

**ORDINANCE, AS AMENDED AND ADOPTED,
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK,
AMENDING CITY CODE CHAPTER 119, “REFUSE, YARD WASTE, SOLID
WASTE AND SPECIAL TRASH” BY CHANGING THE NAME OF THE
CHAPTER; REPEALING AND RE-ENACTING §119-1, “ADOPTION OF
REGULATIONS”, §119-3 “DUTIES OF OWNERS AND OCCUPANTS”, § 119-4
“MATERIALS ACCEPTABLE FOR COLLECTION”, §119-5
“RESPONSIBILITIES OF CITY”, §119-6, “SPECIAL TRASH”, §119-7,
“SAFEGUARDS FOR COLLECTORS”, §119-8, “TIPS AND GRATUITIES”, §119-9,
“RATES”, §119-10, “REFUSE CARTS AND RECYCLING CONTAINERS”, AND
§119-11, “CLEAN UP MONTH”, AND BY DELETING §119-12, “USED MOTOR
RECYCLING” AND RENUMBERING §119-13, “VIOLATIONS AND
PENALTIES”; AMENDING CHAPTER 161, “RECYCLING”, BY CHANGING
THE NAME OF THE CHAPTER; REPEALING AND RE-ENACTING §161-2
“DEFINITIONS” AND §161-3, “DUTIES OF OWNERS AND OCCUPANTS
RECEIVING CITY SOLID WASTE COLLECTION SERVICES”, AND ENACTING
§161-9, “RECYCLING AND YARD WASTE CARTS”; AND AMENDING CHAPTER
110, “FEES AND PENALTIES”, BY REPEALING AND RE-ENACTING §110-1, “FEES
AND INTERESTS” AND §110-2, “PENALTIES”, TO CHANGE HOW SPECIAL
TRASH IS COLLECTED, TO PROHIBIT PLACEMENT OF MATERIALS AT
PROPERTIES THAT DID NOT GENERATE THE MATERIALS, TO SET FEES
FOR COLLECTION AND FEES FOR REFUSE, RECYCLING AND YARD WASTE
RECEPTACLES, AND PENALTIES FOR VIOLATIONS, AND TO
CONSOLIDATE RECYCLING PROVISIONS INTO CHAPTER 161**

WHEREAS, §5-202 of the Local Government Article of the Annotated Code of Maryland provides that the Mayor and Council of the City of College Park have the authority to pass such ordinances as it deems necessary to preserve peace and good order, and to protect the health, comfort and convenience of the residents of the municipality; and

WHEREAS, the City Charter, Article VII, “Powers and Duties of Mayor and Council”, §C7-9, “Refuse collection and disposal service”, authorizes the Mayor and Council to pass such ordinances as may be necessary to provide for the establishment and maintenance of a refuse collection and disposal service; and

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
CAPS	: Indicate matter added in amendment
[Brackets]	: Indicate matter deleted in amendment

WHEREAS, the Mayor and Council adopted Chapter 119, “Refuse, Yard Waste, Solid Waste and Special Trash”, to establish and maintain a refuse collection and disposal service; and

WHEREAS, the Mayor and Council determined that it is in the public interest to amend Chapters 119 and 161 of the City Code to change how special trash is collected, to prohibit placement of materials at properties that did not generate the materials, to set fees for collection and fees for refuse, recycling and yard waste receptacles, and penalties for violations, and to consolidate recycling provisions into chapter 161.

Section 1. **NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the City of College Park, that the title of Chapter 119, “Refuse, Solid Waste, Yard Waste and Special Trash” of the Code of the City of College Park be, and hereby is, amended to read as follows:

Chapter 119

Refuse, Solid Waste, [~~Yard Waste~~] and Special Trash

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 119, §119-3 “Duties of owners and occupants”, be and it is hereby repealed, reenacted and amended to read as follows:

§119-1, “Adoption of regulations” be and it is hereby repealed, re-enacted and amended to read as follows:

§ 119-1 [~~Adoption of regulations.~~] SCOPE

The ~~[following regulations have been adopted by the City Council governing the collection of refuse in the incorporated City of College Park]~~ COLLECTION OF REFUSE, YARD WASTE, RECYCLING, SOLID WASTE, AND SPECIAL TRASH IN THE CITY IS GOVERNED BY THE PROVISIONS OF THIS CHAPTER. COLLECTION OF RECYCLING AND YARD WASTE IS ALSO GOVERNED BY THE PROVISIONS OF CHAPTER 163, "RECYCLING", AS AMENDED.

Section 3. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-3 "Duties of owners and occupants", be and it is hereby repealed, reenacted and amended to read as follows:

§ 119-3 Duties of owners and occupants.

A. It shall be the duty of every owner or occupant of each private residence, apartment house, commercial establishment and any other place of business or residence using the refuse cart and recycling ~~[container]~~ CART system for garbage collection and recycling to comply with the APPLICABLE provisions of ~~[these regulations]~~ THIS CHAPTER AND CHAPTER 161.

B. All refuse carts ~~[and recycling containers]~~ shall be placed at the curb prior to 7:00 a.m. on scheduled refuse collection days. ~~[C]~~REFUSE Carts ~~[and recycling containers]~~ shall be placed, where possible, only on the grass adjacent to the curb. Carts ~~[and recycling containers]~~ shall be removed from the curb prior to 12:00 midnight on refuse collection day. CARTS SHALL BE STORED ON EACH PROPERTY IN THE REAR OR SIDE YARD.. Households with no one physically able to place carts at the curb and to remove them may request exemption from these requirements by presenting to the City a statement, in a form satisfactory to the City, that no person physically capable of moving the refuse cart to and from the curb resides on the premises.

C. All normal household refuse shall be placed in refuse carts ~~[, except that, should the volume of household refuse exceed the capacity of the cart, household refuse shall be placed in disposable containers beside the cart].~~

D. The placement in the refuse carts of rocks, sod, dirt, sand, vehicle parts, concrete or other construction materials, ROOF SHINGLES, yard waste, recyclable MATERIALS SUCH AS newspapers, glass, aluminum cans, plastic CONTAINERS, ~~[jars and jugs]~~ and

mixed paper, ~~[which includes]~~ INCLUDING WITHOUT LIMITATION junk mail, telephone books, computer paper, cardboard, magazines or books, AND SPECIAL TRASH is prohibited. Hazardous or flammable materials ~~[, such as paints, oils, solvents and gasoline, as an example,]~~ shall not be placed in ANY CITY refuse, RECYCLING OR YARD WASTE carts ~~[or recyclable containers]~~. In addition to ~~[the]~~ ANY OTHER APPLICABLE penalties ~~[for violation of the provision]~~, any person violating this provision shall be deemed responsible for RESULTING damage or injury to collection crew members or the refuse, ~~[carts]~~ YARD WASTE or recycling CARTS ~~[containers]~~.

E. Refuse carts will be kept clean by the user.

~~[F. Grass and flower clippings, shall be placed in disposable bags approved by the City, adjacent to the curb. Bagged clippings shall be free of rocks, soil, tree limbs and other debris and weigh not more than 75 pounds.]~~

~~G. Tree limbs, branches, and shrubs shall be packed in bundles not more than [five] feet in length and weighing not more than 75 pounds and placed adjacent to the curb. Bundled items may be tied with rope, twine or string or contained in paper bags or Bundled items tied with wire will not be accepted.]~~

~~H. Leaves shall be placed at the curb during posted collection periods. Leaf piles shall be placed away from cars and storm drains and be free of rocks, wires, and solid waste.]~~

Section 4. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-4, “Materials acceptable for collection”, be and it is hereby repealed, re-enacted and amended to read as follows:

§ 119-4 Materials acceptable for collection. THE FOLLOWING ARE ACCEPTABLE FOR COLLECTION AS AUTHORIZED IN THIS CHAPTER.

A. REGULAR TRASH. Accumulations from the ordinary conduct of the household of the following materials will be acceptable for REGULAR TRASH collection:

1. Garbage (food wastes).
2. Trash and other LEGALLY PERMISSIBLE refuse GENERATED AT THE PROPERTY, NOT EXCEEDING 75 LBS., ~~(all refuse, other than garbage, which has been produced by the normal operation of a household)~~ THAT CAN BE REDUCED IN SIZE TO FIT INTO AND NOT DAMAGE THE REFUSE

CART, SO LONG AS THE CART LID CAN REMAIN FULLY CLOSED, except for those items listed in § 119-3D. ~~[and]~~

3. Domestic animal waste in plastic containers with lime in accordance with Prince George's County Health Department regulations.
4. ~~[Yard waste placed as required by § 119-3.]~~

B. BULKY TRASH. RESIDENTIAL WASTE THAT IS TOO LARGE OR NUMEROUS TO BE ACCEPTED DURING REGULARLY SCHEDULED TRASH COLLECTION AND IS NOT CLASSIFIED AS SPECIAL TRASH OR OVERWEIGHT, OVERSIZED OR IMPROPERLY SORTED. BULKY TRASH INCLUDES HOUSEHOLD ITEMS, FURNITURE, LAMPS, DIVANS, CHAIRS, AND MATTRESSES (ONLY IF WRAPPED IN PLASTIC OR PLACED IN A PLASTIC MATTRESS BAG). BULKY TRASH DOES NOT INCLUDE CONSTRUCTION AND DEMOLITION DEBRIS, EXCEPT HOME IMPROVEMENT MATERIALS GENERATED ONLY BY THE OCCUPANT.

C. SPECIAL TRASH. ELECTRONICS CONTAINING CRT; TELEVISIONS , MONITORS; AIR CONDITIONERS; APPLIANCES SUCH AS REFRIGERATORS AND FREEZERS (WHICH MUST HAVE DOORS REMOVED OR SECURED IN A MANNER THAT PROHIBITS THEM FROM CLOSING), STOVES, WASHERS, DRYERS, DISHWASHERS, DEHUMIDIFIERS, FURNACES, WATER HEATERS, COMPACTORS, GARBAGE DISPOSALS, MICROWAVES, OVENS, ITEMS CONTAINING FREON, R-12 OR ANY OTHER REFRIGERANT; GRILLS; AND TIRES WITHOUT RIM OR WHEEL.

D. OVERWEIGHT OVERSIZED AND IMPROPERLY SORTED ITEMS. OVERWEIGHT, OVERSIZED OR IMPROPERLY SORTED ITEMS THAT REQUIRE SPECIALIZED EQUIPMENT TO COLLECT UPON PAYMENT OF A FEE.

Section 5. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-5, “Responsibilities of City” be and it is hereby repealed, re-enacted and amended to read as follows:

§ 119-5 Responsibilities of City.

~~[A. Carts will be provided by the City at no cost. Replacement carts will be provided by the City at no cost if the need for the replacement was not caused by owner abuse. Carts or container which are destroyed or become unusable in the sole judgment of the Public Works~~

~~Director, as a result of the acts or negligence of the user, shall be required to be replaced, and the user shall pay for the cost of replacement of the cart or container.~~

~~B.]~~ In accordance with the schedule established by the Department of Public Works ~~[and approved by]~~ AFTER NOTIFICATION TO the Mayor and Council, City refuse collectors will empty all refuse carts which have been placed on the curb by 7:00 a.m. and will return them to the curb. Residents may inquire about said schedule by contacting the Department of Public Works. Where households are exempt from the requirements to place carts at the curb, collectors will bring the carts from behind the house, empty them and return them to their behind-the-house locations.

~~[C. Yard waste. In accordance with the schedule established by the Department of Public Works [and approved by] the Mayor and Council, collectors will pick up yard waste placed adjacent to the curb, as follows:~~

~~(1) Grass and flower clippings shall be placed in disposable bags approved by the City.~~

~~Bagged clippings shall be free of rocks, soil, tree limbs and other debris and weigh not more than 75 pounds.~~

~~(2) Tree limbs, branches, and shrubs packed in bundles not more than five feet in length and weighing not more than 75 pounds. Bundled items may be tied with rope, twine or string, or contained in paper bags or cardboard boxes. Bundled items tied with wire will not be accepted. The City preserves the right to chip all brush on site or remove it for processing.~~

~~(3) Leaves shall be placed at the curb during posted collection periods. Leaf piles shall be placed away from cars and storm drains and be free of rocks, wires, and solid waste.]~~

Section 6. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-6, “Special trash” be and it is hereby repealed, re-enacted and amended to read as follows:

§ 119-6 COLLECTION OF BULKY TRASH, Special trash AND OVERWEIGHT, OVERSIZED OR IMPROPERLY SORTED ITEMS.

A. BULKY TRASH, Special trash AND OVERSIZED AND OVERWEIGHT ITEMS~~], as described in Subsection B of this section,]~~ will be collected only BY APPOINTMENT, PAYMENT OF ANY REQUIRED FEE WHEN INVOICED, AND ONLY if ~~[it is]~~ placed at the curb by 7:00 a.m. in a manner which, in the sole judgment of the City, permits safe handling by the collection crew without damaging collection equipment. ~~[Household items such as furniture, divans, chairs, and bedding shall be collected [on scheduled refuse collection days or by appointment.]~~

B. [~~Special trash shall include household items such as appliances which cannot be dismantled, including dishwashers, clothes washers and dryers, stoves and hot water heaters. The City will also collect installed equipment such as radiators, boilers, furnaces, kitchen sinks, bathroom basins, commodes, tubs and vehicle parts.~~] THE CITY MUST BE NOTIFIED OF THE TYPE AND NUMBER OF ITEMS WHEN A COLLECTION IS SCHEDULED. ALL ITEMS MUST BE SET OUT NEATLY AND SEPARATED BY TYPE FOR COLLECTION. BULKY TRASH WILL BE COLLECTED UP TO FOUR TIMES IN A CALENDAR YEAR FROM ANY ONE PROPERTY.

C. [~~Air conditioners, heat pumps, tires and refrigerators will be collected as special trash, by appointment, at a cost to the resident established by the Mayor and Council in Chapter 110 of this Code.~~] A SEPARATE FEE AS ESTABLISHED IN CHAPTER 110 WILL BE CHARGED FOR ITEMS OF SPECIAL TRASH TO BE COLLECTED.

D. A SEPARATE FEE AS ESTABLISHED IN CHAPTER 110 WILL BE CHARGED FOR EACH DISPATCH OF EQUIPMENT FOR OVERWEIGHT, OVERSIZED OR IMPROPERLY SORTED MATERIALS TO BE COLLECTED.

E. [~~The City will collect building materials, or waste by appointment. The City will not collect roofing shingles.~~]

CONSTRUCTION/DEMOLITION MATERIAL GENERATED BY ANY CONTRACTOR OR PERSON RECEIVING A FEE TO PERFORM A CONSTRUCTION/DEMOLITION PROJECT MAY NOT BE PLACED FOR COLLECTION BY THE CITY. THE OWNER AND OCCUPANT WILL BE REQUIRED TO PROPERLY MANAGE THE WASTE MATERIAL AND DEBRIS GENERATED AS A RESULT OF SUCH A PROJECT AND ARRANGE FOR ITS PROPER DISPOSAL.

F. PLACEMENT OF MATERIAL FOR COLLECTION AT A PROPERTY OTHER THAN THE PROPERTY THAT GENERATED THE MATERIAL IS PROHIBITED.

Section 7. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-7, “Safeguards for collectors” be and it is hereby repealed, re-enacted and amended to read as follows:

§119-7 Safeguards for collectors.

A. All dogs or other animals that might interfere with collectors shall be confined on collection days.

B. Hazardous materials such as ~~[oil, paint, poison, caustics, explosives and pressurized tanks]~~ ACID, CAR BATTERIES OR ALKALINE HOUSEHOLD BATTERIES; ROOF SHINGLES, AMMUNITION; AUTOMOTIVE FLUIDS AND FUELS; CAUSTICS; CLEANING AGENTS; COOKING OIL; DRIVEWAY SEALERS; FIRE EXTINGUISHERS; FLUORESCENT LIGHT BULBS OR TUBES; INSECTICIDES, HERBICIDES AND FERTILIZERS; liquid latex and OIL-BASED PAINTS; PHOTOGRAPHIC CHEMICALS; POISONS; PRESSURIZED TANKS (PROPANE, HELIUM, ETC.); SMOKE DETECTORS; SOLVENTS, VARNISHES AND STAINS; AND SWIMMING POOL CHEMICALS are not acceptable AND MAY NOT BE PLACED for collection.

C. Any potentially dangerous materials ~~[, if not placed in the cart,]~~ should have sharp points removed or bent down, or be placed in disposable containers clearly labeled to indicate the hazard to the collector.

Section 8. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-8, “Tips and gratuities” be and it is hereby repealed, re-enacted and amended to read as follows:

119-8 Tips and gratuities.

Tips and gratuities shall not be offered to City employees ~~[to perform special services].~~

Section 9. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-9, “Rates” be and it is hereby repealed, re-enacted and amended to read as follows:

§ 119-9 Rates.

All fees for refuse collection will be payable annually in advance beginning July 1 each year and are as set forth in Chapter 110, Fees and Penalties. A prorated refund will be made upon 30 days' notice to discontinue service. New service will be prorated for the remainder of the year. ALL FEES FOR SPECIAL TRASH AND OVERWEIGHT OR OVERSIZE ITEM COLLECTION SHALL BE PAID IN ADVANCE OF COLLECTION.

Section 10. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-10, “Refuse carts and recycling containers” be and it is hereby repealed, re-enacted, renamed and amended to read as follows:

§119-10 Refuse carts [and recycling containers].

~~[Each single-family residence will be provided with one refuse cart and recycling container at no cost.]~~ THE CITY WILL PROVIDE UP TO TWO REFUSE CARTS TO EACH SINGLE-FAMILY RESIDENCE AT NO COST. ONE ADDITIONAL REFUSE CARTS WILL BE PROVIDED AT THE ANNUAL COST SET OUT IN CHAPTER 110.

Apartment units and commercial establishments under contract for refuse collection by THE City will be provided refuse carts and recycling CARTS ~~[containers]~~ as needed. The number of carts ~~[and containers]~~ needed will be determined by the City. REPLACEMENT REFUSE CARTS WILL BE PROVIDED BY THE CITY AT NO COST IF THE NEED FOR THE REPLACEMENT WAS NOT CAUSED BY OWNER/OCCUPANT ABUSE. REFUSE CARTS WHICH ARE DESTROYED OR BECOME UNUSABLE, IN THE SOLE JUDGMENT OF THE PUBLIC WORKS DIRECTOR, AS A RESULT OF THE ACTS OR NEGLIGENCE OF THE USER, SHALL BE REQUIRED TO BE REPLACED, AND THE USER SHALL PAY FOR THE COST OF REPLACEMENT OF THE CART. THE CHARGE FOR ADDITIONAL OR REPLACEMENT REFUSE CARTS IS SET OUT IN CHAPTER 110.

Section 11. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-11, “Cleanup month” be and it is hereby repealed, re-enacted and amended to read as follows:

§ 119-11 Cleanup [month] EVENTS.

A. Annually, the ~~[Mayor and Council]~~ CITY MANAGER will designate one OR MORE ~~[month]~~DAY(S) as cleanup ~~[month]~~EVENTS. The Public Works facility will be open during A DESIGNATED SATURDAY(S) ~~[that month on Saturdays]~~ for residents of College Park only to drop off household refuse. Use of the facility by nonresidents or commercial or industrial entities, regardless of residency, is prohibited.

B. Only nonhazardous material may be dropped off at the site. Hazardous waste, as identified in § 119-7B, will not be accepted, EXCEPT AS AUTHORIZED BY THE CITY.

Section 12. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-12, “Used motor oil recycling” be and it is hereby repealed as follows:

~~[§ 119-12 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.]~~

Section 13. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, §119-13, “Violations and penalties”, be and is hereby renumbered as §119-12.

Section 14. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that the title of Chapter 161, “Recycling” of the Code of the City of College Park be, and hereby is, amended to read as follows:

Chapter 161

Recycling AND YARD WASTE

Section 15. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 161, §161-2, “Definitions” be and it is hereby repealed re-enacted and amended to read as follows:

§ 161-2 Definitions.

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

* * * * *

RECYCLABLE MATERIALS

Materials required to be source separated and placed for collection as required by § 161-3 include:

A. – B. * * * * *

~~[C. Electronics.]~~

~~[D.]~~C. Glass containers.

~~[E.]~~D. Metal, including aluminum, steel, and tin containers and cans, aluminum foil, and aluminum baking pans.

~~[F.]~~E. Mixed paper.

~~[G.]~~F. Newspaper.

~~[H.]~~G. Plastic containers (Nos. 1 through 7).

~~[I. Yard trim.]~~

* * * * *

YARD~~[TRIM]~~ WASTE

Organic, vegetative ~~[trim]~~ WASTE typically consisting of leaves, grass AND FLOWER clippings, weeds, thatch, and similar soft vegetative material, AND TREE LIMBS, BRANCHES AND SHRUBS.

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Section 16. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 161, §161-3, “Duties of owners and occupants receiving City solid waste services” be and it is hereby repealed re-enacted and amended to read as follows:

§ 161-3 Duties of owners and occupants receiving City solid waste collection services.

A. RECYCLING REQUIRED. All ~~[residents]~~ OCCUPANTS 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 AND SHALL COMPLY WITH THE PROVISIONS OF THIS CHAPTER.

B. RECYCLABLE MATERIALS

1. RECYCLABLE MATERIALS (except [~~electronics~~] SPECIAL TRASH AND BULK TRASH AS DEFINED IN CHAPTER 119; TREE LIMBS, BRANCHES, SHRUBS and OTHER yard [~~trim~~] WASTE) shall be placed in a City-issued RECYCLING cart. Cardboard shall be flattened and cut to size to fit in the recycling cart SO THAT THE LID CAN BE FULLY CLOSED. 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 PLASTIC 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.
2. [~~C.~~] All recycling carts shall be placed at the curbside by 7:00 a.m. on scheduled recycling collection days but not more than 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~~] MAY 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~~] IN the rear or side YARD [~~in such a manner as not to be visible from the public right of way in front of the residence~~].
3. [~~D.~~] Premises with no resident physically able to place and remove CARTS [~~bins~~] from the curb may request an exemption from these requirements by filing an annual application with the Director of Public Works.
4. [~~E.~~] Carts shall only be used for collection of recyclable materials and will be kept clean by the resident.
5. [~~F.~~] Residents planning on disposing of electronics must source separate these items from other recyclable materials and solid waste. A SPECIAL TRASH 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.
6. ALL RECYCLABLE MATERIALS SHALL BE PLACED INSIDE THE RECYCLING CART, EXCEPT AS OTHERWISE STATED IN 161-3B. CARTS SHALL NOT WEIGH MORE THAN 75 POUNDS.

C.[G]. YARD WASTE

1. With the exception of leaves placed for CURBSIDE collection during posted collection periods, yard trim, GRASS AND FLOWER CLIPPINGS generated by residents shall be placed in RECYCLABLE paper bags or ~~[reusable container as]~~ A YARD WASTE CART 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 75 pounds. PERSONAL OR RESIDENT SUPPLIED ~~[R]~~Reusable containers must display a yellow yard trim decal provided by the City at no charge.
2. ~~[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 feet in length and not weigh more than 75 pounds. Bundled items tied with wire will not be collected. Tree stumps, trunks and limbs greater than 12 inches in diameter will not be collected.]~~ ON SCHEDULED COLLECTION DAYS, TREE LIMBS, BRANCHES, AND SHRUBS MAY BE PLACED FOR COLLECTION AND SHALL BE PACKED IN BUNDLES, NOT TO EXCEED 25 IN NUMBER, OR PLACED IN THE YARD WASTE CART AND CUT TO FIT SO THAT THE LID WILL CLOSE. BUNDLES OF WOODY MATERIAL SHALL MEASURE LESS THAN 2' IN DIAMETER AND WEIGH NOT MORE THAN 50 POUNDS. BUNDLED TREE LIMBS, BRANCHES AND STICKS MAY NOT BE MORE THAN FOUR FEET IN LENGTH AND FOUR INCHES IN DIAMETER FOR INDIVIDUAL BRANCHES. BUNDLES SHALL BE PLACED ADJACENT TO THE CURB. BUNDLED ITEMS, INCLUDING SHRUBS, MUST BE TIED WITH BIODEGRADABLE MATERIALS SUCH AS ROPE, TWINE OR STRING, OR CONTAINED IN RECYCLABLE PAPER BAGS. NO MORE THAN 25 BAGS WILL BE COLLECTED AT ONE TIME. BUNDLED ITEMS TIED WITH WIRE WILL NOT BE ACCEPTED. UP TO 25 INDIVIDUAL LOG SECTIONS NOT TO EXCEED 12" IN LENGTH AND DIAMETER AND 50 LB. IN WEIGHT EACH, MAY BE PLACED AT THE CURB.
3. ~~[I.]~~Loose leaves may be placed at the curb during posted CURBSIDE COLLECTION PERIODS. LEAF PILES SHALL BE PLACED AT THE CURB BUT NOT IN THE STREET, away from CARS, storm drains and be free of rocks, wire, vines, or other solid debris. Leaves shall BE PLACED IN RECYCLABLE BAGS OR PLACED IN YARD WASTE CARTS 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 IN 161-3B. [Recyclable materials placed on the ground or in unapproved containers will not be collected by the City. Filled c] Carts shall not weigh more than 75 pounds.]~~

- 4. THE 25-LOG MAXIMUM DOES NOT APPLY TO THE DEBRIS FROM BRANCHES OR TREES FALLING ONTO ABUTTING PROPERTY, IF ABUTTING PROPERTY OWNER PLACES AT CURB PROPERLY BUNDLED.

Section 17. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 161, §161-9, “Recycling and yard waste carts”

be and it is hereby enacted to read as follows:

§161-9 RECYCLING AND YARD WASTE CARTS

THE CITY WILL PROVIDE ALL REQUIRED RECYCLING CARTS AT NO CHARGE AND WILL PROVIDE YARD WASTE CARTS UPON REQUEST FOR A FEE. REPLACEMENT RECYCLING CARTS WILL BE PROVIDED BY THE CITY AT NO COST IF THE NEED FOR THE REPLACEMENT WAS NOT CAUSED BY OWNER ABUSE. RECYCLING CARTS WHICH ARE DESTROYED OR BECOME UNUSABLE IN THE SOLE JUDGMENT OF THE PUBLIC WORKS DIRECTOR, AS A RESULT OF THE ACTS OR NEGLIGENCE OF THE USER, SHALL BE REQUIRED TO BE REPLACED, AND THE USER SHALL PAY FOR THE COST OF REPLACEMENT OF THE CART. THE CHARGE FOR ADDITIONAL OR REPLACEMENT RECYCLING AND YARD WASTE CARTS IS SET OUT IN CHAPTER 110.

Section 18. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 110 “Fees and Penalties”, §110-1, “Fees and interest” be and is hereby repealed and reenacted with amendments to read as follows:

§110-1 Fees and interests.

The following enumerations are the current fees, rates, charges and interests applicable in the City of College Park:

Chapter/Section	Description	Fee/Interest
* * * *		
Ch. 119	[Garbage, Rubbish and Refuse] REFUSE, SOLID WASTE AND SPECIAL TRASH	
§119-9	* * * *	

Reinstatement fee * * * * *

Residential REGULAR TRASH collection

* * * * *

Special trash:

Tires \$4.00 per tire

~~[Refrigerators, air conditioners, Heat pumps]~~ ~~[No charge for collection of first Unit; \$35 for each additional unit]~~

ALL OTHER SPECIAL TRASH \$20.00 FOR EACH ITEM collected during a calendar year from an individual or owner of a dwelling unit at a specific address.

OVERWEIGHT, OVERSIZED OR NOT PROPERLY SORTED MATERIALS \$100 PER HOUR PER DISPATCH OF SPECIALIZED EQUIPMENT

* * * * *

§119-10 REFUSE CARTS

THIRD REFUSE CART \$50 ANNUALLY

REPLACEMENT PER EACH \$50

* * * * *

Ch. 161 Recycling AND YARD WASTE

§161 -9 RECYLCING AND YARD WASTE CARTS

RECYCLING CART (FOR REPLACEMENT) YARD WASTE CART	AT COST \$25.00
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Section 19. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 110 “Fees and Penalties”, §110-2, “Penalties” be and is hereby repealed and reenacted with amendments to read as follows:

§110-2 Penalties.

The following enumerations are the current fees, rates, charges and interests applicable in the City of College Park:

Chapter/Section	Violation	Penalty
	* * * * *	
Chapter 119 [Garbage, Rubbish and Refuse] REFUSE, SOLID WASTE AND SPECIAL TRASH		
§119-3F	First violation	\$25
	Subsequent violations	\$50
	in 12 months]	
[Remainder of] Chapter	First violation	\$100
	Subsequent violation in 12 months	\$200
	* * * * *	
Ch. 161 Recycling		
§161-3(G)(C)	FIRST VIOLATION	\$25
	SECOND VIOLATION IN 12 MONTHS	\$50
§161-6	* * * * *	
	Remainder of chapter	\$25
	* * * * *	

Section 20. BE IT FURTHER ORDAINED AND ENACTED 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 post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof 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 7:30 P.M. on the 28TH day of January, 2020, 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. This Ordinance shall become effective on May 1, 2020 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this

Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the **14th** day of **January**, 2020.

AMENDED AND ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the **28TH** day of **January** 2020.

EFFECTIVE the **1st** day of **May**, 2020.

ATTEST:

CITY OF COLLEGE PARK

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

By: Patrick L. Wojahn
Patrick L. Wojahn, Mayor

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

Suellen M. Ferguson
Suellen M. Ferguson, City Attorney