the address of the property that the receptacle service.

B. The permit shall be displayed on the receptacle in a conspicuous location or be available for inspection upon request. The permit shall be issued for a period of 1 year.

C. The cost of the cart permit shall be \$?? annually.

D. In the event the City incurs costs described herein, an accounting of such expenses shall be delivered along with a bill to the licensed hauler at which time payment to City shall be due and payable. This shall have no effect on other action the City may take such as issuing citations for violations of this Part.

5. **Property and Liability Insurance.** Prior to the issuance by the City of any permit or other authority to erect, a dumpster, cart, or receptacle in the public right-of-way, the licensed hauler or person requesting such a permit thereof shall execute a hold harmless agreement in such form as the City shall provide, guaranteeing to defend, protect and compensate the City as a result of any cause of action which may be brought or perfected against the City in connection herewith; or shall deposit with the Law Department of the City of Reading, a certificate of insurance acceptable to the City Solicitor covering such licensed hauler for property damages in an amount of not less than \$50,000 for any one claim, and not less than \$100,000 for claims arising from the same undertaking, as well as public liability insurance in an amount of not less than \$100,000 from any one claim and not less than \$300,000 for more than one claim arising from the same undertaking, such certificate shall be for continuous coverage unless canceled by the insurance company at which time the appropriate offices of the City shall be notified, in writing, by such insurance company.

§20-205. Administrative Provisions.

1. **Regulations.** The ~~Director of Public Works~~ Manager of the Codes Enforcement Division may promulgate such regulations as are necessary for the proper administration and enforcement of this Part.

2. **Administrative Authority.** This Part shall be enforced under the jurisdiction of the City Codes Enforcement Division ~~Department of Public Works~~. Enforcement is delegated to and shared with the Codes Enforcement Division ~~Office~~, Police Department and the Department of Public Works.

3. Penalty.

A. Placement Without Permit.

Any person who has placed, places or causes to be placed any container in the public right-of-way or view thereof without first obtaining authorization and a permit from the Codes Enforcement Division of the City of Reading upon notice by the City of Reading and failure to comply therewith shall be subject to the provisions and/or penalty as prescribed by this and any other applicable ordinance of the City of Reading.

A.B. Removal of Container.

(1) Any person who has placed, places or causes to be placed any container in the public right-of-way, when alternative storage and collection methods are available, shall immediately remove such container upon notice by the City and shall be subject to provisions and/or penalty as prescribed by this or other ordinances of the City of Reading.

(2) The failure of the licensed hauler to remove the container, upon notice by lessee or by the City to do so, shall be a violation of this Part and subject to provisions and/or penalty as prescribed by this or other ordinances of the City of Reading herein.

B.C. Remedies.

(1) All violations of this Part shall be corrected within 5 days of notice from the City, or be subject to the fines below:

(a) Whoever violates any provision of this Part shall, upon conviction thereof, in a summary proceeding, be fined a minimum of \$100.00 but not more than \$1,000.00. If costs and damages are incurred, restitution shall be awarded to the City in addition to any fines or other penalties awarded herein.

(b) Every violator of the provisions of this Part 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 separate offense.

(c) Noncompliance with any of the provisions contained within this Part may result in the removal of any and all trash receptacles by the City of Reading or its delegates.

(Ord. 38-2005, 6/13/2005, §1)