

SENATE BILL 392

M3

6lr2537
CF 6lr2963

By: **Senator Eckardt**

Introduced and read first time: January 29, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County – Recycling at Special Events – Exemptions**

3 FOR the purpose of exempting Dorchester County from a requirement to revise its recycling
4 plan by a certain date to address recycling at special events; exempting Dorchester
5 County from certain requirements regarding recycling at special events; and
6 generally relating to recycling at special events in Dorchester County.

7 BY repealing and reenacting, without amendments,

8 Article – Environment

9 Section 9–1703(a) and (b)(14)

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Environment

14 Section 9–1703(g) and 9–1712

15 Annotated Code of Maryland

16 (2014 Replacement Volume and 2015 Supplement)

17 BY adding to

18 Article – Environment

19 Section 9–1703(h)

20 Annotated Code of Maryland

21 (2014 Replacement Volume and 2015 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

23 That the Laws of Maryland read as follows:

24 **Article – Environment**

25 9–1703.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Each county shall submit a recycling plan to the Secretary for approval when
2 the county submits its county plan to the Secretary in accordance with the provisions of §
3 9–505 of this title.

4 (b) In preparing the recycling plan as required in § 9–505 of this title, the county
5 shall address:

6 (14) The collection and recycling of recyclable materials from special events;
7 and

8 (g) **[A] EXCEPT AS PROVIDED IN SUBSECTION (H) OF THIS SECTION, A** county
9 shall revise its recycling plan by:

10 (1) October 1, 2010, to address the requirements of subsection (b)(10) of
11 this section;

12 (2) October 1, 2011, to address the requirements of subsection (b)(11) of
13 this section; and

14 (3) October 1, 2015, to address the requirements of subsection (b)(14) of
15 this section.

16 **(H) SUBSECTION (G)(3) OF THIS SECTION DOES NOT APPLY TO**
17 **DORCHESTER COUNTY.**

18 9–1712.

19 (a) (1) **[This] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
20 **SUBSECTION, THIS** section applies to any special event that:

21 (i) Includes temporary or periodic use of a public street, publicly
22 owned site or facility, or public park;

23 (ii) Serves food or drink; and

24 (iii) Is expected to have 200 or more persons in attendance.

25 (2) This section does not affect the authority of a county, a municipality, or
26 any other local government to enact and enforce recycling requirements, including
27 establishing civil penalties, for a special event that are more stringent than the
28 requirements of this section.

29 **(3) THIS SECTION DOES NOT APPLY IN DORCHESTER COUNTY.**

1 (b) (1) In addition to any other conditions required as part of a special events
2 or other permit, the organizer of a special event shall:

3 (i) Provide a recycling receptacle immediately adjacent to each
4 trash receptacle at the special event;

5 (ii) Ensure that all recycling receptacles are clearly distinguished
6 from trash receptacles by color or signage; and

7 (iii) Ensure that all recyclable materials deposited into recycling
8 receptacles at the special event are collected for recycling.

9 (2) A county may require the organizer of a special event that provides for
10 recycling to report to the county on recycling activities in a manner determined by the
11 county.

12 (c) The recycling required under subsection (b) of this section shall be carried out
13 in accordance with the recycling plan required under § 9–1703 of this subtitle for the county
14 in which the special event takes place.

15 (d) A person that violates subsection (b) or (c) of this section is subject to a civil
16 penalty not exceeding \$50 for each day on which the violation exists.

17 (e) An enforcement unit, officer, or official of a county, a municipality, or any
18 other local government may conduct inspections of a special event location to enforce
19 subsection (b) of this section.

20 (f) Any penalties collected under subsection (d) of this section shall be paid to the
21 county, municipality, or other local government that brought the enforcement action.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2016.