

SENATE BILL 156

M3, L1

0lr1019

By: **Senators Brochin, Conway, Frosh, and Raskin**

Rules suspended

Introduced and read first time: January 18, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Recycling – Apartment Buildings and Condominiums**

3 FOR the purpose of requiring owners or managers of apartment buildings or
4 condominiums that contain a certain number of dwelling units to provide for
5 recycling for residents on or before a certain date; requiring that the recycling
6 required under this Act be done in accordance with certain recycling plans;
7 providing for a civil penalty for a violation of this Act; providing for
8 disbursement of penalties collected under this Act to certain jurisdictions; and
9 generally relating to recycling by owners or managers of certain apartment
10 buildings and condominiums.

11 BY repealing and reenacting, without amendments,
12 Article – Environment
13 Section 9–1703(a)
14 Annotated Code of Maryland
15 (2007 Replacement Volume and 2009 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Environment
18 Section 9–1703(b)
19 Annotated Code of Maryland
20 (2007 Replacement Volume and 2009 Supplement)

21 BY adding to
22 Article – Environment
23 Section 9–1711
24 Annotated Code of Maryland
25 (2007 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Environment**

4 9–1703.

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

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

10 (1) Methods to meet the solid waste stream reduction;

11 (2) The feasibility of source separation of the solid waste stream
12 generated within the county;

13 (3) The recyclable materials to be separated;

14 (4) The strategy for the collection, processing, marketing, and
15 disposition of recyclable materials, including the cost-effective use of recycling centers;

16 (5) Methods of financing the recycling efforts proposed by the county;

17 (6) Methods for the separate collection and composting of yard waste;

18 (7) The feasibility of a system for the composting of mixed solid
19 wastes;

20 (8) The feasibility of a system for the collection and recycling of white
21 goods;

22 (9) The separate collection of other recyclable materials;

23 (10) The strategy for the collection, processing, marketing, and
24 disposition of recyclable materials from county public schools; [and]

25 **(11) THE COLLECTION AND RECYCLING OF RECYCLABLE**
26 **MATERIALS FROM RESIDENTS BY PROPERTY OWNERS OR MANAGERS OF**
27 **APARTMENT BUILDINGS AND CONDOMINIUMS THAT CONTAIN 10 OR MORE**
28 **DWELLING UNITS; AND**

29 **[(11)] (12)** Any other alternative methods of recycling that will attain
30 or exceed the solid waste stream reduction goals determined by the county.

1 **9-1711.**

2 (A) THIS SECTION APPLIES TO ANY PROPERTY OWNER OR MANAGER OF
3 AN APARTMENT BUILDING OR CONDOMINIUM THAT CONTAINS 10 OR MORE
4 DWELLING UNITS.

5 (B) ON OR BEFORE OCTOBER 1, 2014, EACH PROPERTY OWNER OR
6 MANAGER OF AN APARTMENT BUILDING OR CONDOMINIUM THAT CONTAINS 10
7 OR MORE DWELLING UNITS SHALL PROVIDE FOR RECYCLING FOR THE
8 RESIDENTS OF THE DWELLING UNITS, INCLUDING:

9 (1) THE COLLECTION OF RECYCLABLE MATERIALS FROM
10 RESIDENTS OF THE DWELLING UNITS; AND

11 (2) THE REMOVAL FOR FURTHER RECYCLING OF RECYCLABLE
12 MATERIALS COLLECTED FROM RESIDENTS OF THE DWELLING UNITS.

13 (C) THE RECYCLING REQUIRED UNDER SUBSECTION (B) OF THIS
14 SECTION SHALL BE CARRIED OUT IN ACCORDANCE WITH THE RECYCLING PLAN
15 REQUIRED UNDER § 9-1703 OF THIS SUBTITLE FOR THE COUNTY IN WHICH THE
16 APARTMENT BUILDING OR CONDOMINIUM THAT CONTAINS 10 OR MORE
17 DWELLING UNITS IS LOCATED.

18 (D) A PERSON THAT VIOLATES SUBSECTION (B) OF THIS SECTION IS
19 SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$50 FOR EACH DAY ON WHICH
20 THE VIOLATION EXISTS.

21 (E) AN ENFORCEMENT UNIT, OFFICER, OR OFFICIAL OF THE STATE OR
22 OF A COUNTY OF THE STATE SHALL ENFORCE SUBSECTION (B) OF THIS
23 SECTION.

24 (F) ANY PENALTIES COLLECTED UNDER SUBSECTION (D) OF THIS
25 SECTION SHALL BE DISBURSED TO THE COUNTY WHERE THE VIOLATION
26 OCCURRED.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2010.