

Chapter 189

(House Bill 384)

AN ACT concerning

Charles County – Illegal Disposal of Bulky Items – Penalties

FOR the purpose of authorizing the governing body of Charles County to adopt an ordinance to prohibit the disposal of a bulky item in certain locations under certain circumstances; authorizing Charles County to impose certain penalties for certain violations; altering the definition of a certain term; making conforming changes; and generally relating to the illegal disposal of bulky items in Charles County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–110(a) and (j)
Annotated Code of Maryland
(2012 Replacement Volume and 2019 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Criminal Law

10–110.

(a) (1) In this section the following words have the meanings indicated.

(2) “Bi–county unit” means:

(i) the Maryland–National Capital Park and Planning Commission;

or

(ii) the Washington Suburban Sanitary Commission.

(3) (i) “Bulky item” means any discarded furniture, home or industrial appliance, or abandoned vehicle or part of an abandoned vehicle not designated for disposal purposes under the laws of Prince George’s County **OR CHARLES COUNTY**.

(ii) “Bulky item” does not include discarding, dropping, or scattering of small quantities of waste matter ordinarily carried on or about the person, including:

1. beverage containers and closures;
2. packaging;

3. wrappers;
4. wastepaper;
5. newspapers;
6. magazines; and
7. waste matter that escapes or is allowed to escape from a container, receptacle, or package.

(4) “Litter” means all rubbish, waste matter, refuse, garbage, trash, debris, dead animals, or other discarded materials of every kind and description.

(5) “Public or private property” means:

- (i) the right-of-way of a road or highway;
- (ii) a body of water or watercourse or the shores or beaches of a body of water or watercourse;
- (iii) a park;
- (iv) a parking facility;
- (v) a playground;
- (vi) public service company property or transmission line right-of-way;
- (vii) a building;
- (viii) a refuge or conservation or recreation area;
- (ix) residential or farm property; or
- (x) timberlands or a forest.

(j) (1) The legislative body of a municipal corporation may:

- (i) prohibit littering; and
- (ii) classify littering as a municipal infraction under Title 6 of the Local Government Article.

(2) The governing bodies of Prince George’s County, Calvert County, and

Montgomery County may each adopt an ordinance to prohibit littering under this section and, for violations of the ordinance, may impose criminal penalties and civil penalties that do not exceed the criminal penalties and civil penalties specified in subsection (f)(1) through (3) of this section.

(3) (i) The governing [body] **BODIES** of Prince George's County **AND CHARLES COUNTY** may **EACH** adopt an ordinance to prohibit the disposal of a bulky item:

1. on a highway; or

2. on public or private property unless the property is designated by the State, a unit of the State, or a political subdivision of the State for the disposal of bulky items and the person is authorized by the proper public authority to use the property.

(ii) For violations of [the] **AN** ordinance adopted under this paragraph, [Prince George's County] **A COUNTY** may impose criminal penalties and civil penalties that do not exceed the criminal penalties and civil penalties specified in subparagraph (iii) of this paragraph.

(iii) A person who disposes of a bulky item in violation of this paragraph is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 30 days or a fine not exceeding \$5,000 or both.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.