

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2017 Legislative Session

Bill No. CB-78-2017

Chapter No. 80

Proposed and Presented by Council Member Glaros

Introduced by Council Members Glaros, Turner, Davis, Franklin, Taveras and Lehman

Co-Sponsors _____

Date of Introduction October 17, 2017

BILL

1 AN ACT concerning

2 Multifamily Rental Facilities - Recycling

3 For the purpose of requiring certain multifamily rental facilities that provide trash chutes to also
4 provide separate trash recycling chutes and generally relating to recycling.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 21. REFUSE.

7 Section 21-149,

8 The Prince George's County Code

9 (2015 Edition; 2016 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Section 21-149 of the Prince George's County Code be and the same is hereby
12 repealed and reenacted with the following amendments:

13 SUBTITLE 21. REFUSE.

14 DIVISION 4. SOLID WASTE RECYCLING.

15 SUBDIVISION 1. COUNTY PROGRAM.

16 **Sec. 21-149. - Single and multifamily rental facilities; condominiums; responsibilities of**
17 **licensees and owners.**

18 (a) By July 1, 2014, licensees and owners of all single and multifamily rental facilities and
19 condominiums shall provide an opportunity for tenants to voluntarily recycle designated
20 recyclable material in a same manner as solid waste disposal, including convenient and
21 assessable location with signage.

1 (b) (1) The licensee and owner of each multifamily rental facility and condominium shall
 2 submit to the Director for approval a plan for the separation and collection of designated
 3 recyclable materials by July 1, 2013. The plan shall demonstrate compatibility with the County's
 4 recycling programs. Each multifamily rental facility plan shall include at a minimum:

5 [(1)] (A) Designation of recyclable materials to be collected;

6 [(2)] (B) A collection system for the designated recyclable materials; and

7 [(3)] (C) Provisions for publicizing the recycling program.

8 (2) [By July 1, 2018, there shall be a mandatory recycling program for multifamily
 9 rental facilities that contain 10 or more dwelling units.] In order to comply with Section 21-
 10 149(a), all new construction of multifamily rental facilities that [contain 10 or more dwelling
 11 units, and] are constructed with a trash chute, shall be constructed to provide a separate trash
 12 recycling chute. The licensee and owner of multifamily rental facilities shall enforce this
 13 requirement and shall submit a recycling plan meeting the criteria in Section 21-149(b) to the
 14 Director for approval. Building plans for all new construction of multifamily rental facilities
 15 shall show a plan for meeting the requirements of Section 21-149(b).

16 (c) A homeowners or condominium association, a property management company for such
 17 association, or their authorized agent may request reimbursement of the recycling surcharge paid
 18 by the association where the County does not provide recycling services and if the recycling is
 19 hauled to a collection facility in the County.

20 (d) Licensees and owners of all single-family and multifamily rental facilities and
 21 condominiums may request technical assistance from the County for the preparation of recycling
 22 plans and the implementation of recycling programs.

23 (e) An annual report which accounts for the amount of designated recyclable materials
 24 collected must be submitted by the licensees and owners of all multifamily rental facilities and
 25 condominiums to the Director on a schedule established by the Director and the report shall
 26 include the method of collection, the amount collected and the disposal method of the materials.

27 (f) The Director is authorized to extend the date of compliance for operation of a voluntary
 28 recycling program if satisfactory progress has been made toward implementing their recycling
 29 program.

30 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
 31 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,

1 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
2 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
3 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
4 Act, since the same would have been enacted without the incorporation in this Act of any such
5 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
6 or section.

7 SECTION 3. BE IT FURTHER ENACTED that this Act shall be construed to apply only
8 prospectively and may not be applied or interpreted to have any effect on or application to any
9 construction before the effective date of this Act.

10 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
11 calendar days after it becomes law.

Adopted this 14th day of November, 2017.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Rushern L. Baker, III
County Executive