

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2000 Legislative Session

Bill No. CB-15-2000

Chapter No. 20

Proposed and Presented by Council Member Scott

Introduced by Council Member Scott

Co-Sponsors _____

Date of Introduction April 4, 2000

BILL

1 AN ACT concerning

2 Refuse and Recycling Fees

3 For the purpose of establishing a limit on residential refuse system fees.

4 BY repealing and reenacting with amendments:

5 SUBTITLE 2. ADMINISTRATION.

6 Section 2-375,

7 The Prince George's County Code

8 (1999 Edition).

9 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
10 Maryland, that Section 2-375 of the Prince George's County Code be and the same is hereby
11 repealed and reenacted with the following amendments:

12 SUBTITLE 2. ADMINISTRATION.

13 DIVISION 22. URBAN AREAS.

14 Subdivision 1. General.

15 **Sec. 2-375. Tax levy for municipal functions.**

16 (a) The special assessment taxes levied by the Council for the costs of municipal
17 functions, services and improvements provided in Section 2-367, "Municipal functions," except
18 garbage and trash collection removal and disposition, site acquisition and operation, shall be by
19 an ad valorem tax levied against all of the property assessed for County tax purposes within such
20 area or that portion of the area where such are provided. The Council may allow credit against
21 such levy of certain State funds, provided the requirements of the Council are complied with.

1 (b) The special assessment taxes levied by the Council for the costs of garbage and trash
2 collection, removal and disposition, including site acquisition and operation shall be by an ad
3 valorem tax against all of the improved properties assessed for County tax purposes within the
4 area receiving trash and garbage removal and disposition service. The Council may in its
5 discretion prescribe the method of payment and the rate of tax for the costs of the collection,
6 removal and disposition of trash and garbage as follows: the basis of the tax to be the total costs
7 of said service divided by the number of units served. The Council may vary the tax rate as
8 between individual residential units and commercial establishments. Such decision as to any
9 variance for such service by the Council shall be conclusive.

10 (1) The special assessment tax rate for garbage and trash disposition and the
11 acquisition and operation of a site or sites for the disposition of such garbage and trash shall be
12 established on a per unit basis.

13 (2) The special assessment tax rate for garbage and trash disposition and the
14 acquisition and operation of a site or sites for the disposition of such garbage and trash for
15 residential and commercial uses shall be based upon the amount of garbage and trash anticipated
16 to be generated by each type of use. The County Executive shall collect appropriate data,
17 analyze waste generation, and recommend a reasonable system of rates and charges for adoption
18 by the Council in conjunction with the adoption of the annual operating budget.

19 (3) At the time any special assessment tax rate is implemented for commercial
20 properties, the special assessment tax rate for residential and commercial properties shall be
21 established at rates that are designed to generate the same total revenue previously generated by
22 the residential rate alone, provided, however, that the rates shall be adjusted to ensure sufficient
23 revenue to cover the increase in the cost of providing services. For Fiscal Year 2002 and each
24 fiscal year thereafter, the rate for residential properties shall not exceed thirty dollars per year per
25 residential unit.

26 (4) The County Executive shall provide an independent process to hear the appeal by
27 the owner of any commercial property of the assignment of the property to a business type or
28 waste generator category or of any physical measurement of the property that is alleged to be
29 incorrectly calculated.

1 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect on June 30,
2 2001, provided however, that this Act shall be void and of no further effect unless a law
3 imposing solid waste fees upon commercial property is approved by the voters at the
4 November 7, 2000 general election.

Adopted this 25th day of April, 2000.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Dorothy F. Bailey
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.