

Council of the City of York, PA
Session 2014
Resolution No. 69



INTRODUCED BY: Renee S. Nelson

DATE: July 15, 2014

A RESOLUTION

Amending Bill No. 16 of Session 2014 establishing Article 730 "Neighborhood Improvement Ordinance," Subsection 730.08 "Maintaining Property," to include regulations for garbage and rubbish.

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Bill No. 16 of Session 2014 establishing Article 730 "Neighborhood Improvement Ordinance," Subsection 730.08 "Maintaining Property" is hereby amended to include regulations for garbage and rubbish as follows:

730.08 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. It shall be the owner's possessor's, or responsible agent's duty to remove such litter to prevent any such accumulation.
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, municipal waste, hazardous waste, residual waste, 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.
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.
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 exit-ways.

B. GARBAGE AND RUBBISH

Violations of Article 951 of the York City Local Codified Ordinances (Municipal Solid Waste Management Act) including but not limited to the following shall constitute a violation of this Ordinance and may result in a ticket or citation:

- 1) **Place any municipal solid waste or other material subject to decay, anywhere in the City except in a suitable container;**
- 2) **Permit to remain any municipal solid waste or other material subject to decay, anywhere in the City except in accordance with Section 951.05;**
- 3) **Cause or permit to remain, on private property or the adjoining public places such as sidewalks, curbs or streets, the unauthorized accumulation of dust, litter, yard waste, refuse, recyclables or large items;**
- 4) **Cause or permit to remain, any municipal solid waste on a street, alley or other public place, or upon any private property within the limits of the City, unless it complies with Section 951.05;**
- 5) **Deposit municipal solid waste in any stream or other body of water;**

- 6) Deposit or permit to fall from their person or vehicle any municipal solid waste or litter on any public places, street or alley in the City. This section shall not be construed to prohibit placing of refuse in a container complying with the provisions of this article preparatory to having such material collected and disposed of in the manner provided herein;
- 7) Discharge wastes or waste waters other than storm or groundwater onto public streets or alleys;
- 8) Dispose of any municipal solid waste anywhere in the City except at a lawfully established solid waste disposal facility, in full compliance with all applicable Federal, State and local laws;
- 9) Allow municipal solid waste that has been scattered or spilled from refuse containers, bags or bundles from a cause or causes other than negligence of the contractor on any premises, private property or adjoining public places, such as curbs, sidewalks, streets and alleys. Failure by the owner of such property to remove any municipal solid waste promptly shall be deemed a violation of same;
- 10) Allow any unauthorized accumulation of municipal solid waste on any premises, private property or adjoining public places, such as curbs, sidewalks, streets and alleys. Unauthorized accumulation is hereby declared to be a nuisance and is prohibited. Failure by the owner of such property to remove any existing accumulation of municipal solid waste promptly shall be deemed a violation of same;
- 11) Permit refuse containers to remain on sidewalk between scheduled collections and fail to remove such containers within twenty-four hours after collection; or
- 12) Allow accumulated municipal solid waste and large items at the designated pick-up point for collection prior to 5:00 p.m. the day before collection is scheduled or placed later than 6:00 a.m. the day of collection.
- 13) Dispose of quantities, in excess of the average household, of cooking oil or grease from commercial food preparations other than by private arrangements with a waste oil vendor.
- 14) Use refuse containers in excess of 32 gallons or containers that are not specifically sold for the purpose of refuse storage. Such containers may be removed and disposed of as illegally placed municipal solid waste and no refunds will be given.
- 15) Dispose of any electronics anywhere in the City except at a lawfully established electronic disposal facility, in full compliance with all applicable Federal, State and local laws;

C. RECYCLING

Violations of Article 952 of the York City Local Codified Ordinances (Waste Minimization and Recycling) including but not limited to the following shall constitute a violation of this Ordinance and may result in a ticket or citation:

- 1) To collect any designated recyclable material which has been placed at the pick-up point for collection or within a recycling drop-off pursuant to this article other than the designated contractor;
- 2) To violate or to cause or to assist in the violation of any provision of this article or any provision of the Pennsylvania Act 101 concerning recycling;
- 3) To place or to cause to be placed any material other than a designated recyclable in a designated recycling container or in or near a recycling drop-off;
- 4) To hinder, obstruct, prevent or interfere with the City or their personnel or designated contractor in the performance of any duty under this article or in the enforcement of this article;
- 5) To allow recyclable materials that have been scattered or spilled from containers or bundles by other than negligence of the recycling contractor to remain in the right of way;
- 6) To cause or to assist in the unauthorized use of containers;
- 7) To cause or allow any unauthorized accumulation of municipal solid waste or other non-recyclable material within the recycling container which is hereby declared to be a nuisance and is prohibited. Failure of the property owner, tenant or lessee to remove the existing accumulation within five days shall be deemed in violation of same;
- 8) Dispose of any electronics anywhere in the City except at a lawfully established electronics disposal facility, in full compliance with all applicable Federal, State and local laws.

D. WEEDS

1. No owner, possessor or responsible agent of real property shall permit grass or 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 grass or 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 grass or weeds to exceed ten (10) inches in height.

E. VEHICLES

1. JUNK VEHICLE: 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 York, 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.
2. VEHICLE PARKING: Vehicle parking is not permitted on grass, landscaped, or dirt ~~or stone~~ areas of property. All parking areas must be in compliance with all applicable city ordinances, codes and regulations. City sponsored or special events are exempt from this requirement.

F. 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.

G. ANIMAL WASTE

No owner, possessor, or responsible agent of real property shall allow animal waste, feces, urine, or other animal excrement to accumulate on their property so as to create a public nuisance, or so as to prevent others from the **quiet** enjoyment of their own property due to the odor.

H. SNOW REMOVAL

Snow and ice shall be removed from sidewalks in accordance with the current provisions of the Property Maintenance Code and shall not be deposited in violation of any of the requirements of the Property Maintenance Code.

I. SIDEWALK DISPLAYS

No owner, possessor, or responsible agent of real property shall allow a sidewalk display that constitutes a violation of the Property Maintenance Code.

PASSED FINALLY: **July 15, 2014**

BY THE FOLLOWING VOTE:

YEAS: **Helfrich, Nixon, Satterlee, Nelson, Hill-Evans – 5**

NAYS: **None**



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk