



## Philadelphia Department of Streets

### Regulations Governing Municipal And Private Collection Of Refuse

#### Section 1. DEFINITIONS

Note: Defined words used in these Regulations are set forth in **Boldface** type.

**1. Invoice.** An invoice, issued by the City, for the provision of collection service and related cleaning services for an identified six-month billing period.

**2. Bulk Items.** Any large household item containing significant amounts of metal, such as an appliance or furniture, that would not fit into a 32 gallon trash receptacle, whether as a whole or as parts or pieces, and any items containing refrigerant, such as refrigerators and air conditioners.

**3. Center City.** This area includes the part of the City bounded on the East by the Delaware River, on the West by the Schuylkill River, on the North by Spring Garden Street (inclusive) and on the South by South Street (inclusive).

**4. Collectible Rubbish.** Solid wastes, including but not limited to, both putrescible and non-putrescible substances, and both combustible and non-combustible materials. **Collectible Rubbish** shall exclude **Recyclable Materials, Yard Waste, Bulk Items** and those materials and substances not collected by the City as identified in Section 2 or collected pursuant to special collection rules as set forth in Section 5.

**5. Construction Material.** Any waste materials from construction, demolition or remodeling, including but not limited to, stones, bricks, rocks, concrete, gravel, earth, wood, metal, ceramics, drywall, and cinder or concrete block.

**6. Household Hazardous Waste.** Products or materials, such as paints, cleaners, oils, batteries, and pesticides, that contain corrosive, toxic, ignitable, reactive or other potentially hazardous ingredients.

**7. Premises.** Any building or other structure.

**8. Private Business Litter Receptacle.** A rigid plastic or metal receptacle with a minimum size of 20 gallons placed by a private commercial business owner or manager at or near his/her business location for the reception of litter generated at such business.

**9. Private Premises.** Any **Premises** or parking lot 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 **Premises**.

**10. Public Receptacle.** A receptacle placed by the City at various locations for the reception of litter.

**11. Recyclable Materials.** The following:

- A. **Mixed Residential Paper.** All paper products other than hardcover books, including, but not limited to, newspaper, corrugated cardboard, paper, computer paper, high grade paper, catalogs, magazines, soft cover books, telephone books, mail and light weight cardboard boxes (i.e., cereal boxes, shoe boxes, etc.).
- B. **Recyclable Glass.** Any glass food or beverage container.
- C. **Recyclable Metal.** Any aluminum, steel, bi-metal food or beverage container, or empty paint or aerosol cans.
- D. **Recyclable Plastic.** All plastic jugs, cups, trays, plates, and packages marked #1 through #7.
- E. **Commingled Recyclables. Recyclable Glass, Recyclable Metal, and Recyclable Plastic.**
- F. Any other item that the Street Commissioner may designate as eligible for collection by the City for recycling.

**12. Refuse.** Includes **Bulk Items, Construction Material**, putrescible substances, **Recyclable Materials, Collectible Rubbish, Yard Waste** and all other waste materials.

**13. Yard Waste.** Leaves, tree and brush cuttings, and similar material. **Yard Waste** excludes grass trimmings/clippings.

## **Section 2. SEPARATION OF REFUSE**

Certain **Refuse** is not collected by the Streets Department and is listed in Section 2.4 below. Materials which are collected by the Streets Department shall be separated for curbside collection or drop off as follows.

### **1. Curbside Collection.**

- A. **Collectible Rubbish** and **Yard Waste** are eligible for weekly curbside collection, provided they are set out in the manner authorized in Section 3 on their respective collection days.

- B. **Recyclable Materials** shall be set out in authorized private receptacles in the manner authorized in Section 3 separate from **Collectible Rubbish** and **Yard Waste** on their respective collection days. The Streets Commissioner may from time to time suspend the collection of any **Recyclable Materials** or initiate collection of new **Recyclable Materials** as market conditions warrant. The Streets Department shall notify the public in advance of any such change.
- C. Computers, monitors, televisions, tires, **Household Hazardous Waste**, **Bulk Items** and **Refuse** not collected by the City (see Subsection 4, below) may not be set out for curbside collection.

**2. Drop Off At Convenience Centers.**

- A. The following types of **Refuse** will be accepted at Citizen Drop Off Centers designated by the Streets Commissioner:
  - i. **Collectible Rubbish**, but excluding **Construction Material**.
  - ii. **Recyclable Materials**.
  - iii. Computers, monitors, televisions, and other computer related equipment.
  - iv. **Yard Waste**, provided it is not contained in plastic bags or mixed or contaminated with other material.
  - v. **Bulk Items**.
  - vi. Tires. Limited to four per day.
  - vii. Christmas trees.
  - viii. Mattresses and box springs fully contained in a sealed, plastic bag.
- B. In addition to the separation requirement of this Section, City residents wishing to use the Citizen Drop Off Centers must show proof of Philadelphia residency at the Center, must use a vehicle with a gross vehicle weight (GVW) of 6,000 pounds or less, and must have the **Refuse** properly tarped, secured, or otherwise contained in such a manner as to prevent the **Refuse** from being blown or scattered from the vehicle.

**3. Special materials.** Christmas trees, Tires, **Yard Waste**, Mattresses and Box Springs, and **Household Hazardous Waste** are subject to the special collection requirements set forth in Section 5.

**4. Refuse Not Collected By the City.** The following Refuse is not collected by the City and shall not be set out for collection nor taken to a Citizen Drop Off Center:

- A. Highly flammable substances, explosive or radioactive materials, toxic or corrosive substances, or otherwise hazardous material which shall be disposed of as prescribed by the Fire and Health Departments.
- B. Pathological wastes from medical offices and clinics, which shall be disposed of as prescribed by the Health Department.
- C. Grass trimmings/clippings. Grass trimmings and clippings should be mulched into the lawn or collected by private landscaping/collection companies.

**Section 3. TYPES AND SIZES OF RECEPTACLES AND QUANTITIES FOR CURBSIDE COLLECTION**

**1. Authorized Types Of Receptacles And Other Containers.**

A. **Collectible Rubbish** may be set out for curbside collection as follows:

- i. A metal or other non-corrodible receptacle having a tight-fitting lid or cover with a capacity of not more than thirty-two (32) gallons may be used.
- ii. A substantial, leak-proof plastic bag with no smaller than a 30 gallon capacity may be used.
- iii. Certain large items that do not fit into such receptacles may be set out, pursuant to the requirements of subsection 3.C. below.
- iv. Plastic bags smaller than 30 gallons, paper bags, cardboard boxes and receptacles larger than 32 gallons may not be used.

B. **Yard Waste** may be set out for curbside collection as follows:

- i. Except during the “leaf season,” **Yard Waste** may be placed in receptacles and bags authorized for use with **Collectible Rubbish**, and may be commingled with **Collectible Rubbish**.
- ii. During the “leaf season,” meaning a period of time in November and/or December publicly announced by the Streets Department and advertised on the City’s website, **Yard Waste** may only be set out in large recyclable **Yard Waste** bags.

C. **Recyclable Materials** may be set out for curbside collection as follows:

- i. **Mixed Residential Paper** and **Commingled Recyclables** shall be set out in containers provided by the City, in metal or other non-corrodible receptacles, or in

large recyclable paper bags which are designed to withstand the elements (such as **Yard Waste** bags).

- ii. No container, receptacle or bag shall exceed 32 gallons in size.
- iii. Corrugated boxes must be flattened, stacked, and compacted into a consolidated unit. They may be placed in a container, receptacle, or large paper bag as in (i) above, or may be set out separately if tied.
- iv. Plastic bags, small paper bags and cardboard boxes may not be used.

**2. Weight Limit.** No container, receptacle or bag set out for curbside collection of **Collectible Rubbish, Yard Waste** or **Recyclable Materials** shall exceed 40 pounds in weight when filled.

**3. Quantity Limit.**

- A. The limit for curbside collection of **Collectible Rubbish** and **Yard Waste** per collection week per **Premises** is:
  - i. For single-family residences, four receptacles;
  - ii. For all other **Premises** eligible for collection, six receptacles.
- B. In place of any receptacle, two plastic bags may be set out per week, up to a maximum of 12 bags per **Premises**.
- C. A maximum of two items that do not fit in a 32 gallon receptacle, but that do not constitute a **Bulk Item**, and that are compactable in a City waste collection vehicle, may be set out per week per **Premises**.
- D. There is no limit to the number of containers, receptacles or bags that may be set out for collection of **Recyclable Materials**.

**4. Other Restrictions.**

- A. No container or receptacle set out for collection shall have ragged or sharp edges or any other defect that may injure the person emptying it.
- B. All bags, bundles, containers and receptacles shall be secured and covered if necessary so as to prevent their contents from being scattered or being carried away by wind or precipitation.
- C. No bag, bundle, container or receptacle set out for collection shall contain any nails, glass or other sharp objects in a manner as to potentially cause injury to collection personnel.

- D. Needles and syringes eligible for collection shall be placed in securely sealed plastic or metal containers in such a manner that the needles cannot perforate the container.
- E. Household clean ups, garage clean outs and similar activities do not create special exceptions to these Regulations. Where the **Refuse** exceeds the set out limits of this Section, private **Refuse** collection must be used to remove the **Refuse**. **Refuse** that is placed for set out in excess of these limits shall be deemed litter and subject to penalties pursuant to The Philadelphia Code.

#### **Section 4. COLLECTION DAYS, SET OUT TIMES, AND PLACEMENT OF REFUSE**

1. Collection days will be regularly scheduled and announced from time to time by the Department of Streets. Affected residents and businesses will be notified in advance of changes in collection schedules.

##### **2. Set Out Times**

- A. Summer Schedule. April 1 through October 31. When collections are made during the day, **Refuse** collected pursuant to these regulations must be placed on the sidewalk adjacent to the curb at the front of the **Premises** before 7:00 AM on the day of collection but not before 7:00 PM on the previous day in all areas of the City other than **Center City**. In **Center City**, the set out times are before 6:00 AM on the day of collection but not before 8:00 PM on the previous day.
- B. Winter Schedule. November 1 through March 31. When collections are made during the day, **Refuse** collected pursuant to these regulations must be placed on the sidewalk adjacent to the curb at the front of the **Premises** before 7:00 AM on the day of collection, but not before 5:00 PM on the previous day in all areas of the city other than **Center City**. In **Center City**, the set out times are before 6:00 AM on the day of collection, but not before 6:00 PM on the previous day.

3. Any **Refuse** set out at times other than those allowed is considered to be litter within the meaning of The Philadelphia Code, even if it is in the proper location for collection and it is in a receptacle, container or bag authorized by these regulations.

4. **Refuse** shall not be placed in any location for collection other than the front of the **Premises**, such as the rear of the **Premises** or in a private driveway, unless specifically permitted by the Department of Streets.

5. No person shall place any **Refuse** for collection on any **Private Premises** without the permission of the owner or occupant of such **Private Premises**.

## Section 5. SPECIAL MATERIALS

1. Certain items are collected separately from **Recyclable Materials** and **Collectible Rubbish** or have special rules. The Streets Commissioner will establish and announce collection schedules for special collections as warranted. Additional rules relating to special collection items are listed below:

- A. **Bulk Items.** **Bulk Items** may not be set out for curbside collection; they are only collected at drop off centers.
- B. Christmas Trees. All nails, metal stands, ornaments, and other decorations shall be removed from the tree prior to taking the tree to a drop off center.
- C. Tires. All tires shall be free of their rims and shall contain no other materials. Tires may not be set out for curbside collection; they are only collected at drop off centers or at other locations specially designated by the Streets Commissioner.
- D. **Yard Waste.** Tree and brush cuttings shall be cut in pieces small enough to fit in a receptacle for set out. **Yard Waste** can be set out for regular collection with **Collectible Rubbish** or taken to a drop-off center, as described in Section 3, and may also be specially collected from time to time as determined by the Streets Commissioner.
- E. Leaves. During special leaf collection events as designated by the Streets Commissioner, the following rules apply. Leaves shall be set out for collection in securely fastened, recyclable paper **Yard Waste**/leaf bags or covered containers or as otherwise directed by the Streets Commissioner. No one receptacle shall exceed 40 pounds in weight when filled. There is no limit to the number of receptacles of leaves that can be set out for the duration of the event. Leaves must be set out separately from any other material. Plastic bags may not be used for leaf set-out.
- F. Mattresses and Box Springs. Mattresses and box springs shall be fully encased within a sealed, plastic bag.
- G. **Household Hazardous Waste.** From time to time the Streets Commissioner will designate drop off locations for **Household Hazardous Waste**. At that time, the collection locations and the type of wastes to be collected will be determined and announced.

## Section 6. PREMISES ELIGIBLE FOR CITY REFUSE AND RECYCLING COLLECTION

1. **Private Premises Generally.** A **Private Premises** is eligible for City collection if it meets the following criteria:

- A. It is inhabited;
- B. It is a separate real estate parcel;
- C. It has no more than six (6) units;
- D. It is not listed in subsection 3 below; and
- E. More **Collectible Rubbish** than meets the set out limits set forth in Sections 2 and 3 is not generated at the **Premises** on a regular basis.

**2. Large Condominiums and Cooperatives.** Condominiums and cooperatives larger than six units (“large condominiums and cooperatives”) are eligible for City collection in accordance with the requirements of the Streets Department. These requirements include the regulations of this Section and such policies as may be issued by the Streets Commissioner from time to time. Such policies shall be posted on the City’s web site and be available upon request from the Streets Department.

- A. Large condominiums and cooperatives shall complete the application process specified by the Streets Department.
- B. A Site inspection by the Streets Department will determine type of service (dumpster versus curbside collection) and method/location of collection.
  - (i) If dumpsters are required, the large condominium or cooperative shall provide licensed dumpsters no more than four cubic yards in size and suitable for rear loading pick-up. Dumpster specifications are available on request from the Streets Department. The Streets Department will not pick-up dumpsters that are identified as belonging to a private collection/disposal company.
  - (ii) Large condominiums and cooperatives that are permitted to set out cans and bags are subject to the size and weight restrictions in Section 3, but are not subject to the quantity limits of that Section.
- C. The City’s frequency of pick-up is once per week.
- D. Large condominiums and cooperatives shall recycle in accordance with Section 2.
- E. Large condominiums and cooperatives may have private collection in addition to City service.;
- F. Large condominiums and cooperatives shall provide the City with a right of entry and a damage waiver for collection purposes.

**3. Ineligible Premises.** The following are not eligible for City collection.



- A. Manufacturers, i.e., anyone who sells articles or products made or produced by them, including the production lines of manufacturers and their administrative offices.
- B. Wholesalers, i.e., anyone who sells articles to a purchaser who retails or resells them, including the warehouse and repackaging operations of wholesalers and their administrative offices.
- C. The production lines and the warehouse and repackaging operations of establishments which are part manufacturing and part wholesale and their administrative offices.
- D. Gas stations, service stations, body shops, automotive repair shops, and similar facilities.
- E. Any building with more than six (6) dwelling units, unless it is a large condominium or cooperative that meets the requirements of this Section.
- F. Any **Private Premises** which receives private collection, unless eligible for fee exempt collection as described in Section 7.2 of this Regulation.

**4. Refuse Must Be Set Out Where Generated.** Refuse set out for an eligible **Premises** for collection must be generated by that eligible **Premises**. No **Refuse** will be collected if it is set out at an eligible **Premises** but was generated elsewhere.

**5. Authorization To Refrain From Collection.** City Collection personnel are authorized to refrain from collecting any **Refuse** not properly separated and set out according to these Regulations or from **Premises** not eligible for City **Refuse** collection.

**6. Private Collection Required.** Private collection must be arranged for any **Premises** or material not eligible for City collection.

## **Section 7. FEE FOR NEIGHBORHOOD SANITATION AND CLEANING SERVICES**

**1.** All **Premises** eligible for City collection pursuant to these regulations shall be presumed to receive City collection service and related cleaning services and, except as provided in Subsection 2 below, the owners of such properties shall be required to pay an annual fee of \$300 for neighborhood sanitation and cleaning services, unless the requirements of Subsection 6. below are met.

**2.** The following are exempt from the fee:

- A. Collection from single-family dwellings;
- B. Collection from condominiums and cooperatives, as defined in Philadelphia Code Section 10-717.1(1); and

C. Collection from owner-occupied multi-unit properties used solely for residential purposes where no unit is rented or leased for financial consideration.

3. City collection from the **Premises** at which the fee is charged shall be subject to the set out limits and other restrictions otherwise set forth in these regulations, and shall include collection of **Recyclable Materials** under such restrictions.

4. The City shall send an **Invoice** for the service fee to each known property subject to the fee. Payment shall be due 60 days after the date of the **Invoice**. An **Invoice**, also due within 60 days, shall also be sent promptly upon the Department's learning of a property not yet billed.

5. An owner of property that has not received City service, but that is eligible for service, may, during the course of a service year, notify the City of the need for City service. If, at the time service begins, less than half of the then current six-month billing period has elapsed, the property shall receive the **Invoice** for that full period; if more, the property will be billed starting with the **Invoice** for the next period.

6. An owner of property that demonstrates to the Department, pursuant to the requirements of these Regulations, that it has in place private waste hauling service, or another lawful waste disposal alternative that the Department determines is reasonably likely to fulfill the waste disposal needs of the establishment, shall be exempt from the annual fee. Such a demonstration may be made by providing the Department, through its website: (a) identification of the property, including the address; (b) the name of the private hauler that is providing private collection service; (c) the account or other identifying number used in connection with the account with the private hauler; and (d) identification of the provider of the information.

7. A property owner shall have 60 days from the date of the **Invoice** to demonstrate that private waste hauling service is in place for the property. Failure to demonstrate that private service is in place shall constitute acceptance of City service and make the property owner responsible for the full annual fee.

8. The provision of false information to the City in an effort to demonstrate private service when no such private service is in place (a) constitutes a violation of The Philadelphia Code that subjects the property owner to penalties as set forth in the Code; and (b) makes the property owner liable for the annual fee.

9. If an **Invoice** remains unpaid 30 days after it is due, the Department shall immediately terminate service to the property and the property owner shall be liable for interest and penalties in the following amounts:

A. no interest for the first month after the due date, and interest at the rate of one percent (1%) of the amount of the unpaid fee each month or fraction thereof thereafter during which the fee remains unpaid; and

- B. no penalty for the first month after the due date, and penalty calculated on the amount of the unpaid fee at the following rates for each month thereafter during which the fee remains unpaid:
- i. in the first month or fraction thereof, one percent (1%);
  - ii. in the second month or fraction thereof, an additional one percent (1%) for a total of two percent (2%);
  - iii. in the third month or fraction thereof, an additional one percent (1%) for a total of three percent (3%);
  - iv. in the fourth month or fraction thereof, an additional two percent (2%) for a total of five percent (5%);
  - v. in the fifth month or fraction thereof, an additional two percent (2%) for a total of seven percent (7%);
  - vi. in the sixth month or fraction thereof, an additional two percent (2%) for a total of nine percent (9%);
  - vii. in the seventh month or fraction thereof, an additional three percent (3%) for a total of twelve percent (12%);
  - viii. in the eighth month or fraction thereof, an additional three percent (3%) for a total of fifteen percent (15%);
  - ix. in the ninth month or fraction thereof, an additional three percent (3%) for a total of eighteen percent (18%);
  - x. in the tenth month or fraction thereof, an additional four percent (4%) for a total of twenty-two percent (22%);
  - xi. in the eleventh month or fraction thereof, an additional four percent (4%) for a total of twenty-six percent (26%);
  - xii. in the twelfth month or fraction thereof, an additional four percent (4%) for a total of thirty percent (30%);
  - xiii. thereafter, for each additional month or fraction thereof, one and one-quarter percent (1 1/4%) shall be added to the amount charged under subsection (xii).
- C. When suit is brought for the recovery of the fee, the person liable therefor shall, in addition, be liable for the costs of collection together with the interest and penalties herein imposed.

10. A claim against the property owner for unpaid liability may be filed as a lien against the subject **Premises**.

11. For any property at which service has been terminated for lack of payment, collection services shall not be resumed until all outstanding balances are paid, including any balances for unpaid fees for prior years.

12. If the City has terminated service and private collection service has not been demonstrated pursuant to the requirements of Subsection 6 above, it shall be presumed that the owner and/or user of the **Premises** is engaged in an unlawful manner of waste disposal and is causing a public nuisance, which shall subject the owner of the **Premises** to an administrative order to cease operations, as may be permitted by law.

13. If **Collectible Rubbish** or **Recycling Materials** are set out for City collection at any ineligible **Premises** as described in Section 6 above, or at any **Premises** where City service has been terminated pursuant to these Regulations, the property owner shall be subject to all applicable provisions and penalties of The Philadelphia Code and regulations adopted thereunder pertaining to the improper set out of **Refuse**. The Department may issue notice of violation in accordance with the procedures set forth in Section 10-718 of The Philadelphia Code. Penalties for improperly setting out **Collectible Rubbish** or **Recycling Materials** shall be as specified in Section 10 of these Regulations.

## Section 8. MISCELLANEOUS

1. **Placement of Private Business Litter Receptacles.** Philadelphia Code Section 10-704 requires "... the placement of private business receptacles at all public entrances to places of business which prepare or sell food for takeout or consumption off the **Premises** during the business' normal hours of operation only."

- A. Such businesses shall place a **Private Business Litter Receptacle** at all public entrances, outside of the **Premises**, during all hours they are open or in operation.
- B. Such businesses shall store the **Private Business Litter Receptacles** inside the **Premises** during hours the business is not open or in operation.
- C. Any business receiving private **Refuse** collection must also use that collection to dispose of **Refuse** placed in a **Private Business Litter Receptacle** used by the business.

2. **Authorized Private Receptacles.** Philadelphia Code Section 10-713 states that "No person shall throw or deposit litter on any **Private Premises**, whether or not owned by such person, except that the owner or person in control of **Private Premises** may maintain authorized private receptacles for deposit or collection of litter."

- A. For the purposes of Code Section 10-713, an authorized private receptacle for the purpose of storage of refuse on **Private Premises** shall mean a metal or other non-corrodible

receptacle having a tight-fitting lid or cover. Any refuse on a **Private Premises** which is not stored in such manner is considered litter subject to the provisions and penalties of the Philadelphia Code.

B. Bags and open containers shall not be considered authorized private receptacles for the purposes of Philadelphia Code Section 10-713.

3. **Private Compensation Prohibited.** No person shall give any City collection personnel any monetary compensation, gift, or reward for the performance of his or her duties nor shall any Streets Department employee take any such monetary compensation, gift, or reward for the performance of his or her duties.

4. **Use of Public Receptacles.** No person shall place or deposit household or commercial **Refuse** in any **Public Receptacle**.

## **Section 9. PILOTS AND NEW PROGRAMS**

1. From time to time, the Streets Department may initiate a pilot program to test different **Refuse** collection methods, or implement new programs, which affect only a certain portion of the City. For purposes of either a test pilot program or implementation of a new program, the Streets Commissioner may promulgate policies or regulations at variance with these Regulations. In such a case, the specific policies or regulations for the pilot program or new program, where different from these Regulations, supersede these Regulations for the section of the City affected by the program.

2. Affected residents and businesses will be notified by phone message, regular mail or another appropriate method of communication.

## **Section 10. PENALTIES AND ENFORCEMENT**

1. A violation of these Regulations shall be punishable by a fine of not less than one hundred dollars (\$100) and not more than three hundred dollars (\$300), and each day a violation continues or is permitted to continue shall constitute a separate violation for which a separate penalty may be imposed. Notices of violation may be issued in accordance with the procedures set forth in Section 10-718 of The Philadelphia Code.

2. An owner of a **Premises** is responsible for a violation of these Regulations occurring at such **Premises**, even if a tenant or occupant of the owner's **Premises** created or caused the violation, although such tenant or occupant of the owner's **Premises** may also be held liable for such violation.

3. Any person who receives a notice of violation of any provision of these Regulations, or any provision of the Code related to the generation or placement of Refuse for which the Code

Violation Notice amount is \$50, may settle the matter by admitting the violation, waiving the right to a hearing, and paying the following settlement amount:

When Payment Is Made	Settlement Amount
Within ten (10) days of receiving the notice of violation:	\$50.00
Beginning on the eleventh (11 <sup>th</sup> ) day after receiving the notice of violation through ten (10) days after receiving a first reminder notice that no payment has been received:	\$75.00
Beginning on the eleventh (11 <sup>th</sup> ) day after receiving the first reminder notice through ten (10) days after receiving a second reminder notice that no payment has been received:	\$90.00
After an enforcement complaint has been filed in Municipal Court, but before a Municipal Court hearing has been held:	\$90.00 plus Municipal Court filing fees

The notice of violation shall contain an appropriate statement for signature by the person receiving the notice of violation for the purpose of admitting the violation and waiving a hearing, and shall be returned when the person receiving the notice of violation remits the stipulated settlement payment.

**3.** Any person who receives a notice of violation may contest the violation by writing to the Office of Administrative Review and requesting a hearing. The notice of violation shall contain instructions regarding the ability to contest a notice of violation and shall include the address of the Office of Administrative Review.

**4.** If a person who receives a notice of violation fails to either make the settlement payment described in Section 9.3 above after receipt of the second reminder notice or have the violation dismissed after a hearing before the Office of Administrative Review, a complaint shall be filed for such violation in Philadelphia Municipal Court. If the person named in the complaint is found to be liable for the violation or fails to appear on the date set for hearing, he or she shall be subject to the imposition of fines in the amount of no more than Three Hundred Dollars (\$300.00) per violation.