

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2002 Legislative Session

Bill No. CB-73-2002

Chapter No. _____

Proposed and Presented by Council Members Bailey and Scott

Introduced by Council Members Bailey and Scott

Co-Sponsors _____

Date of Introduction July 9, 2002

BILL

1 AN ACT concerning

2 Refuse Collection Vehicles

3 For the purpose of limiting noise pollution by restricting the hours of operation for refuse
4 collection vehicles within and adjacent to residential areas.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 19. POLLUTION.

7 Section 19-126, and

8 SUBTITLE 21. REFUSE.

9 Section 21-114

10 The Prince George's County Code

11 (1999 Edition, 2001 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Sections 19-126 and 21-114 of the Prince George's County Code be and the same
14 are hereby repealed and reenacted with the following amendments:

15 **SUBTITLE 19. POLLUTION.**

16 **DIVISION 2. NOISE CONTROL.**

17 **Sec. 19-126. Noise in a residential area.**
18

19 (a) No person, who has been ordered by a police officer to cease using, operating, or
20 permitting to be played or operated any radio, television set, tape or disk recorder, phonograph,
21 musical instrument, or any other machine, equipment, or tool which produces or reproduces any

1 sound or noise which is audible more than fifty (50) feet from the source of the sound or noise,
 2 shall continue to use, operate, or permit to play or operate the device causing the sound or noise.

3 (b) No person shall operate a refuse collection vehicle required to be registered pursuant to
 4 Section 21-109 of this Code in a manner that generates noise from the engine and transmission,
 5 safety alarms, communications equipment, or hoisting, lifting, or compacting equipment that is
 6 audible within a residential area or within 500 feet of a residential area between the hours of 9:00
 7 P.M. and 7:00 A.M. of the next day.

8 (c) This Section shall apply only to a sound or noise, which is audible in a residential area
 9 between the hours of 9:00 P.M. and 7:00 A.M. of the next day. Residential area is an area located
 10 within a residential zone listed in Section 27-109(a)(1) of this Code.

11 [(c)](d) This Section shall not apply:

12 (1) To any sound resulting from the emergency operation of a public service
 13 company as defined in Article 78, Section 2(o), Annotated Code of Maryland;

14 (2) To any sound resulting from the operations of an instrumentality of the Federal,
 15 State, or County government, or of a municipality;

16 (3) To a sound resulting from the operation of farm equipment or aircraft.

17 (4) On private property for which a use and occupancy permit has been issued for
 18 purposes of sporting, recreational, entertainment events, or for any other event to which the
 19 public is invited; or

20 (5) To an event or activity which takes place on property owned by the United States,
 21 the State, the County, the Board of Education, a bicounty agency, or a municipality.

22 [(d)] (e) Any person who violates any provision of this Section shall, upon
 23 conviction, be guilty of a misdemeanor and subject to a fine not exceeding \$250 for a first
 24 offense, and \$500 for each subsequent offense or imprisonment not exceeding thirty (30) days, or
 25 both such fine and imprisonment.

26 **SUBTITLE 21. REFUSE.**

27 **DIVISION 1. REFUSE COLLECTION AND DISPOSAL.**

28 **Subdivision 1. Refuse Collection and Disposal.**

29 **Sec. 21-114. Refuse collection and transportation.**

30
 31 (a) All collection vehicles shall be sufficiently watertight to prevent the loss of any liquid
 32 from waste matter.

1 (b) All open type vehicles shall be covered between points of collection and place of
2 disposal by heavy canvas or metal to preclude odors and refuse from escaping onto the streets
3 and adjacent areas.

4 (c) Collection points shall be left clean and free of debris, trash and other refuse after
5 refuse is collected.

6 (d) All collection vehicles shall be kept cleaned so as to minimize odor and prevent insect
7 breeding and rodent feeding.

8 (e) Any person who contracts to collect and dispose of refuse and garbage with any other
9 person in this County shall be bound by the terms of his agreement and shall collect and dispose
10 of the refuse and garbage. In the event one (1) of the contracting parties fails or refuses to collect
11 and dispose of such refuse and garbage without a justifiable reason or excuse, then Section 21-
12 111 shall apply. The Health Officer may revoke the general collection license of the violator if,
13 in his opinion, revocation would promote the purpose and intent of this Division.

14 (f) In special taxing areas and in special improvement districts and urban areas outside of
15 incorporated municipalities, the County may collect refuse from single-residence dwellings;
16 duplex residence dwellings and triplex residence dwellings. The County may contract with
17 private individuals, associations and corporations in order to provide refuse collection service.
18 The Department of Environmental Resources shall be authorized to adopt regulations governing
19 refuse collection services so long as the regulations comply with Section 21-120.

20 (g) Collection vehicles may not be operated at a collection point that is within a residential
21 area or within 500 feet of a residential area between the hours of 9:00 P.M. and 7:00 A.M. of the
22 next day. Residential area is an area located within a residential zone listed in Section 27-
23 109(a)(1) of this Code.

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SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this _____ day of _____, 2002.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Acting 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.