

BILL NO. 20 2014

AN ORDINANCE AMENDING THE SOLID WASTE ORDINANCE, SECTION 496, PART 2, OF THE CITY OF READING CODIFIED ORDINANCES TO ADD A CURBSIDE WASTE PROGRAM

WHEREAS, keeping the City's streets, sidewalks and neighborhoods clean and clear of any waste is an important part of the City's duty to protect the health, safety and welfare of the community;

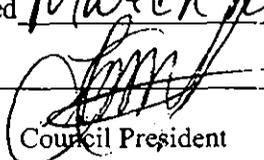
WHEREAS, the City is required under this Part and Pennsylvania law to establish a program for the removal of solid waste and recycling;

WHEREAS, the City must implement a fee to cover the reasonable costs of the collection of municipal waste and recyclable materials that is beyond the amount provided in State grant programs.

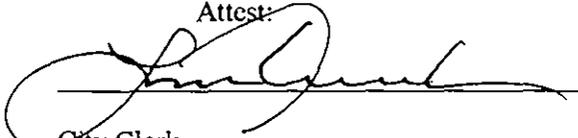
THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the Solid Waste Ordinance, Part 2, a copy of which pursuant to the proposed amendments contained in Attachment "A."

SECTION 2. This Ordinance shall be effective ten (10) days after adoption pursuant to City of Reading Home Rule Charter Article II Section 219.

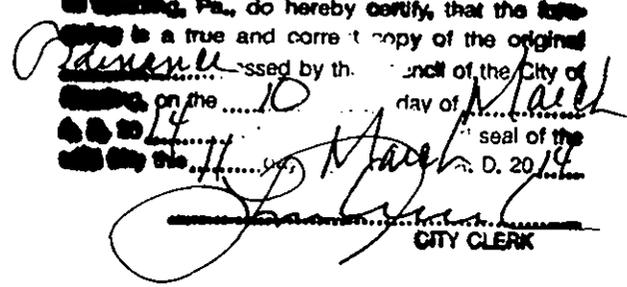
Adopted March 10, 2014


Council President

Attest:


City Clerk

Submitted to Mayor: 
Date: 3/11/14
Received by the Mayor's Office: 
Date: 3/11/14
Approved by Mayor: 
Date: 3/11/14
Vetoes by Mayor: _____
Date: _____

**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 10 day of March, 2014.


CITY CLERK**

ATTACHMENT "A"

Part 2

Storage And Collection

[Adopted 5-22-2006 by Ord. No. 43-2006, (Ch. 20, Part 1, of the 2001 Code of Ordinances)]

§ 496-201. 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:

...

CURBSIDE WASTE— The collective term applying to both Municipal Waste, Recyclable Materials and organic waste as defined in this Part.

§ 496-202. Authorization of recycling collection.

- A. Contracts for collection; authority. The City through the Public Works Department, shall provide curbside collection, removal, transportation and marketing of recyclable materials from single-family dwellings and multifamily dwellings with four or fewer residential units. Or in the alternative, the City may contract for these services.

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§ 496-203. ~~Recycling service fee.~~

~~A. There is hereby imposed upon the owners of all residential properties of four or fewer units an annual recycling fee. The annual service fee shall be as determined by ordinance.~~

~~B. The Director of Public Works shall submit an annual report no later than October 1 to City Council detailing projected expenses and revenues for the upcoming calendar year and recommend a service fee to cover all costs associated with the recycling program.~~

~~C. The annual recycling fee shall be mailed to owners of all eligible properties in June of each year. An owner who pays the fee in full within 30 days of billing shall receive a \$5 discount on each unit. All bills are due on the last day of each year. Any payment not received by December 31 of each year shall be assessed a 10% penalty. 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 property. Discount for certain senior citizens from payment of the recycling service fee. All bona fide residents of the City of Reading who are 65 years of age or over shall be entitled to a 50% reduction in their annual recycling service fee for their principal place of residence, provided that:~~

~~(a) Such residential unit is owned and occupied by claimant.~~

~~(b) A request for discount shall be filed with the Department of Public Works on such form as prescribed by that Department for such purpose.~~

~~(c) The total household income from all sources does not exceed \$17,000.~~

~~(d) The Department of Public Works 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 Part shall be confidential and shall not be disclosed to any person except for official use in connection with the administration or enforcement of this Part or as otherwise provided by law.~~

~~(f) False or untrue statements shall be a violation of this Part and shall be subject to the penalties for violation of this Part as further set forth herein.~~

§ 496-204. Collection requirements; ~~municipal waste collection fee.~~ [Amended 8-27-2007 by Ord. No. 22-2007]

A. The City of Reading is authorized to award a contract for collection, removal, transportation and disposal of municipal solid waste which is generated from single-family residential dwellings and multifamily residential dwellings with four or fewer residential units. Said contract may be for a term not exceeding five years.

(1) Placement of municipal-waste. Only such persons participating in the City-contracted solid waste collection system may place their municipal waste at the designated setout location for collection by said contractor after ~~6:00~~ 5:00 p.m. the day before collection and must remove all containers by daybreak of the day after pickup. Any article found within a municipal waste container or garbage bag, intended to be collected by the City contractor, displaying the name and/or address of another person and/or address, that container or bag shall be presumed to be the property of such persons and shall be cited in accordance with all applicable sections of this Part. [Amended 11-28-2011 by Ord. No. 62-2011]

(2) Exemptions.

(a) Commercial and institutional establishments. Municipal waste generated by commercial or institutional establishments shall not be eligible for City contract collection.

(b) Large residential complex. Where on a single, undivided tract of land under common ownership there is a building or buildings containing a total of five or more dwelling units, such apartment complex shall not be included for municipal waste collection by the authorized City contractor, unless formally requested and approved by the City of Reading.

~~(3) Fee imposed.~~

~~(a) There is hereby imposed upon the owner of each dwelling unit mandated to participate in the City contracted program an annual municipal waste collection and disposal service fee. For the year 1999, this fee shall be prorated on a monthly basis. Said fee shall also be prorated on a monthly basis for those property owners being added to the program midyear. Such fee shall be reviewed on a yearly basis beginning in 2002 and approved by ordinance. Only costs directly associated with solid waste collection and disposal shall be included in such service fee.~~

~~(c) The Director of Public Works shall submit an annual report by October 1 to City Council detailing projected expenses and revenues for the upcoming year and recommend a service fee to cover all costs associated with solid waste collection and disposal.~~

~~(d) The annual fee shall be paid 60 days prior to the beginning of the service year. An owner who pays the fee in full within 30 days of billing shall receive a 5% discount. Any payment not received by the 60th day shall be assessed a 10% penalty. 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 property. The annual fee for those property owners requesting to be included in the program must be paid prior to the start of service.~~

- B. Private collection and disposal responsibility. It shall be the sole responsibility of the owner/operator of all commercial, industrial, institutional and residential properties not listed in Subsection A above to contract with a licensed hauler, at their own expense, for the storage, collection and disposal of all municipal waste from their properties. Such storage, collection and disposal shall be carried out in such a manner as to avoid the creation of a public nuisance. Rear alley collection shall be required where possible, unless being serviced under existing contract. Only a licensed hauler shall collect, transport or dispose of municipal waste from within the City of Reading. Municipal waste may be placed at the designated area after ~~6:00~~ 5:00 p.m. the day before collection and must remove all containers by daybreak of the day after pickup.
[Amended 11-28-2011 by Ord. No. 62-2011]

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§ 496-208. Curbside Waste Collection Fee;

1. There is hereby imposed upon the owner of each dwelling unit who, pursuant to § 496-204 (A), participates in the City's municipal waste program an annual fee, contained in the City Code Chapter 212, for the removal of Curbside Waste as defined in this part.
2. The Director of Public Works shall submit an annual report by October 1 to City Council detailing projected expenses and revenues for the upcoming year and recommend a service fee to cover all costs associated with the collection and removal of all Curbside Waste. The report shall specifically detail the amount of the Curbside Waste fee that is imposed to cover the costs associated with the collection of municipal waste, which shall be used to determine the amount of the fee imposed upon owners of single-family dwellings and multifamily dwellings with four or fewer residential units who do not participate in the City's municipal waste program..
3. There is hereby imposed upon owners of single-family dwellings and multifamily dwellings with four or fewer residential units who do not participate in the City's municipal waste program a fee in an amount to cover the costs of the City's removal of Curbside Waste which shall be reduced by the amount equal to the costs associated with the collection of municipal waste as determined in the annual report.