

**MANAGING DIRECTOR'S OFFICE REGULATION REGARDING SERVICE AND  
APPEAL FOR CERTAIN NOTICES OF VIOLATION**

**WHEREAS**, the Department of Streets, Department of Licenses and Inspections, and the Philadelphia Police Department are authorized to issue violations under Chapter 10-700 et. seq. of The Philadelphia Code (the "Code");

**WHEREAS**, Section 1-110 of the Code provides when written notices of violation shall be deemed served; and

**WHEREAS**, Code Section 1-112(2) addresses service of certain notices of violations when a relevant City official observes the violation, but provides that "[i]f another provision of the Code or any regulation adopted under any provision of the Code contains specific provisions relating to notices of violation . . . those specific provisions shall control over the general provisions of this Section[;]" and

**WHEREAS**, violations of Code Section 10-710 ("Short Dumping") often occur on vacant lots; and

**WHEREAS**, violations of Short Dumping are often discovered after the fact and not during the act; and

**WHEREAS**, violators of prohibitions on short dumping are often identified well-after the prohibited conduct occurs and after the violator has left the location of where the Short-Dumping has occurred; and

**WHEREAS**, violators often reside outside of the City of Philadelphia; and

**WHEREAS**, there is a desire to clarify the method for serving notices of violation related to Short Dumping; and

**NOW, THEREFORE**, pursuant to the authority granted under Section 8-407 of the Philadelphia Home Rule Charter, the Managing Director's Office hereby promulgates the following regulation.

**Section A:     Interaction Between Service Provisions in Section 1-110 and Section 1-112 of  
                     The Philadelphia Code; and Authorization of Certified Mail and In Person  
                     Service**

(1)     All Written Notices of Violation of any provision of The Philadelphia Code (the "Code") are deemed served when delivered or mailed in accordance with the provisions of Code Section 1-110 as follows:

- (a)   when delivered by hand to the alleged violator; or
- (b)   when regularly mailed to:

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- (.1) the alleged violator, or his agent;
- (.2) the last-known residence of the alleged violator; or
- (.3) the usual place of business of the alleged violator; or
- (.4) any adult person in charge of the premises where the alleged violation exists.

(2) Certified mail or hand-delivery by a process server may be used in addition to or substituted for regular mailing when a department deems such methods appropriate.

(3) Code Section 1-112(2) provides an alternate means for serving certain notices of violation that the Code provides may be resolved upon remission of a stated fee, admission of the violation, and waiver of appearance before a Municipal Court Judge when a violation of the Code is observed by a police officer or any other person authorized to enforce ordinances. Code Section 1-112 does not in any way limit the means of service provided in Code Section 1-110 or this Regulation.

**Section B: Services of Notices of Violation for Section 10-710 of The Philadelphia Code.**

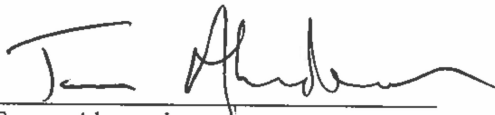
(1) Notices of Violation for alleged violations of Section 10-710 shall be served in accordance with the provisions of Section 1-110 and Section A of this Regulation.

**Section C: Appeals of Violation Notices**

(1) Any notice of violation issued for a violation of Section 10-710 may be appealed to the Board of Licenses and Inspections Review Board within thirty (30) days from the date of the notice.

(2) Appeals shall be governed by the provisions of The Philadelphia Code Title 4, Sections A-803 and A-804.

Date: 3-21-2023

  
Tumar Alexander  
Managing Director  
City of Philadelphia

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