

HB248 FAQ

What is composting?

- Composting is the controlled biological decomposition of organic yard waste and food residuals
- Composting can be done inside or outside using best personal practices, or via a commercial compost pickup service

What are the benefits of composting?

- Increased composting would reduce the amount of food in municipal landfills, which is currently the largest component of these landfills
- Food scrap collection services help to reduce trash odor and pest problems, due to the practice of separating food scraps from the rest of the trash. Because many standard trash cans are not designed for food scraps, they often smell more and can be easier for wildlife to penetrate than designated food scrap bins.

Does composting work differently in condos/apartments than in single-family homes?

- There is a distinction between composting and food scrap collection:
 - Composting is possible in single family homes with yards that can create backyard compost systems. These systems are [already regulated](#) by the Maryland Department of Environment, as well as local jurisdictions, if they exceed a certain size or create a public nuisance.
 - Composting in apartments or on apartment balconies is not common practice.
 - Food scrap collection is the more common practice for people living in apartments. Residents may dump their food scraps into a large enclosed toter, which is collected by a compost service. If enough residents participate, there is a designated loading dock area for residents to leave their food scrap bins. Counties further regulate the manner in which food scrap collection can occur. For example, Montgomery County requires the use of a rodent-proof compost bin with a tight-fitting lid for the collection of food scraps.

Are there any other similar restrictions on common ownership communities?

- Yes, the Maryland General Assembly passed a law in 2008 that amended the Maryland Real Property Code to, with limited exception, not allow common ownership communities to restrict homeowners from installing solar panels.
 - Since this law passed, Maryland has seen an increase in adoption of solar panels on homes throughout the state. Maryland now has a solar capacity of 1,239.9 MW as of 2020, ranking the state 17th nationally for solar installation.
- This session, Delegates Hill and Feldmark introduced legislation ([HB322](#)) which would prohibit certain restrictions on use from imposing unreasonable limitations on low-impact landscaping

Are there instances or concerns about individuals bringing a sizable amount of food scraps from outside to their home composting or food scrap collection?

- This is highly impractical, and possibly illegal in some circumstances, to do. As noted above, composting is already regulated by state and local ordinances, and as a result, bringing in a large amount of food scraps for home composting may violate those ordinances and become a nuisance to surrounding homes. Food scrap collection is often limited by volume. Individuals contract privately with a company to pick up a set amount of food scraps per week. Everything above that is not picked up. As a result, an individual is unlikely to bring a large amount of food scraps for collection home from outside as it will likely exceed the volume that the individual has contracted for pick up.

Is there a significant difference between aerated and non-aerated composting?

- This primarily relates to managing composting piles, not collection of food scraps.
- Generally, when people reference 'composting' they are referring to aerobic (with oxygen) composting. The micro-organisms need oxygen to survive and break down the organic matter.
- Anaerobic processes typically refer to something like anaerobic digestion, which focuses on breaking down organic matter to create a ring or spin turbine for electricity.

What "Reasonable restrictions" should common ownership communities be allowed to regulate, beyond existing state and local laws?

- Allowing common ownership communities to ensure that homeowners are properly managing composting is reasonable, as is requiring apartment or townhome owners to conceal a food scrap collection bin from being visible to other residents of the community.
- Note - in many instances, properly managing compost piles is already regulated by state and local jurisdictions. Furthermore, many common ownership communities already have rules to provide recourse against residents who do not properly manage trash, recycling, and other refuse.

Does food scrap collection result in additional odor, pests or nuisance to neighbors who reside in close proximity?

- No. Local jurisdictions require food scraps to be kept in rodent-proof, air tight containers. As a result, those scraps are pulled out of trash bins, where they often are more prone to infestation by racoons, rats, and other pests, and put into rodent-proof containers. This reduces odors, pests and nuisance, rather than increases it.