

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

Bill No. CB-66-2017

Chapter No. 47

Proposed and Presented by Council Member Glaros

Introduced by Council Members Glaros, Davis, Toles, Lehman, Turner, Taveras, Patterson

Co-Sponsors _____

Date of Introduction July 18, 2017

BILL

1 AN ACT concerning

2 Promoting Clean Neighborhoods

3 For the purpose of amending certain provisions regarding curbside collection and on-premise
4 collection of trash and recyclables; requiring outreach to persons who are eligible to obtain, and
5 those who already obtain on-premise collection services; providing for certain fines; and
6 generally relating to curbside collection and on-premise collection service of trash and
7 recyclables.

8 BY repealing and reenacting with amendments:

9 SUBTITLE 2. ADMINISTRATION.

10 Section 2-384.01,

11 SUBTITLE 21. REFUSE.

12 Sections 21-113 and 21-152,

13 The Prince George's County Code

14 (2015 Edition; 2016 Supplement).

15 WHEREAS, County refuse collection services are provided through County collection
16 trucks for white goods and bulky trash, and contracts with private refuse collection firms for
17 refuse, recycling, and yard waste. Most households receive curbside collection and reasonable
18 accommodations are made for elderly and disabled individuals. The County provides refuse
19 collection services to approximately 162,000 households; and

20 WHEREAS, County recycling collection services are provided through County contracts
21 with private recycling collection firms. The County provides recycling collection services to

1 approximately 172,000 households; and

2 WHEREAS, there are more households receiving recycling collection service than trash
3 collection service due to some municipalities participating in the County’s recycling program;
4 and

5 WHEREAS, curbside collection and on-premise collection of trash and recyclables are
6 paramount in promoting Clean Neighborhoods and are integral to the health, safety, and welfare
7 of residents of the County; and

8 WHEREAS, the County Council is hereby requiring additional requirements for curbside
9 collection and on-premise collection of trash and recyclables.

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Section 2-384.01 of the Prince George's County Code be and the same is hereby
12 repealed and reenacted with the following amendments:

13 **SUBTITLE 2. ADMINISTRATION.**

14 **DIVISION 22. URBAN AREAS.**

15 **SUBDIVISION 1. GENERAL.**

16 **Sec. 2-384.01. - Hardship [rear door] on-premise collection of garbage and trash.**

17 (a) In any area in which there is levied a special assessment tax for trash and garbage
18 collection service, pursuant to the provisions of Section 2-377 (a)(3) of this Division, the
19 Prince George's County Government shall provide, upon request of the party receiving such
20 service, and without additional charge, "[rear door] on-premise collection service," to any
21 household in which all of the residents are physically unable by reason of age or infirmity to
22 carry trash to the curb. Any person who is more than sixty-five (65) years of age shall be
23 deemed to be unable to carry trash to the curb. "[Rear door] On-premise collection" shall
24 mean the collection of trash and garbage at the rear or side of a dwelling.

25 (b) The following requirements apply to on-premise collection:

26 (1) Trash must be placed in a metal or tough plastic container with handles and a
27 tight-fitting lid, with a maximum weight of 60 lbs.

28 (2) A maximum of one opaque plastic bag not within a trash container that can be
29 picked up and carried without tearing and securely tied at the top to prevent spillage may be used
30 per residence per collection.

1 (3) A maximum of one opaque plastic bag not within a trash container that can be
2 picked up and carried without tearing and securely tied at the top to prevent spillage may be used
3 per residence per collection.

4 * * * * * * * * *

5 **Sec. 21-152. Penalties.**

6 (a) Any person who violates Section 21-142 (g), Section 21-147, Section 21-149 or
7 Section 21-149.01 of this Code is deemed to have committed a civil violation and shall pay
8 to the County a civil monetary fine as prescribed in this Section.

9 (b) Each separate day of violation that remains uncorrected is a distinct civil violation
10 subject to an additional citation and fine.

11 (c) The civil monetary fine for each civil violation of Section 21-142 (g), Section 21-
12 147, Section 21-149 or Section 21-149.01 shall be One Hundred Dollars (\$100.00), except
13 as provided in Subsection (d) of this Section.

14 (d) For a repeated civil violation, the following fines shall apply:

2nd violation	\$500.00
3rd violation	\$750.00
Each violation in excess of three (3)	Not to exceed \$1,000.00

15
16 (e) In addition to, and not in lieu of, any other penalties prescribed in this Section, any
17 person who violates Section 21-142 (g), Section 21-147, Section 21-149 or Section 21-
18 149.01 of this Code is guilty of a misdemeanor and, upon conviction thereof, shall be subject
19 to a fine not to exceed One Thousand Dollars (\$1,000.00), or imprisonment not to exceed six
20 (6) months, or both.

21 (f) Any person who violates Section 2-384.01 and/or Section 21-113 of this Code is
22 deemed to have committed a civil violation and is penalized as follows:

- 23 (1) the first offense shall be a warning;
- 24 (2) the second offense shall be a fine of One Hundred Dollars (\$100.00); and
- 25 (3) each subsequent offense shall be a fine of One Hundred Dollars (\$100.00).

26 Each separate day of violation that remains uncorrected is a distinct civil violation subject to
27 an additional citation and fine.

1 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby
2 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
3 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
4 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
5 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
6 Act, since the same would have been enacted without the incorporation in this Act of any such
7 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
8 or section.

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

Adopted this 12th day of September , 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