

AMENDED ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK,
AMENDING CITY CODE CHAPTER 119, “REFUSE, SOLID WASTE AND
SPECIAL TRASH” BY REPEALING AND RE-ENACTING §119-6, “SPECIAL
TRASH”, AND §119-9, “RATES”; AND AMENDING CHAPTER 110, “FEES AND
PENALTIES”, BY REPEALING AND RE-ENACTING §110-1, “FEES AND
INTERESTS” TO CHANGE HOW BULKY TRASH IS COLLECTED, TO SET
FEES FOR COLLECTION AND PENALTIES FOR VIOLATIONS.

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

WHEREAS, the Mayor and Council adopted Chapter 119, “Refuse, 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 110 of the City Code to change how bulky trash is collected, and to set fees for collection of bulky trash.

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, that Chapter 119, “Refuse, Solid Waste 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

Special Trash”, §119-6, “Collection of bulky trash, special trash and overweight, oversized or improperly sorted items” be and it is hereby repealed, re-enacted and amended to read as follows: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. - B. * * * *

C. A separate fee as established in Chapter 110 will be charged for items of special trash AND OF BULKY TRASH to be collected.

D. - F. * * * *

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 119, “Refuse, Solid Waste and Special Trash”, §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, BULKY TRASH and overweight or oversize item collection shall be paid in advance of collection.

Section 3. 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 Refuse, Yard Waste, Solid Waste and Special Trash		
§119-9	* * * *	
	Non-residential collection: * * * *	
	BULKY TRASH	\$20.00 FOR EACH ITEM IN EXCESS OF 29 PER FISCAL YEAR FOR SINGLE-FAMILY AND APARTMENT RENTAL UNITS PAYING THE CITY FOR REGULAR TRASH COLLECTION. \$20.00 FOR EACH ITEM IN EXCESS OF 20 PER FISCAL YEAR FOR OTHER PROPERTIES
		 \$20.00 FOR EACH ITEM IN EXCESS OF 21 PER FISCAL YEAR FOR SINGLE-FAMILY AND APARTMENT RENTAL UNITS PAYING THE CITY FOR REGULAR TRASH COLLECTION. \$20.00 FOR EACH ITEM IN EXCESS OF 12 PER FISCAL YEAR FOR OTHER PROPERTIES]
	Special trash: * * * *	

Section 4. 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~~]

SECTION 5. BE IT FURTHER ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK THAT, FOR ONE YEAR FROM THE EFFECTIVE DATE OF THIS ORDINANCE, THE CHARGE FOR BULK TRASH ITEMS WILL BE WAIVED, AND WILL NOT BE ASSESSED UNTIL FURTHER ACTION OF THE MAYOR AND COUNCIL. DURING THE ONE YEAR PERIOD, THE CITY WILL DEVELOP A BILLING SYSTEM TO TRACK COLLECTIONS OF BULK TRASH BY PROPERTY, GATHER ADDITIONAL DATA WITH RESPECT TO BULK TRASH, AND NOTIFY OWNERS OF THE NUMBER OF BULK TRASH ITEMS

COLLECTED FROM THEIR PROPERTY AND THE CHARGE, IF ANY, THAT WOULD HAVE BEEN ASSESSED IF THE FEE WERE IN EFFECT. THE DATA WILL BE USED BY THE MAYOR AND COUNCIL TO EVALUATE THE EFFICACY AND IMPACT OF THE ORDINANCE.

SECTION 6. BE IT FURTHER ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK THAT 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