

Introduced 1/6/2014
Public Hearing 1/22/2014
Council Action 2/3/2014
Executive Action 2/5/2014
Effective Date 4/7/2014

County Council of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 1

Bill No. 2 -2014

Introduced by: The Chairperson at the request of the County Executive

AN ACT requiring certain recycling services for certain apartment complexes and condominiums; requiring compliance with the County's "Apartment and Condominium Recycling Plan"; authorizing certain inspections; providing for certain penalties; and generally related to apartment and condominium recycling in Howard County.

Introduced and read first time January 6, 2014. Ordered posted and hearing scheduled.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on January 22, 2014.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

This Bill was read the third time on February 3, 2014 and Passed , Passed with amendments , Failed .

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 4th day of February, 2014 at 2:00 pm
a.m. (p.m.)

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive February 5, 2014

Ken Ulman
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the
2 Howard County Code is amended as follows:

3
4 By adding:

5 Title 18, Public Works

6 Section 18.611 "Apartment and condominium recycling"

7
8 **Title 18. Public Works.**

9 **Subtitle 6A. Solid Waste Collection.**

10
11 **SECTION 18.611. APARTMENT AND CONDOMINIUM RECYCLING.**

12 (A) *DEFINITIONS.* IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS
13 INDICATED:

14 (1) *PLAN* MEANS THE "APARTMENT AND CONDOMINIUM RECYCLING PLAN",
15 ADOPTED AS PART OF THE COUNTY'S SOLID WASTE MANAGEMENT PLAN,
16 PURSUANT TO SUBTITLE 5 AND SUBTITLE 7, BOTH OF TITLE 9 OF THE
17 ENVIRONMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

18 (2) *RESPONSIBLE PARTY* MEANS THE PROPERTY OWNER OR MANAGER OF AN
19 APARTMENT BUILDING THAT CONTAINS 10 OR MORE DWELLING UNITS OR
20 THE COUNCIL OF UNIT OWNERS FOR A CONDOMINIUM THAT CONTAINS 10
21 OR MORE DWELLING UNITS.

22 (B) *REQUIREMENTS.* IN ACCORDANCE WITH SECTION 9-1711 OF THE ENVIRONMENT
23 ARTICLE OF THE ANNOTATED CODE OF MARYLAND, THE RESPONSIBLE PARTY SHALL:

24 (1) PROVIDE FOR THE COLLECTION OF RECYCLABLE MATERIALS FROM
25 RESIDENTS OF THE DWELLING UNITS;

26 (2) PROVIDE FOR THE REMOVAL FOR FURTHER RECYCLING OF RECYCLABLE
27 MATERIALS COLLECTED FROM RESIDENTS OF THE DWELLING UNITS; AND

28 (3) COMPLY WITH THE PLAN.

29 (C) *INSPECTIONS.* THE COUNTY MAY CONDUCT INSPECTIONS OF AN APARTMENT COMPLEX
30 OR CONDOMINIUM TO ENFORCE THE PROVISIONS OF THIS SECTION AND THE PLAN.

1 (D) *CIVIL PENALTIES*. ALTERNATIVELY OR IN ADDITION TO AND CONCURRENT WITH OTHER
2 REMEDIES AT LAW OR EQUITY, THE COUNTY MAY ENFORCE THE PROVISIONS OF THIS
3 SUBTITLE AND THE PLAN WITH CIVIL PENALTIES PURSUANT TO THE PROVISIONS OF TITLE
4 24, "CIVIL PENALTIES," OF THE HOWARD COUNTY CODE. A VIOLATION OF THIS SUBTITLE
5 IS A CLASS E OFFENSE. EACH DAY THAT A VIOLATION OCCURS OR CONTINUES IS A
6 SEPARATE OFFENSE.

7 (E) *INJUNCTIVE AND OTHER RELIEF*. IN ADDITION, THE COUNTY MAY INSTITUTE
8 INJUNCTIVE, MANDAMUS OR OTHER APPROPRIATE LEGAL ACTION OR PROCEEDINGS FOR THE
9 ENFORCEMENT OF OR TO CORRECT VIOLATIONS OF THIS SUBTITLE OR THE PLAN. ANY
10 COURT OF COMPETENT JURISDICTION MAY ISSUE TEMPORARY OR PERMANENT RESTRAINING
11 ORDERS, INJUNCTIONS OR MANDAMUS, OR OTHER APPROPRIATE FORMS OF RELIEF.

12

13 *Section 2. And Be It Further Enacted by the County Council of Howard County,*
14 *Maryland, that this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on February 5, 2014, 2014.

Sheila M. Tolliver
Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

