

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2017 Legislative Session

Reference No.: CB-66-2017
Draft No.: 2
Committee: TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE
Date: July 12, 2017
Action: FAV/A

REPORT:

Committee Vote: Favorable with Amendments 4-0 (In favor: Council Members Turner, Lehman, Patterson, Taveras)

CB-66-2017 amends the County Code provisions regarding curbside collection and on premise collection of trash and recyclables and provides for civil violations and increased penalties for violation of this law. This legislation is needed to promote clean neighborhoods and for the health, safety and welfare of County residents.

The bill provides that for curbside collection trash and recycling containers may be put at the curb for collection after 6:00 pm the day prior to the scheduled collection and must be removed from the curb the day of the scheduled collection.

CB-66-2017 also provides that for curbside and on premise collection, trash must be placed in a metal or tough plastic container with handles and a tight-fitting lid with a maximum weight of 60 lbs. and a maximum of one opaque plastic bag, not within a trash container, that can be picked up and carried without tearing and securely tied at the top to prevent spillage may be used per residence per collection. Further, the Department of the Environment is required to provide outreach regarding on premise collection.

Penalties for violations pursuant to the legislation are as follows: first offense-warning; second offense - \$100; and each subsequent offense - \$100. In addition, a person who violates Section 21-142(g), Section 21-147, Section 21-149 or Section 21-149.01 of the County Code is deemed to have committed a civil violation and shall pay to the County a civil monetary fine. For repeated civil violations, each violation in excess of three (3) shall not exceed \$1,000.

Denice Curry of the Department of the Environment represented the Department and answered Committee members' questions.

The Committee adopted the following amendments: on page on page 2, in line 16, strike “gar e” and substitute “garbage”; on page 2, in line 28, after “bag” insert “not within a trash container”, on page 3, in line 30, after “bag” insert “not within a trash container” and on page 4, in line 11, before “\$1,000.00” insert “not to exceed”.

The Office of Law determined that CB-66-2017 was in proper legislative form with no legal impediments to its enactment.

The Office of Audits and Investigations determined that the enactment of CB-66-2017 may have a positive fiscal impact on the County, the impact of which would be based upon the number of violations issued and collected annually. A reasonable estimate of annual collections is not able to be determined at this time.

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