



**TUESDAY, JANUARY 13, 2015**  
**CITY OF COLLEGE PARK**  
**COUNCIL CHAMBERS**

**7:30 P.M.**  
**MAYOR AND COUNCIL MEETING**  
**AGENDA**

MEDITATION

PLEDGE OF ALLEGIANCE: Councilmember Brennan

ROLL CALL

MINUTES: Regular Meeting of December 9, 2014; Confidential minutes of the Closed Session on December 9, 2014

ANNOUNCEMENTS

ACKNOWLEDGMENT OF DIGNITARIES

ACKNOWLEDGMENT OF NEWLY APPOINTED BOARD AND COMMITTEE MEMBERS

AWARDS

PROCLAMATIONS – 24<sup>th</sup> Annual Tribute to Dr. Martin Luther King, Jr.:

*Our Diversity As A People Is Our Strength As A Nation*

AMENDMENTS TO THE AGENDA

CITY MANAGER'S REPORT: Joe Nagro

STUDENT LIAISON'S REPORT: Cole Holocker

COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

PRESENTATIONS

**CONSENT AGENDA**

15-G-01 Award of additional FY 2015 Education Grants as follows:  
\$7,500 to Greenbelt Middle School for their College Awareness Project; \$2,500 to Buck Lodge Elementary School for their Positive Behavior Intervention and Supports Program; and \$2,500 to University Park Elementary School for their Enrichment Clubs/Extended Learning Opportunity Program.

Motion By:  
To: Adopt  
Second:  
Aye: \_\_\_\_  
Nay: \_\_\_\_  
Other: \_\_\_\_

## ACTION ITEMS

- 15-G-02      Authorize a City legislative request for a two-year extension of City of College Park Bond Bill 06-G168 for \$400,000 for College Park City Hall
- Motion By: Wojahn  
To: Approve  
Second:  
Aye: \_\_\_\_\_ Nay: \_\_\_\_\_  
Other: \_\_\_\_\_
- 15-O-01      Introduction Of Ordinance 15-O-01, An Ordinance Of The Mayor And Council Of The City Of College Park To Repeal And Re-Enact Chapter 161, "Recycling" In Its Entirety, To Require Source Separation Of Recyclable Materials For All Owners And Residents Utilizing City Solid Waste Collection Services *(The Public Hearing will be held on Tuesday, February 10, 2015 at 7:15 p.m.)*
- Motion By: Wojahn  
To: Introduce  
Second:
- 15-G-03      Appointments to Boards and Committees
- Motion By:  
To: Approve  
Second:  
Aye: \_\_\_\_\_ Nay: \_\_\_\_\_  
Other: \_\_\_\_\_

COUNCIL COMMENTS

COMMENTS FROM THE AUDIENCE

ADJOURN

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### INFORMATION/STATUS REPORTS (For Council Review)

None.

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**This agenda is subject to change. For the most current information, please contact the City Clerk. In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office and describe the assistance that is necessary.**

**City Clerk's Office: 240-487-3501**

# MINUTES

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, December 9, 2014**  
**9:52 – 10:32 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Stullich, Day, Mitchell and Hew.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bill Gardiner, Assistant City Manager; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Miriam Bader, Planner; Cole Holocker, Student Liaison.

Mayor Fellows opened the regular meeting at 9:52 p.m. following an earlier Worksession. Councilmember Wojahn led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Dennis and seconded by Councilmember Mitchell to approve the minutes of the Special Session on November 18, 2014, the Public Hearing on November 25, 2014 on Charter Amendments 14-CR-02 and 14-CR-03, and the Regular Meeting on November 25, 2014. The motion passed 8 – 0 – 0.

**Announcements:**

Councilmember Kabir said the North College Park Civic Association would hold their final meeting of the year on Thursday at Davis Hall, the Winter Coat drive is ending this week, the Hollywood Farmers Market will have a Holiday Market on Saturday, December 20.

Councilmember Wojahn said Breakfast with Santa will be held Saturday at 10:00 a.m. at the College Park Community Library and the College Park Community Foundation will hold their winter gala on Saturday.

Councilmember Brennan said the Berwyn District Civic Association would hold their holiday party on Saturday at Fealy Hall.

Councilmember Dennis said the Lakeland Civic Association would hold their monthly meeting on Thursday at the College Park Community Center. In the last 10 days in Lakeland, the ATHA Walking Tour signs have gone up, and the neighborhood decorated their community Christmas tree and the lights are on.

Councilmember Stullich announced the Calvert Hills Citizens Association would hold their annual tree lighting at the intersection of Amherst and Dartmouth on Saturday at 5:00 p.m.

Councilmember Mitchell commented on the College Park Meals on Wheels luncheon she attended today.

**Proclamations:** The proclamation for County Council Member Eric Olson was presented earlier at the Worksession.

**Amendments to the Agenda:** None.

**City Manager's Report:** Mr. Nagro's report was given during the Worksession.

**Student Liaison's Report:** Mr. Holocker said the Maryland football team will participate in the Foster Farms Bowl in San Francisco, the Facilities Council approved funding for a consultant to study remediation for the Campus Creek, he encouraged viewer support of the City coat drive, final exams begin next week, students will be leaving for winter break and he urged full time residents to keep an eye on rental homes that are vacant. Security measures for renters were discussed.

**Comments from the Audience on Non-Agenda items:**

**Jack Robson, 4710 Harvard Road:** The Post Office on Calvert Road has had a broken door for a long time; can the City contact the north College Park Post Office requesting repair?

**CONSENT AGENDA:** A motion was made by Councilmember Dennis and seconded by Councilmember Day to adopt the Consent Agenda, which consisted of the following items:

- 14-R-36      Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Appeal Number CEO-2014-05, 4801 Hollywood Road, College Park, Maryland, Approving A Variance From The Requirements Of City Code §87-23B To Permit The Construction Of A Fence In The Front Yard And Recommending Approval Of Variances From The Requirements Of City Code §87-23C Requiring A 25-Foot Side Yard Setback, Where The Side Lot Line Is A Continuation Of The Front Yard Line Of The Adjacent Lot.**
- 14-G-129      Approval of the 2015 Mayor and Council meeting schedule**
- 14-G-132      Approval of administrative leave for City employees for Friday, December 26, 2014**

**The motion passed 8 – 0 – 0.**

## **ACTION ITEMS**

### **14-G-123 Approval, With Conditions, of the Preliminary Plan and Detailed Site Plan for The Hotel at the University of Maryland and approval of an Agreement with University of Maryland College Park Foundation, Inc.**

**A motion was made by Councilmember Stulich and seconded by Councilmember Day that the City Council recommend approval of Preliminary Plan of Subdivision 4-14009 and Detailed Site Plan 14022 for The Hotel at the University of Maryland subject to the Execution of an Agreement between the applicant and the City of College Park in substantially the form attached, and the following conditions:**

#### **On the Preliminary Plan of Subdivision:**

- 1. Prior to the issuance of a grading permit for any land disturbance in the landfill areas, written approval shall be obtained from the US Environmental Protection Agency with a copy provided to the City of College Park.**
- 2. Prior to recordation of the final plat, the preliminary plan shall be revised to allow a public pedestrian access easement along all or part of the Route 1 frontage that will be conveyed to the University of Maryland and recorded in the Prince George's County Land Records. A copy of the draft public pedestrian easement shall be submitted to the City of College Park prior to approval of the final plat.**
- 3. Prior to the issuance of a Use and Occupancy permit, demonstrate approval by Prince George's County Department of Public Works and Transportation and the State Highway Administration of a full-movement traffic signal at Paint Branch Parkway and Greenhouse Road or other improvements at this intersection that show transportation adequacy. A right-in, right-out intersection shall be the minimum acceptable improvement. The existing slip road at Greenhouse Road shall be eliminated and proposed geometric improvements at this intersection shall be submitted to the City of College Park prior to approval.**
- 4. The City would prefer to have a concrete sidewalk and street trees installed as part of the off-site improvements required under Section 24-124.01 of the Subdivision Regulations, adequate pedestrian and bikeway facilities along the east side of Greenhouse Road, but the City understands the University of Maryland will construct these improvements as soon as feasible in the build-out of the Innovation District.**

#### **On the Detailed Site Plan:**

- 1. Approval of alternative development district standards for the modifications requested by the applicant, *with the exception of:***
  - a. Bicycle parking at one space per three vehicular parking spaces (to provide 130 bicycle parking spaces instead of the required 269 spaces).**
  - b. Sign requirements prohibiting free standing signs and panelized back lighting and box lighting-type design (to allow one freestanding sign on Route 1, three building mounted logo signs and two building mounted electronic message signs).**



future. One of the City's most important concerns with this project is the potential impact it could have on the College Park Airport, which is the oldest continuously operating airport in the world. It is very important to our community that the airport continues to function well, so ensuring that the height of the building does not pose any safety risks or hazards is one of the conditions.

**Comments from the audience:**

**Jack Robson, 4710 Harvard Road:** The University is building a Bioengineering building on campus which was declared a hazard by FAA and MAA. At that Planning Board hearing, Ms. Hewitt asked why heights are a problem, and the explanation they got from the University's attorney did not make sense to the pilots. He plans to attend the Planning Board hearing (not representing the City) and will try to explain why the height can be problematic for pilots.

**The motion passed 8 – 0 – 0.**

**14-G-130 Feasibility Study for North County Animal Services Facility**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Brennan to authorize City staff to transfer funds, as budgeted for FY '15, to Prince George's County for the purpose of funding a north county Animal Services Facility feasibility study in an amount not to exceed \$25,000, and to support recommendations contained in the City staff report for revisions to the scope of work, and to authorize staff to prepare a letter for the City manager's signature to convey those recommended revisions.**

Councilmember Wojahn said the Prince George's County Department of the Environment invited feedback on the proposed scope-of-work for the feasibility study and staff has recommended revisions which we now want to convey, along with our contribution toward the feasibility study. Many residents want to ensure the welfare of animals in our City and the County is lacking in resources to care for our animals. This could be an innovative and exiting way to address this need.

**The motion passed 8 – 0 – 0.**

**14-G-131 Support for application for a Historic Area Work Permit for demolition of Sigma Chi fraternity house at 4600 Norwich Road, subject to conditions**

**A motion was made by Councilmember Stulich and seconded by Councilmember Day to authorize staff to prepare a letter for the Mayor's signature to the Prince George's County Historic Preservation Commission expressing support for the application for a Historic Area Work Permit for the demolition of the Sigma Chi Fraternity House, located at 4600 Norwich Road, subject to the following conditions. Staff is authorized to sign the letter on behalf of the Mayor:**

1. **The design and construction of new structures on the site must be compatible with the historic character of the neighborhood with respect to massing, scale, craftsmanship, design, materials and site planning; and that they must be reviewed by the City of College Park, Local Advisory Committee and Old Town Civic Association.**
2. **The applicant will mitigate the demolition through appropriate signage about the history of the structure, and by contributing to the County Historic Preservation Grant Fund with that contribution earmarked for historic properties in College Park.**
3. **The applicant will consult with the City of College Park on planning for the design and use for any new construction on the site.**
4. **If the property passes out of the hands of the University of Maryland Foundation and becomes owned by the University of Maryland, the University of Maryland agrees to a PILOT (Payment In Lieu of Taxes) so the City does not suffer a property tax revenue loss.**
5. **The Applicant will replace the demolished structure with grass and will maintain that grass in good condition, with the understanding that the current parking area may remain as parking.**

Councilmember Stullich said it is not lightly that we support demolition of a historic contributing property in the local historic district but the property is particularly compromised and damaged and the community needs to have it reused in a way that is a positive contribution to the neighborhood. The University is to be thanked for their role in trying to facilitate a good solution for this property.

**Comments from the audience:**

**Carlo Colella, University of Maryland:** They are pleased to accept the conditions offered on this motion.

**The motion carried 8 – 0 – 0.**

**14-G-133 Appointments to Boards and Committees:**

**A motion was made by Councilmember Kabir and seconded by Councilmember Mitchell to appoint Maxine Gross to the College Park City University Partnership for a 3-year term; James Sauer to the Ethics Commission; Matt Dernoga to the Committee for a Better Environment; and to reappoint Carolyn Bernache and Doris Ellis to the Education Advisory Committee. The motion passed 8 – 0 – 0.**

**14-G-134 Letter of support for PG-416-15: Authority to impose fees for use of disposable bags**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to send a letter in support of PG-416-15 Authority to impose fees for use of disposable bags, and to authorize staff to sign the letter for the Mayor.**

Councilmember Wojahn said the Council has supported this bill when it has come up in past years and would provide the Prince George's County Council with the ability to impose a fee for disposable bags.

There were no comments from the audience or from the Council.

**The motion passed 8 – 0 – 0.**

**COUNCIL COMMENTS:** None.

**COMMENTS FROM THE AUDIENCE:** None.

**ADJOURN:** Mayor Fellows adjourned the Council Meeting at 10:32 p.m.

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Janeen S. Miller, CMC  
City Clerk

Date  
Approved

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Pursuant to §C6-3 of the College Park City Charter, at 7:04 p.m. on December 9, 2014, in the Council Chambers of City Hall, a motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to enter into a Closed Session to “Consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale” and “To consult with counsel on a legal matter.”

The motion passed 8 – 0 – 0.

**Present:** Mayor Andrew Fellows; Councilmembers Wojahn, Kabir, Brennan, Dennis, Stulich, Day, Hew and Mitchell.

**Absent:** None.

**Also Present:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bill Gardiner, Assistant City Manager; Steve Groh, Director of Finance; Leo Thomas,

Deputy Director of Finance; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Cole Holocker, Student Liaison.

**Topics Discussed:** 1) A potential site for City Hall and, 2) a request by a City-appointed board.

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Mitchell and seconded by Councilmember Wojahn to adjourn the Closed Session, and with a vote of 8 – 0 – 0, Mayor Fellows adjourned the Closed Session at 7:49 p.m.

# PROCLAMATION

**PROCLAMATION  
CITY OF COLLEGE PARK, MARYLAND  
24<sup>TH</sup> ANNUAL TRIBUTE TO  
DR. MARTIN LUTHER KING, JR.**

***Our Diversity as a People is our Strength as a Nation***

WHEREAS, Dr. Martin Luther King, Jr. practiced nonviolent action to promote equal rights and economic justice, including the elimination of racial and ethnic health disparities throughout the world; and

WHEREAS, Dr. King's many notable speeches, sermons and writings, including his Nobel Peace Prize lecture and "Letter from a Birmingham Jail" are among our nation's most revered orations and writings; and

WHEREAS, in August 1963, Dr. King was a major force behind the March for Jobs and Freedom, commonly known as the "March on Washington," which drew over a quarter-million people to the national mall; and

WHEREAS, it was at this march that Dr. King delivered the "I Have a Dream" speech, which enhanced his status as a national leader inspiring this country to act on civil rights for all of its citizens; and

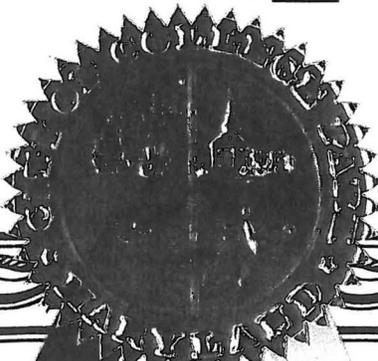
WHEREAS, Dr. King's unique approach to the philosophy of nonviolent action stands as one of the most successful alternatives to the world's ongoing struggles with war and all forms of injustice; and

WHEREAS, as Dr. King noted, "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."

NOW, THEREFORE, I, Andrew M. Fellows, as Mayor of the City of College Park, Maryland, join the City Council and the greater College Park community on Saturday, January 17, 2015 in celebration of this 24<sup>th</sup> Annual College Park Tribute to Dr. Martin Luther King, Jr.'s leadership and legacy.

PROCLAIMED THIS 13<sup>th</sup> DAY OF JANUARY, 2015

\_\_\_\_\_  
Andrew M. Fellows, Mayor  
City of College Park, Maryland



**15-G-01**

# Memo

To: Mayor and Council  
From: Carolyn Bernache, Education Advisory Committee Chair  
Date: January 5, 2015  
Re: Education Advisory Committee Recommendations regarding Mayor and Council Award of Additional Public School Education Grants

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**Issue:**

In November 2014, the City Council approved grant awards to six boundary schools whose Education Grant applications had been recommended by the City's Education Advisory Committee for approval.

An extension for submission was approved for University Park Elementary and Buck Lodge Middle School and Greenbelt Middle was asked to submit additional information. Greenbelt Middle is eligible for a maximum award of \$7,500 because of the high numbers of College Park students that attend Greenbelt Middle. University Park Elementary and Buck Lodge Middle are eligible for a maximum award of \$2,500.

**Recommendation:**

Upon review of each school's application, the Education Advisory Committee recommends the following:

Education Advisory Committee recommends an award of \$7,500 for Greenbelt Middle's College Awareness Project.

The Education Advisory Committee recommends University Park Elementary be awarded \$2,500 for their Enrichment Clubs/Extended Learning Opportunity program and that Buck Lodge Middle be awarded \$2,500 for their Positive Behavior Intervention and Supports program.

Each school's application is provided.

15-G-02

**MOTION:**

**I Move That The Mayor And Council Authorize A City Legislative Request For A Two-Year Extension Of The City's Existing State Bond Bill 06-G168 For \$400,000 For City Hall.**

**DISCUSSION:**

The City received a State bond bill in the amount of \$400,000 to be used for the design and construction of a new City Hall. This bond bill was extended in June 2013, and the current deadline for using the funds is June 1, 2015.

In late 2013, the City learned that the University of Maryland Foundation would acquire property on Baltimore Avenue through an inheritance. Some of the property adjoins the City Hall site. This property acquisition created the possibility of collaborating with the University to redevelop the existing City Hall site together with the Baltimore Avenue frontage.

In 2014 the City stopped its design work to expand City Hall in order to discuss with the University the possibility of a joint development. In November 2014--with strong interest by the University--the City Council voted to keep City Hall in its current location, and requested that staff pursue discussions with the University to jointly redevelop the City Hall site and the Baltimore Avenue frontage.

It is expected that the collaboration between the City and the University will result in a stronger civic presence for the City with greater visibility and access from Baltimore Avenue, and also facilitate the redevelopment of the parcels along Baltimore Avenue.

The change in plans makes it impossible for the City to be able to expend the State bond bill prior to June 1, 2015. Given the overall potential benefits of pursuing this course of action, it is hoped that the State legislature will approve the requested extension.

15-0-01

RED LINE

**ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK TO**  
**REPEAL AND RE-ENACT CHAPTER 161, "RECYCLING" IN ITS**  
**ENTIRETY, TO REQUIRE SOURCE SEPARATION OF RECYCLABLE**  
**MATERIALS FOR ALL OWNERS AND RESIDENTS UTILIZING CITY SOLID**  
**WASTE COLLECTION SERVICES**

WHEREAS, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the City of College Park, Maryland (hereinafter, the "City") has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality and to prevent and remove nuisances; and

WHEREAS, the City has adopted Chapter 161, "Recycling", to provide for mandatory source separation recycling of newspapers for all owners and residents utilizing City solid waste collection services; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to meet or exceed the solid waste reduction goals outlined in the State of Maryland Recycling Act and the Prince George's County Municipal Recycling Program; and

WHEREAS, in support of solid waste reduction goals, the Mayor and Council have determined that it is in the public interest to require mandatory source recycling of additional materials, including certain glass containers, certain plastic containers, metal, mixed paper, cardboard, electronics, brush and yard trim.

**Section 1.** NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland that Chapter 161, "Recycling", be, and is hereby repealed in its entirety as follows:

[CHAPTER 161 RECYCLING

CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks ***	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

## Article I: Newspapers

## §161-1 Definitions

As used in this article, the following terms shall have the meanings indicated:

USED NEWSPAPER

Includes paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

~~§ 161-2 Establishment of program.~~

~~[Amended 12-10-1991 by Ord. No. 91-O-24]~~

~~On or after the effective date of this article and under regulations issued by the City Manager in accordance with the terms of this article, there is hereby established a program for the mandatory separation of used newspaper from municipal solid waste in the City of College Park. All persons who live in residential areas and currently receive solid waste disposal services from the City of College Park shall separate used newspapers from all other solid waste products. The City of College Park is not required to collect solid waste from any occupant or owner who includes used newspaper with his/her solid waste or does not place the used newspapers for collection in accordance with this article or authorized regulations.~~

~~§ 161-3 Separation; placement; collection; violation.~~

- ~~A. Used newspapers shall be free of phone books, magazines, plastic bags and trash.~~  
~~B. Used newspapers shall be bundled separately and tied or put in a paper grocery bag in stacks no more than 12 inches high.~~  
~~C. Used newspapers may not be placed at the curb more than 24 hours in advance of the 7:30 a.m. scheduled pickup.~~  
~~D. Used newspapers will be picked up once per week.~~  
~~E. Used newspapers shall not be picked up on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. In the event that either a holiday or snow day falls on a collection day, the newspaper will be picked up on the following designated collection day.~~  
~~F. The City Manager is authorized to issue additional reasonable regulations as needed to safely and efficiently effect the removal and collection of used newspapers.~~  
~~G. Violation of the provisions of Subsections A through C shall constitute a municipal infraction, carrying a charge as set forth in Chapter 110, Fees and Penalties.~~

~~§ 161-4 Collection by unauthorized person prohibited; violations and penalties.~~

- ~~A. From the time of placement of newspapers at the curb for collection by the authorized contractor or other authorized persons in accordance with the terms hereof, the used newspapers shall be and become the property of the City of College Park or its authorized agent. It shall be a violation of this article for any person not authorized by the City of College Park to collect or pick up or cause to be collected or picked up any of the used newspapers. Any and each such collection in violation hereof from one or more residences shall constitute a separate, distinct offense, punishable as hereinafter provided.~~

~~B. Any person who violates any provisions of this section or any regulation promulgated pursuant thereto shall be guilty of a municipal infraction and shall be subject to a fine as set forth in Chapter 110, Fees and Penalties.]~~

**Section 2. BE IT FURTHER ORDAINED AND ENACTED,** that Chapter 161,

“Recycling”, be, and is hereby enacted to read as follows:

CHAPTER 161 RECYCLING

§161-1. ESTABLISHMENT OF PROGRAM.

THE CITY CURBSIDE RECYCLING PROGRAM, TO REQUIRE SOURCE SEPARATION AND PLACEMENT FOR COLLECTION OF RECYCLABLE MATERIALS BY ALL OWNERS AND RESIDENTS RECEIVING CITY SOLID WASTE COLLECTION SERVICES, IS HEREBY ESTABLISHED.

§161-2. DEFINITIONS.

AS USED IN THIS CHAPTER, THE FOLLOWING TERMS SHALL HAVE THE MEANINGS INDICATED:

ALUMINUM. INCLUDES ALUMINUM ALLOY IN THE FORM OF CONTAINERS USED FOR FOOD AND BEVERAGES, ALUMINUM FOIL, AND DISPOSABLE ALUMINUM BAKING PANS.

BRUSH. ORGANIC, WOODY TRIM TYPICALLY CONSISTING OF BRANCHES, LIMBS, STICKS, TWIGS, AND SIMILAR MATERIAL.

CARDBOARD. INCLUDES CORRUGATED CARDBOARD AND PAPERBOARD OF THE TYPE USED FOR MAKING BOXES AND CARTONS.

CART. THE CONTAINER DESIGNATED BY THE CITY IN WHICH RECYCLABLES ARE TO BE HELD FOR STORAGE AND TRANSPORTATION.

CITY. THE CITY OF COLLEGE PARK AND ITS INCORPORATED AREA.

COLLECTOR. ANY PERSON OR FIRM, INCLUDING THE CITY, THAT COLLECTS OR CONTRACTS TO COLLECT AND PROVIDE SERVICES FOR COLLECTION AND/OR TRANSPORTATION OF THE DESIGNATED RECYCLABLE MATERIAL OF OTHERS TO AN APPROVED DISPOSAL SITE.

CURBSIDE COLLECTION. PROCESS WHERE MATERIALS ARE COLLECTED IN OR NEAR THE RIGHT-OF-WAY, GENERALLY IN FRONT OF THE PROPERTY.

DIRECTOR OF PUBLIC WORKS. THE DIRECTOR OR HIS/HER DESIGNEE.

ELECTRONICS. ANY ELECTRONICS ITEM INCLUDING, BUT NOT LIMITED, TO COMPUTERS, TABLETS, KEYBOARDS, MICE, PRINTERS, SCANNERS, FAX MACHINES, TVS, VCERS, DVD/CD/MP3 PLAYERS, STEREOs, RADIOS, TURNTABLES, SPEAKERS, TELEPHONES, CELL PHONES, PDAS, DIGITAL CAMERAS, CAMCORDERS, ELECTRONIC GAME DEVICES, CABLES/CORDS, ELECTRIC TOOLS, VACUUM CLEANERS, MICROWAVES, AND OTHER HOUSEHOLD APPLIANCES.

GLASS CONTAINER. INCLUDES ALL CLEAR (FLINT), GREEN AND BROWN (AMBER) COLORED GLASS FOOD AND BEVERAGE CONTAINERS. GLASS CONTAINERS SHALL NOT INCLUDE BLUE GLASS CONTAINERS, CERAMICS, CRYSTAL, LIGHT BULBS, PLATE WINDOW, LAMINATED, WIRED, OR MIRRORED GLASS.

HIGH GRADE OFFICE PAPER. INCLUDES WHITE OR OFF-WHITE, FINE, BOND, LEDGER, OFFSET, XEROGRAPHIC, AND COMPUTER PAPER AND RELATED TYPES OF CELLULOSIC MATERIAL CONTAINING NOT MORE THAN TEN PERCENT (10%) BY WEIGHT OR VOLUME OF NONCELLULOSIC MATERIAL SUCH AS LAMINATES, COATINGS, OR SATURANTS.

| LEAVES. INCLUDES THE FOLIAGE OF TREES, BUSHES, AND SHRUBS ~~FOLIAGE~~.

MIXED PAPER. INCLUDES A WIDE RANGE OF PAPER STOCK AND CONSISTS OF UNSORTED MIXED PAPER SUCH AS NEWSPAPER, MAGAZINES, GLOSSY ADVERTISEMENTS, PAPERBOARD, OFFICE PAPER, PHONE BOOKS, CARDBOARD, AND SOFT AND HARD BOUND BOOKS. SHREDDED PAPER MUST BE CONTAINED IN A SEALED PAPER BAG. MIXED PAPER SHALL NOT INCLUDE SOILED PAPER, PAPER CUPS, TOWELS, TISSUES, NAPKINS OR PLATES.

NEWSPAPER. A PERIODICAL PRINTED ON A PAPER COMMONLY REFERRED TO AS NEWSPRINT.

PAPER. INCLUDES ALL NEWSPAPER, HIGH-GRADE OFFICE PAPER, FINE PAPER, BOND PAPER, OFFSET PAPER, XEROGRAPHIC PAPER, MIMEOGRAPH PAPER, DUPLICATOR PAPER, AND RELATED TYPES OF CELLULOSIC MATERIAL CONTAINING NOT MORE THAN TEN PERCENT (10%) BY WEIGHT OR VOLUME OF NONCELLULOSIC MATERIAL SUCH AS LAMINATES, BINDERS, COATINGS, OR SATURANTS.

PLASTIC. A CLASS OF COMPOUNDS COMPOSED OF SYNTHETIC THERMOPLASTIC POLYMERIC MATERIAL. INCLUDES NARROW AND WIDE MOUTH FOOD AND BEVERAGE CONTAINERS LABELED #1, #2, #3, #4, #5, #6, OR #7. EXPRESSLY EXCLUDES PLASTIC BAGS/FILM AND FOAM TRAYS, CUPS, PLATES, BOWLS, AND ALL FOAM PACKAGING MATERIAL, ALSO KNOWN AS EXPANDED POLYSTYRENE.

RECYCLABLE MATERIALS. MATERIALS REQUIRED TO BE SOURCE SEPARATED AND PLACED FOR COLLECTION AS REQUIRED BY §161-3 INCLUDE:

BRUSH

CARDBOARD

ELECTRONICS

GLASS CONTAINERS

METAL, INCLUDING ALUMINUM, STEEL, AND TIN CONTAINERS AND CANS, ALUMINUM FOIL, AND ALUMINUM BAKING PANS

MIXED PAPER

NEWSPAPER

PLASTIC CONTAINERS (#S 1-7)

~~ELECTRONICS AND YARD TRIM — PLACED FOR COLLECTION AS REQUIRED BY §161-3~~

RECYCLING. THE PROCESS BY WHICH MATERIALS, THAT WOULD OTHERWISE BECOME SOLID WASTE, ARE COLLECTED, SEPARATED, OR PROCESSED, AND RETURNED TO THE ECONOMIC MARKETPLACE IN THE FORM OF RAW MATERIALS OR PRODUCTS.

RESIDENT. A PERSON RESIDING WITHIN THE CITY ON A PERMANENT OR TEMPORARY BASIS.

SCAVENGING. REMOVING RECYCLABLE MATERIALS FROM A DESIGNATED RECYCLING CONTAINER OR AREA WITHOUT APPROVAL FROM THE OWNER OR OPERATOR OF THE RECYCLING OPERATION DESIGNATED TO RECOVER AND PROCESS THE MATERIALS.

SOLID WASTE. ALL WASTE MATERIAL, COMBUSTIBLE OR NONCOMBUSTIBLE, FROM ALL PUBLIC AND PRIVATE ESTABLISHMENTS AND RESIDENCES. SOLID WASTE INCLUDES TRASH, GARBAGE, RUBBISH, OFFAL, AND OTHER REFUSE, BUT NOT BODY EXCREMENTS.

SOURCE SEPARATION. THE ACT OF SEPARATING RECYCLABLE MATERIALS FROM SOLID WASTES FOR THE PURPOSE OF COLLECTION, DISPOSITION, REUSE, COMPOSTING, AND RECYCLING.

YARD TRIM. ORGANIC, VEGETATIVE TRIM TYPICALLY CONSISTING OF BRANCHES, LEAVES, BRUSH, GRASS CLIPPINGS, WEEDS, THATCH, AND SIMILAR SOFT VEGETATIVE MATERIAL.

§161-3. DUTIES OF OWNERS AND OCCUPANTS RECEIVING CITY SOLID WASTE COLLECTION SERVICES.

- A. ALL RESIDENTS OF, AND OWNERS OF PROPERTY WITHIN, THE CITY WHO RECEIVE SOLID WASTE COLLECTION SERVICES FROM THE CITY SHALL SOURCE SEPARATE RECYCLABLE MATERIALS FROM SOLID WASTE.
- B. RECYCLABLE MATERIALS (EXCEPT ELECTRONICS AND YARD TRIM) SHALL BE PLACED IN A CITY-ISSUED CART. CARDBOARD SHALL BE FLATTENED AND CUT TO SIZE TO FIT IN THE RECYCLING CART. CARDBOARD QUANTITIES TOO LARGE TO FIT IN THE CART MUST BE FLATTENED, BUNDLED WITH STRING, AND PLACED NEXT TO THE RECYCLING CART. RECYCLABLE MATERIALS SHALL BE PLACED LOOSE IN THE RECYCLING CART AND NOT IN BAGS. CONTAINERS SHALL BE EMPTIED, RINSED OUT AND FREE OF RESIDUE PRIOR TO PLACEMENT IN THE CART FOR COLLECTION. RESIDENTS MAY REQUEST ADDITIONAL CARTS FROM THE DIRECTOR OF PUBLIC WORKS TO CONTAIN ALL ROUTINELY ACCUMULATING RECYCLABLE MATERIALS BETWEEN COLLECTIONS. FILLED CARTS SHALL NOT WEIGH MORE THAN 75 POUNDS.
- C. ALL RECYCLING CARTS SHALL BE PLACED AT THE CURBSIDE BY 7:00 A.M. ON SCHEDULED RECYCLING COLLECTION DAYS BUT NOT MORE THAN TWENTY-FOUR (24) HOURS PRIOR TO 7:00 A.M. ON THE SCHEDULED COLLECTION DAY DESIGNATED FOR THE AREA IN WHICH THE PROPERTY IS LOCATED. CARTS SHALL BE PLACED, WHERE POSSIBLE, ONLY ON THE GRASS ADJACENT TO THE CURB. IT IS ADVISED TO KEEP CARTS AT LEAST THREE FEET APART FROM EACH OTHER, UTILITY POLES, FENCES, FIRE HYDRANTS AND OTHER STRUCTURES. CARTS THAT ARE BLOCKED BY VEHICLES OR OTHER OBSTRUCTIONS WILL NOT BE COLLECTED. CARTS SHALL BE REMOVED FROM THE CURB PRIOR TO 12:00 MIDNIGHT ON RECYCLING COLLECTION DAYS. CARTS SHALL BE STORED ON EACH PROPERTY AT THE REAR OR SIDE IN SUCH A MANNER AS NOT TO BE VISIBLE FROM THE PUBLIC RIGHT-OF-WAY IN FRONT OF THE RESIDENCE.
- D. PREMISES WITH NO RESIDENT PHYSICALLY ABLE TO PLACE AND REMOVE BINS FROM THE CURB MAY REQUEST AN EXEMPTION FROM THESE REQUIREMENTS BY FILING AN ANNUAL APPLICATION WITH THE DIRECTOR OF PUBLIC WORKS.
- E. CARTS SHALL ONLY BE USED FOR COLLECTION OF RECYCLABLE MATERIALS, AND WILL BE KEPT CLEAN BY THE RESIDENT.
- F. RESIDENTS PLANNING ON DISPOSING OF ELECTRONICS MUST SOURCE SEPARATE THESE ITEMS FROM OTHER RECYCLABLE MATERIALS, ~~YARD TRIM~~ AND SOLID WASTE. A PICKUP MUST BE SCHEDULED FOR THESE ITEMS, WHICH SHALL BE PLACED AT THE CURB ON THE SCHEDULED DAY OF COLLECTION. THE CITY HAS DISCRETION WITH RESPECT TO WHICH ITEMS WILL BE COLLECTED FOR ELECTRONICS RECYCLING BASED ON MARKET FACTORS.
- G. WITH THE EXCEPTION OF LEAVES PLACED FOR COLLECTION DURING POSTED COLLECTION PERIODS, YARD TRIM GENERATED BY RESIDENTS SHALL BE PLACED IN PAPER BAGS OR REUSABLE CONTAINERS AS APPROVED BY THE CITY, AND PLACED ADJACENT TO THE CURB ON

REGULARLY SCHEDULED COLLECTION DAYS. YARD TRIM SHALL BE FREE OF ROCKS, SOIL, TREE BRANCHES AND OTHER SOLID DEBRIS AND NOT WEIGH MORE THAN SEVENTY-FIVE (75) POUNDS. REUSABLE CONTAINERS MUST DISPLAY A YELLOW YARD TRIM DECAL PROVIDED BY THE CITY AT NO CHARGE.

- H. BRUSH, SUCH AS BRANCHES, LIMBS, STICKS, TWIGS, AND SIMILAR WOODY MATERIAL TREE LIMBS, BRANCHES AND SHRUBS, SHALL BE PACKED IN BUNDLES TIED WITH ROPE, TWINE OR STRING, OR PLACED IN PAPER BAGS OR REUSABLE CONTAINERS AND SHOULD BE NO MORE THAN FIVE (5) FEET IN LENGTH AND NOT WEIGHING MORE THAN SEVENTY-FIVE (75) POUNDS. BUNDLED ITEMS TIED WITH WIRE WILL NOT BE COLLECTED. TREE STUMPS, TRUNKS AND LIMBS GREATER THAN TWELVE (12) INCHES IN DIAMETER WILL NOT BE COLLECTED.
- I. LOOSE LEAVES MAY BE PLACED AT THE CURB DURING POSTED COLLECTION PERIODS. LEAF PILES SHALL BE PLACED AWAY FROM STORM DRAINS AND BE FREE OF ROCKS, WIRE, VINES, OR OTHER SOLID DEBRIS. LEAVES SHALL BE BAGGED AT ALL OTHER TIMES DURING NON-POSTED COLLECTION PERIODS.
- J. ALL RECYCLABLE MATERIALS SHALL BE PLACED INSIDE THE RECYCLING CART, EXCEPT AS OTHERWISE STATED IN THIS CHAPTER. RECYCLABLE MATERIALS PLACED ON THE GROUND OR IN UNAPPROVED CONTAINERS WILL NOT BE COLLECTED BY THE CITY. FILLED CARTS SHALL NOT WEIGH MORE THAN 75 POUNDS.

#### §161-4. CITY'S RIGHT TO REFUSE PICKUP.

THE CITY RESERVES THE RIGHT TO REFUSE COLLECTION OF MATERIALS IF THE PUBLIC WORKS DIRECTOR OR OTHER CITY STAFF DETERMINE THAT MATERIALS BEING PLACED FOR CURBSIDE PICKUP ARE UNACCEPTABLE OR IMPROPERLY PREPARED OR CONTAINED PER THE PROVISIONS OF THIS CHAPTER. THE CITY WILL PROVIDE THE RESIDENT WITH A NOTICE EXPLAINING THE INFRACTION. THE RESIDENT WILL THEN BE RESPONSIBLE FOR REMOVING THE MATERIALS FROM THE CURB OR OTHER LOCATION AND PREPARING MATERIALS TO MAKE THEM APPROPRIATE FOR COLLECTION.

#### 161-5. USED MOTOR OIL RECYCLING.

A RECEPTACLE FOR RECYCLING USED MOTOR OIL ONLY IS PROVIDED YEAR ROUND AT THE PUBLIC WORKS FACILITY AND IS AVAILABLE AT ALL TIMES. OIL SHALL BE DEPOSITED IN ACCORDANCE WITH DIRECTIONS POSTED AT THE FACILITY BY THE CITY. DISPOSAL OF ANY OTHER ITEMS AT THE FACILITY SHALL CONSTITUTE ILLEGAL DUMPING.

#### 161-6. COLLECTION BY UNAUTHORIZED PERSONS.

IT SHALL BE UNLAWFUL FOR ANY PERSON WHO IS NOT AUTHORIZED BY THE CITY TO RECOVER, SALVAGE, SCAVENGE OR OTHERWISE REMOVE, OR CAUSE TO BE SALVAGED, SCAVENGED, OR REMOVED, ANY RECYCLABLE MATERIAL FROM ANY BIN OR CONTAINER PLACED FOR CITY COLLECTION.

§161-7. ACCEPTABLE MATERIAL.

A CITY RESIDENT OR OWNER MAY ONLY PLACE FOR COLLECTION RECYCLABLE MATERIALS GENERATED AT THE PROPERTY LOCATED IN THE CITY THAT THE PERSON OWNS, OR AT WHICH THE PERSON RESIDES.

§161-8. VIOLATIONS AND PENALTIES.

ANY PERSON VIOLATING ANY OF THE PROVISIONS OF THIS CHAPTER SHALL BE GUILTY OF A MUNICIPAL INFRACTION AND IS SUBJECT TO THE PENALTY PROVIDED IN CHAPTER 110, FEES, AND PENALTIES, OF THIS CODE.

**Section 3. BE IT FURTHER ORDAINED AND ENACTED**, that Chapter 110, Fees and Penalties, §110-2, "Penalties", be repealed, reenacted and amended to read as follows:

\* \* \* \*

Ch. 161 Recycling  
[Art. 1, Newspapers]

§161-6	COLLECTION BY UNAUTHORIZED PERSON	\$100
	REMAINDER OF CHAPTER	<del>[\$10.00]</del> \$25

\* \* \* \*

**Section 4. BE IT FURTHER ORDAINED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for \_\_\_\_\_ P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or

special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall become effective on \_\_\_\_\_, 2015, provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**EFFECTIVE** the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

**CITY OF COLLEGE PARK**

By: \_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

By: \_\_\_\_\_  
Andrew M. Fellows, Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney

FINAL

**ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK TO**  
**REPEAL AND RE-ENACT CHAPTER 161, "RECYCLING" IN ITS**  
**ENTIRETY, TO REQUIRE SOURCE SEPARATION OF RECYCLABLE**  
**MATERIALS FOR ALL OWNERS AND RESIDENTS UTILIZING CITY SOLID**  
**WASTE COLLECTION SERVICES**

**WHEREAS**, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the City of College Park, Maryland (hereinafter, the "City") has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality and to prevent and remove nuisances; and

**WHEREAS**, the City has adopted Chapter 161, "Recycling", to provide for mandatory source separation recycling of newspapers for all owners and residents utilizing City solid waste collection services; and

**WHEREAS**, the Mayor and Council have determined that it is in the public interest to meet or exceed the solid waste reduction goals outlined in the State of Maryland Recycling Act and the Prince George's County Municipal Recycling Program; and

**WHEREAS**, in support of solid waste reduction goals, the Mayor and Council have determined that it is in the public interest to require mandatory source recycling of additional materials, including certain glass containers, certain plastic containers, metal, mixed paper, cardboard, electronics, brush and yard trim.

**Section 1.** NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland that Chapter 161, "Recycling", be, and is hereby repealed in its entirety as follows:

[CHAPTER 161 RECYCLING

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CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks ***	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

## Article I: Newspapers

## §161-1 Definitions

As used in this article, the following terms shall have the meanings indicated:

USED NEWSPAPER

Includes paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

§-161-2 Establishment of program.

[Amended 12-10-1991 by Ord. No. 91-O-24]

On or after the effective date of this article and under regulations issued by the City Manager in accordance with the terms of this article, there is hereby established a program for the mandatory separation of used newspaper from municipal solid waste in the City of College Park. All persons who live in residential areas and currently receive solid waste disposal services from the City of College Park shall separate used newspapers from all other solid waste products. The City of College Park is not required to collect solid waste from any occupant or owner who includes used newspaper with his/her solid waste or does not place the used newspapers for collection in accordance with this article or authorized regulations.

§-161-2 Separation; placement; collection; violation.

- A. Used newspapers shall be free of phone books, magazines, plastic bags and trash.
- B. Used newspapers shall be bundled separately and tied or put in a paper grocery bag in stacks no more than 12 inches high.
- C. Used newspapers may not be placed at the curb more than 24 hours in advance of the 7:30 a.m. scheduled pickup.
- D. Used newspapers will be picked up once per week.
- E. Used newspapers shall not be picked up on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. In the event that either a holiday or snow day falls on a collection day, the newspaper will be picked up on the following designated collection day.
- F. The City Manager is authorized to issue additional reasonable regulations as needed to safely and efficiently effect the removal and collection of used newspapers.
- G. Violation of the provisions of Subsections A through C shall constitute a municipal infraction, carrying a charge as set forth in Chapter 110, Fees and Penalties.

§-161-4 Collection by unauthorized person prohibited; violations and penalties.

A. From the time of placement of newspapers at the curb for collection by the authorized contractor or other authorized persons in accordance with the terms hereof, the used newspapers shall be and become the property of the City of College Park or its authorized agent. It shall be a violation of this article for any person not authorized by the City of College Park to collect or pick up or cause to be collected or picked up any of the used newspapers. Any and each such collection in violation hereof from one or more residences shall constitute a separate, distinct offense, punishable as hereinafter provided.

~~B. Any person who violates any provisions of this section or any regulation promulgated pursuant thereto shall be guilty of a municipal infraction and shall be subject to a fine as set forth in Chapter 110, Fees and Penalties.]~~

**Section 2. BE IT FURTHER ORDAINED AND ENACTED**, that Chapter 161,

“Recycling”, be, and is hereby enacted to read as follows:

## CHAPTER 161 RECYCLING

### §161-1. ESTABLISHMENT OF PROGRAM.

THE CITY CURBSIDE RECYCLING PROGRAM, TO REQUIRE SOURCE SEPARATION AND PLACEMENT FOR COLLECTION OF RECYCLABLE MATERIALS BY ALL OWNERS AND RESIDENTS RECEIVING CITY SOLID WASTE COLLECTION SERVICES, IS HEREBY ESTABLISHED.

### §161-2. DEFINITIONS.

AS USED IN THIS CHAPTER, THE FOLLOWING TERMS SHALL HAVE THE MEANINGS INDICATED:

ALUMINUM. INCLUDES ALUMINUM ALLOY IN THE FORM OF CONTAINERS USED FOR FOOD AND BEVERAGES, ALUMINUM FOIL, AND DISPOSABLE ALUMINUM BAKING PANS.

BRUSH. ORGANIC, WOODY TRIM TYPICALLY CONSISTING OF BRANCHES, LIMBS, STICKS, TWIGS, AND SIMILAR MATERIAL.

CARDBOARD. INCLUDES CORRUGATED CARDBOARD AND PAPERBOARD OF THE TYPE USED FOR MAKING BOXES AND CARTONS.

CART. THE CONTAINER DESIGNATED BY THE CITY IN WHICH RECYCLABLES ARE TO BE HELD FOR STORAGE AND TRANSPORTATION.

CITY. THE CITY OF COLLEGE PARK AND ITS INCORPORATED AREA.

COLLECTOR. ANY PERSON OR FIRM, INCLUDING THE CITY, THAT COLLECTS OR CONTRACTS TO COLLECT AND PROVIDE SERVICES FOR COLLECTION AND/OR TRANSPORTATION OF THE DESIGNATED RECYCLABLE MATERIAL OF OTHERS TO AN APPROVED DISPOSAL SITE.

CURBSIDE COLLECTION. PROCESS WHERE MATERIALS ARE COLLECTED IN OR NEAR THE RIGHT-OF-WAY, GENERALLY IN FRONT OF THE PROPERTY.

DIRECTOR OF PUBLIC WORKS. THE DIRECTOR OR HIS/HER DESIGNEE.

ELECTRONICS. ANY ELECTRONICS ITEM INCLUDING, BUT NOT LIMITED, TO COMPUTERS, TABLETS, KEYBOARDS, MICE, PRINTERS, SCANNERS, FAX MACHINES, TVS, VCRS, DVD/CD/MP3 PLAYERS, STEREOs, RADIOS, TURNTABLES, SPEAKERS, TELEPHONES, CELL PHONES, PDAS, DIGITAL CAMERAS, CAMCORDERS, ELECTRONIC GAME DEVICES, CABLES/CORDS, ELECTRIC TOOLS, VACUUM CLEANERS, MICROWAVES, AND OTHER HOUSEHOLD APPLIANCES.

GLASS CONTAINER. INCLUDES ALL CLEAR (FLINT), GREEN AND BROWN (AMBER) COLORED GLASS FOOD AND BEVERAGE CONTAINERS. GLASS CONTAINERS SHALL NOT INCLUDE BLUE GLASS CONTAINERS, CERAMICS, CRYSTAL, LIGHT BULBS, PLATE WINDOW, LAMINATED, WIRED, OR MIRRORED GLASS.

HIGH GRADE OFFICE PAPER. INCLUDES WHITE OR OFF-WHITE, FINE, BOND, LEDGER, OFFSET, XEROGRAPHIC, AND COMPUTER PAPER AND RELATED TYPES OF CELLULOSIC MATERIAL CONTAINING NOT MORE THAN TEN PERCENT (10%) BY WEIGHT OR VOLUME OF NONCELLULOSIC MATERIAL SUCH AS LAMINATES, COATINGS, OR SATURANTS.

LEAVES. INCLUDES THE FOLIAGE OF TREES, BUSHES, AND SHRUBS.

MIXED PAPER. INCLUDES A WIDE RANGE OF PAPER STOCK AND CONSISTS OF UNSORTED MIXED PAPER SUCH AS NEWSPAPER, MAGAZINES, GLOSSY ADVERTISEMENTS, PAPERBOARD, OFFICE PAPER, PHONE BOOKS, CARDBOARD, AND SOFT AND HARD BOUND BOOKS. SHREDDED PAPER MUST BE CONTAINED IN A SEALED PAPER BAG. MIXED PAPER SHALL NOT INCLUDE SOILED PAPER, PAPER CUPS, TOWELS, TISSUES, NAPKINS OR PLATES.

NEWSPAPER. A PERIODICAL PRINTED ON A PAPER COMMONLY REFERRED TO AS NEWSPRINT.

PAPER. INCLUDES ALL NEWSPAPER, HIGH-GRADE OFFICE PAPER, FINE PAPER, BOND PAPER, OFFSET PAPER, XEROGRAPHIC PAPER, MIMEOGRAPH PAPER, DUPLICATOR PAPER, AND RELATED TYPES OF CELLULOSIC MATERIAL CONTAINING NOT MORE THAN TEN PERCENT (10%) BY WEIGHT OR VOLUME OF NONCELLULOSIC MATERIAL SUCH AS LAMINATES, BINDERS, COATINGS, OR SATURANTS.

PLASTIC. A CLASS OF COMPOUNDS COMPOSED OF SYNTHETIC THERMOPLASTIC POLYMERIC MATERIAL. INCLUDES NARROW AND WIDE MOUTH FOOD AND BEVERAGE CONTAINERS LABELED #1, #2, #3, #4, #5, #6, OR #7. EXPRESSLY EXCLUDES PLASTIC BAGS/FILM AND FOAM TRAYS, CUPS, PLATES, BOWLS, AND ALL FOAM PACKAGING MATERIAL, ALSO KNOWN AS EXPANDED POLYSTYRENE.

RECYCLABLE MATERIALS. MATERIALS REQUIRED TO BE SOURCE SEPARATED AND PLACED FOR COLLECTION AS REQUIRED BY §161-3 INCLUDE:

BRUSH

CARDBOARD

ELECTRONICS

GLASS CONTAINERS

METAL, INCLUDING ALUMINUM, STEEL, AND TIN CONTAINERS AND CANS, ALUMINUM FOIL, AND ALUMINUM BAKING PANS

MIXED PAPER

NEWSPAPER

PLASTIC CONTAINERS (#S 1-7)

YARD TRIM

RECYCLING. THE PROCESS BY WHICH MATERIALS, THAT WOULD OTHERWISE BECOME SOLID WASTE, ARE COLLECTED, SEPARATED, OR PROCESSED, AND RETURNED TO THE ECONOMIC MARKETPLACE IN THE FORM OF RAW MATERIALS OR PRODUCTS.

RESIDENT. A PERSON RESIDING WITHIN THE CITY ON A PERMANENT OR TEMPORARY BASIS.

SCAVENGING. REMOVING RECYCLABLE MATERIALS FROM A DESIGNATED RECYCLING CONTAINER OR AREA WITHOUT APPROVAL FROM THE OWNER OR OPERATOR OF THE RECYCLING OPERATION DESIGNATED TO RECOVER AND PROCESS THE MATERIALS.

SOLID WASTE. ALL WASTE MATERIAL, COMBUSTIBLE OR NONCOMBUSTIBLE, FROM ALL PUBLIC AND PRIVATE ESTABLISHMENTS AND RESIDENCES. SOLID WASTE INCLUDES TRASH, GARBAGE, RUBBISH, OFFAL, AND OTHER REFUSE, BUT NOT BODY EXCREMENTS.

SOURCE SEPARATION. THE ACT OF SEPARATING RECYCLABLE MATERIALS FROM SOLID WASTES FOR THE PURPOSE OF COLLECTION, DISPOSITION, REUSE, COMPOSTING, AND RECYCLING.

YARD TRIM. ORGANIC, VEGETATIVE TRIM TYPICALLY CONSISTING OF LEAVES, GRASS CLIPPINGS, WEEDS, THATCH, AND SIMILAR SOFT VEGETATIVE MATERIAL.

§161-3. DUTIES OF OWNERS AND OCCUPANTS RECEIVING CITY SOLID WASTE COLLECTION SERVICES.

- A. ALL RESIDENTS OF, AND OWNERS OF PROPERTY WITHIN, THE CITY WHO RECEIVE SOLID WASTE COLLECTION SERVICES FROM THE CITY SHALL SOURCE SEPARATE RECYCLABLE MATERIALS FROM SOLID WASTE.

- B. RECYCLABLE MATERIALS (EXCEPT ELECTRONICS AND YARD TRIM) SHALL BE PLACED IN A CITY-ISSUED CART. CARDBOARD SHALL BE FLATTENED AND CUT TO SIZE TO FIT IN THE RECYCLING CART. CARDBOARD QUANTITIES TOO LARGE TO FIT IN THE CART MUST BE FLATTENED, BUNDLED WITH STRING, AND PLACED NEXT TO THE RECYCLING CART. RECYCLABLE MATERIALS SHALL BE PLACED LOOSE IN THE RECYCLING CART AND NOT IN BAGS. CONTAINERS SHALL BE EMPTIED, RINSED OUT AND FREE OF RESIDUE PRIOR TO PLACEMENT IN THE CART FOR COLLECTION. RESIDENTS MAY REQUEST ADDITIONAL CARTS FROM THE DIRECTOR OF PUBLIC WORKS TO CONTAIN ALL ROUTINELY ACCUMULATING RECYCLABLE MATERIALS BETWEEN COLLECTIONS. FILLED CARTS SHALL NOT WEIGH MORE THAN 75 POUNDS.
- C. ALL RECYCLING CARTS SHALL BE PLACED AT THE CURBSIDE BY 7:00 A.M. ON SCHEDULED RECYCLING COLLECTION DAYS BUT NOT MORE THAN TWENTY-FOUR (24) HOURS PRIOR TO 7:00 A.M. ON THE SCHEDULED COLLECTION DAY DESIGNATED FOR THE AREA IN WHICH THE PROPERTY IS LOCATED. CARTS SHALL BE PLACED, WHERE POSSIBLE, ONLY ON THE GRASS ADJACENT TO THE CURB. IT IS ADVISED TO KEEP CARTS AT LEAST THREE FEET APART FROM EACH OTHER, UTILITY POLES, FENCES, FIRE HYDRANTS AND OTHER STRUCTURES. CARTS THAT ARE BLOCKED BY VEHICLES OR OTHER OBSTRUCTIONS WILL NOT BE COLLECTED. CARTS SHALL BE REMOVED FROM THE CURB PRIOR TO 12:00 MIDNIGHT ON RECYCLING COLLECTION DAYS. CARTS SHALL BE STORED ON EACH PROPERTY AT THE REAR OR SIDE IN SUCH A MANNER AS NOT TO BE VISIBLE FROM THE PUBLIC RIGHT-OF-WAY IN FRONT OF THE RESIDENCE.
- D. PREMISES WITH NO RESIDENT PHYSICALLY ABLE TO PLACE AND REMOVE BINS FROM THE CURB MAY REQUEST AN EXEMPTION FROM THESE REQUIREMENTS BY FILING AN ANNUAL APPLICATION WITH THE DIRECTOR OF PUBLIC WORKS.
- E. CARTS SHALL ONLY BE USED FOR COLLECTION OF RECYCLABLE MATERIALS, AND WILL BE KEPT CLEAN BY THE RESIDENT.
- F. RESIDENTS PLANNING ON DISPOSING OF ELECTRONICS MUST SOURCE SEPARATE THESE ITEMS FROM OTHER RECYCLABLE MATERIALS AND SOLID WASTE. A PICKUP MUST BE SCHEDULED FOR THESE ITEMS, WHICH SHALL BE PLACED AT THE CURB ON THE SCHEDULED DAY OF COLLECTION. THE CITY HAS DISCRETION WITH RESPECT TO WHICH ITEMS WILL BE COLLECTED FOR ELECTRONICS RECYCLING BASED ON MARKET FACTORS.
- G. WITH THE EXCEPTION OF LEAVES PLACED FOR COLLECTION DURING POSTED COLLECTION PERIODS, YARD TRIM GENERATED BY RESIDENTS SHALL BE PLACED IN PAPER BAGS OR REUSABLE CONTAINERS AS APPROVED BY THE CITY, AND PLACED ADJACENT TO THE CURB ON REGULARLY SCHEDULED COLLECTION DAYS. YARD TRIM SHALL BE FREE OF ROCKS, SOIL, TREE BRANCHES AND OTHER SOLID DEBRIS AND NOT WEIGH MORE THAN SEVENTY-FIVE (75) POUNDS. REUSABLE

CONTAINERS MUST DISPLAY A YELLOW YARD TRIM DECAL PROVIDED BY THE CITY AT NO CHARGE.

- H. BRUSH, SUCH AS BRANCHES, LIMBS, STICKS, TWIGS, AND SIMILAR WOODY MATERIAL, SHALL BE PACKED IN BUNDLES TIED WITH ROPE, TWINE OR STRING, OR PLACED IN PAPER BAGS OR REUSABLE CONTAINERS AND SHOULD BE NO MORE THAN FIVE (5) FEET IN LENGTH AND NOT WEIGHING MORE THAN SEVENTY-FIVE (75) POUNDS. BUNDLED ITEMS TIED WITH WIRE WILL NOT BE COLLECTED. TREE STUMPS, TRUNKS AND LIMBS GREATER THAN TWELVE (12) INCHES IN DIAMETER WILL NOT BE COLLECTED.
- I. LOOSE LEAVES MAY BE PLACED AT THE CURB DURING POSTED COLLECTION PERIODS. LEAF PILES SHALL BE PLACED AWAY FROM STORM DRAINS AND BE FREE OF ROCKS, WIRE, VINES, OR OTHER SOLID DEBRIS. LEAVES SHALL BE BAGGED AT ALL OTHER TIMES DURING NON-POSTED COLLECTION PERIODS.
- J. ALL RECYCLABLE MATERIALS SHALL BE PLACED INSIDE THE RECYCLING CART, EXCEPT AS OTHERWISE STATED IN THIS CHAPTER. RECYCLABLE MATERIALS PLACED ON THE GROUND OR IN UNAPPROVED CONTAINERS WILL NOT BE COLLECTED BY THE CITY. FILLED CARTS SHALL NOT WEIGH MORE THAN 75 POUNDS.

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ANY PERSON VIOLATING ANY OF THE PROVISIONS OF THIS CHAPTER SHALL BE GUILTY OF A MUNICIPAL INFRACTION AND IS SUBJECT TO THE PENALTY PROVIDED IN CHAPTER 110, FEES, AND PENALTIES, OF THIS CODE.

**Section 3. BE IT FURTHER ORDAINED AND ENACTED**, that Chapter 110, Fees and Penalties, §110-2, "Penalties", be repealed, reenacted and amended to read as follows:

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Ch. 161 Recycling  
 [~~Art. 1, Newspapers~~]

§161-6	COLLECTION BY UNAUTHORIZED PERSON		\$100
	REMAINDER OF CHAPTER	[ <del>\$10.00</del> ]	\$25

\* \* \* \*

**Section 4. BE IT FURTHER ORDAINED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for \_\_\_\_\_ P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall

have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall become effective on \_\_\_\_\_, 2015, provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**EFFECTIVE** the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

**CITY OF COLLEGE PARK**

By: \_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

By: \_\_\_\_\_  
Andrew M. Fellows, Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney

15-G-03

## Appointments to Boards and Committees

15-G-03

### Councilmember Wojahn:

- Reappoint Mark Shroder to the Noise Control Board