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**OFFICE**

# MEMO

To: HARRISBURG CITY COUNCIL  
From: Michael Parker, City Clerk  
LEGISLATIVE APPROVAL FORM

Date: December 8, 2023

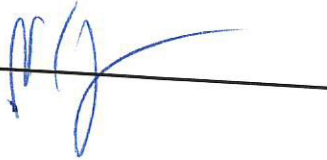
LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. 12 -2023

RESOLUTION NO. -2023

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:

Neil A. Grover  
City Solicitor



12/8/2023  
Date

Requested by Department/Bureau: BUSINESS ADMINISTRATION/DIRECTOR, DPW

Department/Bureau Contact Person: DAW HARTMAN/DAVE WESS

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

Received by:



Date: 12/8/2023

BILL NO. 12 - 2023

Moved by: Councilman Lawson

An Ordinance amending Part 3 of Title 9 of the Codified Ordinances of the City of Harrisburg, entitled the "Municipal Waste, Recycling, and Composting Code," to adjust fees on the collection and disposal of residential municipal solid waste; and, further provide for a technical amendment regarding the imposition of interest charges on certain obligations owed the City.

**WHEREAS**, the City of Harrisburg (the "City") is empowered to enact and enforce ordinances that govern and regulate sanitation practices within the City consistent with the Solid Waste Management Plan for Dauphin County, as approved by the Pennsylvania Department of Environmental Protection; the Pennsylvania Solid Waste Management Act of 1980 (P.L. 380, No. 97, July 7, 1980); and the Pennsylvania Municipal Waste Planning, Recycling, and Waste Reduction Act (P.L. 556, No. 101, July 28, 1988) and thereby ensure the best delivery of sanitation services to the community; and

**WHEREAS**, pursuant to Section 12409 of the Third Class City Code, City Council is authorized to "establish, alter, charge and collect rates and other charges" for the collection, removal, and disposal of municipal waste; and

**WHEREAS**, the current rate for the collection of residential municipal solid waste was set at \$156.00 per annum through adoption of Ordinance No. 6 of 2006; and

**WHEREAS**, the rate for the disposal of residential municipal solid waste was set at \$232.00 per annum through the adoption of Ordinance No. 20 of 2007 and increased to the current rate of \$232.08 per annum through the adoption of Ordinance No. 7 of 2018; and

**WHEREAS**, the Council of the City of Harrisburg finds that increased costs and expenses associated with all aspects of the collection and disposal of municipal solid waste

33 makes it necessary to raise the collection and disposal charges for residential municipal  
34 solid waste; and

35

36 **WHEREAS**, the City desires to otherwise update and technically amend related  
37 provisions of the City Code.

38

39 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY**  
40 **OF HARRISBURG, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE**  
41 **SAME, AS FOLLOWS:**

42

43 Ch.1-201.1.C PROVIDES "AMENDMENTS TO EXISTING LEGISLATION ARE TO  
44 BE UNDERLINED; DELETIONS ARE TO BE INDICATED BY [BRACKETING] . ADDITIONS  
45 TO PROPOSED LEGISLATION WHICH AMENDS EXISTING LEGISLATION SHALL BE  
46 CAPITALIZED; DELETIONS SHALL BE INDICATED BY STRIKING (-) ."

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48 **SECTION 1. AMENDMENT TO THE LEGISLATIVE CODE.**

49 Part 3 of Title 1 of the of the Codified Ordinances for the City of Harrisburg is hereby  
50 amended as follows:

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PART 3 (1-300)

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CODIFIED ORDINANCES

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Chapter 1-301

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§ 1-301.5. Penalties for tax or charge delinquency; interest charges; and exceptions

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C. Interest on claims, liens, and judgments. Whenever a statute, ordinance, regulation, or agreement authorizes the City to make a claim, lien, or judgment against any person or property for unpaid charges, assessments, or obligations of any nature, and any portion thereof remains due and owing for more than 30 days after the date of the issuance of the original written or electronic notice thereof, that claim, lien, or judgment shall be subject to an interest rate charge of ten percent (10 %) per annum, unless a different interest rate is expressly provided in such authorizing statute, ordinance, regulation, or agreement, or, conversely, is otherwise prohibited by law.

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**SECTION 2. AMENDMENT TO THE MUNICIPAL WASTE, RECYCLING, AND COMPOSTING CODE.**

Part 3 of Title 9 of the of the Codified Ordinances for the City of Harrisburg is hereby amended as follows:

Part (9-300), Refuse and Disposal

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Chapter 9-303

MUNICIPAL WASTE

\*\*\*\*\*

§ 9-303.4. Rates for Municipal Waste Services.

\*\*\*\*\*

93 B. Collection Rates. The collection rates for each property, or part of a property, within  
94 the City shall be related to the kind, quality, and quantity of municipal waste to be  
95 collected from such property, as set forth below:

96 (1) Residential property utilizing carts: [\$156] \$159.23 per year; [\$13] \$14.25 monthly  
97 per cart for once a week collection of up to 95 gallons of municipal waste not weighing  
98 in excess of 160 pounds.

99  
100 \*\*\*\*\*

101  
102 C. Disposal Rates. In addition to the rates for collection of municipal waste by the City,  
103 there is imposed upon each property within the City a refuse ready-to-serve and use of  
104 facilities charge for the disposal of municipal waste delivered by the City to the disposal  
105 facility, pursuant to the following:

106 (1) Residential dwelling units of four units or less: [\$232.08] \$255.84 per year per cart;  
107 [\$19.34] \$21.32 monthly for once a week disposal of up to 95 gallons of municipal waste  
108 not weighing in excess of 160 lbs.

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112 **SECTION 3. RESERVATIONS.**

113 Nothing in this ordinance shall be construed to diminish the powers granted to City  
114 officials by law.

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116 **SECTION 4. DELEGATION.**

117 Appropriate City officials are authorized to take such actions as are necessary to effectuate  
118 this ordinance.

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120 **SECTION 5. SEVERABILITY.**

121 If any provision, sentence, clause, section or part of this ordinance or the application  
122 thereof to any person or circumstance is for any reason found to be unconstitutional,

123 illegal, or invalid by a court of competent jurisdiction, such unconstitutionality, illegality,  
124 or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses,  
125 sections, or parts of this ordinance. It is hereby declared as the intent of the Council of the  
126 City of Harrisburg that this ordinance would have been adopted had such unconstitutional,  
127 illegal, or invalid provision, sentence, clause, section, or part not been included herein.

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129 **SECTION 6. REPEALER.**

130 All ordinances or parts of ordinances of the City of Harrisburg in conflict with the  
131 provisions of this ordinance are hereby repealed in so far as they are inconsistent herewith.

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133 **SECTION 7. EFFECTIVE DATE.**

134 This ordinance shall take effect in accordance with the law.

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137 Seconded by: \_\_\_\_\_.

BILL NO. 12 -2023

YEAS		NAYS
/	MS. DANIELS	
/	MS. GREEN	
/	MR. LAWSON	
/	MR. MAJORS	
/	MS. RAWLS	
/	MR. RODRIGUEZ	
/	MS. BOWERS	
YEAS	6	
NAYS	0	

Passed by City Council 12/21/23

Danille L. Bowers

President of City Council

Attest Michael D. Parker

City Clerk

Approved

Return to City Council with objections

Wanda R. D. Williams

Mayor