

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2012 Legislative Session

Bill No. CB-91-2012

Chapter No. 68

Proposed and Presented by Council Member Harrison

Introduced by Council Members Harrison, Davis, Franklin, Olson and Patterson

Co-Sponsors _____

Date of Introduction October 23, 2012

ZONING BILL

1 AN ORDINANCE concerning

2 Electronic Recycling Facilities

3 For the purpose of defining electronic recycling facility, amending the definition of recycling
4 plant to exclude electronic recycling facilities, and to permit electronic recycling facilities in the
5 I-1 and I-2 Zones under certain circumstances.

6 BY repealing and reenacting with amendments:

7 Sections 27-107.01(a) and 27-473(b),

8 The Zoning Ordinance of Prince George's County, Maryland,

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2011 Edition).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
15 District in Prince George's County, Maryland, that Sections 27-107.01(a) and 27-473(b) of the
16 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
17 George's County Code, be and the same are hereby repealed and reenacted with the following
18 amendments:

SUBTITLE 27. ZONING.

PART 2. GENERAL.

DIVISION 1. DEFINITIONS.

Sec. 27-107.01. Definitions.

(a) Terms in the Zoning Ordinance are defined as follows:

* * * * *

(81.2) **Eating or Drinking Establishment:** An establishment that provides food or beverages for consumption on or off premise, which may be developed freestanding, on a pad site or attached to another building, or located within another building or located within a group of buildings, which may include a drive-through service, carryout, outdoor eating, music of any kind, patron dancing, or entertainment, excluding adult entertainment uses.

(81.3) **Electronic Recycling Facility:** An establishment in which obsolete or outdated computers, televisions, cell phones, printers, PDA's , medical equipment (not including x-ray machines or other potentially radioactive devices) and other electronic devices used in offices and homes, which have been previously separated from the solid waste stream, are collected and sorted, processed and sold for reuse or packaged for distribution to other facilities where the materials will be further recycled, used as raw materials or will otherwise be returned to the market place. Processing means the preparation of materials by such means as disassembling, refurbishing, baling, briquetting, compacting, grinding, crushing, shredding and separation into commodity grade materials. The use shall not include the treatment, speculative accumulation or recycling of , cathode ray tubes, hazardous materials, or radioactive Universal Waste as defined by 40 CFR Part 273, as amended from time to time, which shall be shipped off-site to a certified facility for further recycling. In addition the use shall not include smelting, biological or chemical treatment of the component parts recovered from the electronic devices.

* * * * *

(194) **Recycling Plant:** Any establishment in which a finished product is broken down (excluding biological or chemical decomposition) with the intent of either making a new product or reusing the disassembled parts. Vehicle demolition, salvage, storage operations, electronic recycling facilities and concrete recycling facilities are not included.

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**SUBTITLE 27. ZONING.
PART 7. INDUSTRIAL ZONES.
DIVISION 3. USES PERMITTED.**

Sec. 27-473. Uses permitted.

(b) TABLE OF USES.

USE	ZONE				
	I-1 ³³	I-2 ³³	I-3	I-4	U-L-I
(2) INDUSTRIAL:					
* * * * *	*	*	*	*	*
(F) Miscellaneous Industrial, Manufacturing, and Related Uses:					
* * * * *	*	*	*	*	*
<u>Electronic Recycling Facility</u>	<u>SE⁵⁷</u>	<u>SE⁵⁷</u>	<u>X</u>	<u>X</u>	<u>X</u>
* * * * *	*	*	*	*	*

57 Permitted without a special exception provided:

- a) All operations shall be confined to the interior of a wholly enclosed building. There shall be no outdoor storage and/or unattended drop offs of materials or equipment;
- b) The facility shall not accept material from individual residents and shall not operate as a public drop-off center.
- c) The use and occupancy permit application shall include an operations plan and checklist indicating the methods by which the facility intends to comply with the approved certification standard;
- d) Within twelve (12) months after issuance of any use and occupancy permit to an electronic recycling facility, the occupant shall obtain, and at all times thereafter, maintain certification under the most recently adopted Responsible Recycling (R2) standard, e-steward standard, or an equivalent standard determined by the Department of Environmental Resources to meet or exceed these standards;
- e) Following initial certification, each electronic recycling facility shall certify to the Department of Environmental Resources in January of each calendar year that the permitted facility is certified under the R2 or equivalent approved standard; and
- f) In the event an electronic recycling facility fails to obtain the required certification within twelve (12) months after the issuance of the use and occupancy permit, or fails to maintain such certification, the Department of Environmental Resources shall revoke the use and occupancy permit and operations must cease until the certification is obtained.

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

Adopted this 20th day of November, 2012.

COUNTY COUNCIL OF PRINCE GEORGE’S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE’S COUNTY,
MARYLAND

BY: _____
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.