



CITY OF LAUREL, MARYLAND

ORDINANCE NO. 2010

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND TO AMEND LAUREL CITY CODE, CHAPTER 7 "GARBAGE, WASTE, WEEDS, RECYCLING, ETC. TO INCLUDE THE MANADATORY DIVERSION OF ORGANICS FROM THE WASTE STREAM AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by the President at the request of the Administration.

WHEREAS, both State and Federal governments have recognized that methane emissions resulting from the decomposition of organic waste in landfills are a significant source of greenhouse gas (GHG) emissions contributing to global climate change, and

WHEREAS, both State and Federal governments have recognized the importance of composting as a way to reduce harmful methane emissions at the landfills, and

WHEREAS, both State and Federal governments have recognized that by sending organics to a composting facility we are creating a valuable resource, and

WHEREAS, it is the responsibility of the City to manage and reduce the cost of solid waste disposal, and

WHEREAS, as set forth in the Annotated Code of Maryland, Local Government Article, Section 5-202, a municipality may "adopt ordinances to: ...protect the health, comfort, and convenience of the residents of the municipality."; and

WHEREAS, the City recognizes that City tipping fees have gone up over the years to dispose of regular refuse, and

WHEREAS, disposal of curbside organic waste costs less than half of landfilling the material, and

WHEREAS, the City of Laurel's first Sustainability Plan will include a Solid Waste Management Plan – with emphasis on Zero Waste, and

WHEREAS, it is the Mayor and City Council's desire to lead by example and to require residents and business within the City limits of Laurel to recycle organic waste materials, and

WHEREAS, a voluntary organic recycling program has been in place in the City since 2019; and

WHEREAS, the Mayor and City Council believe that by instituting a mandatory organic recycling program Citywide, the City can save a significant amount of public funds on tipping fees, and will benefit the health and welfare of the citizens of the City; and

NOW, THEREFORE BE IT ENACTED AND ORDAINED, that the City's mandatory organic recycling program will take effect on **July 1, 2025**, and

NOW, THEREFORE, BE IT FURTHER ENACTED AND ORDAINED, by the Mayor and City Council of Laurel, Maryland that the City Code, Chapter 7 "Garbage, Trash, Weeds, etc." is hereby amended as follows:

Chapter 7 - GARBAGE, TRASH, WEEDS, ETC.

ARTICLE I. - IN GENERAL

Sec. 7-2. - Definitions.

Kitchen refuse or kitchen waste: See "refuse."

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Organics: Animal and vegetable waste resulting from the handling, preparation and cooking of food, including organic food packaging, food soiled paper and paper soiled with non-chemical products.

Organics Recycling: See Section 7-35

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~~Refuse:~~ Animal and vegetable waste resulting from the handling, preparation and cooking of food, including plastic and organic food packaging.

Refuse: Non-compostable and non-organic materials; non-recyclable materials and/or materials contaminated with chemicals and human/pet waste.

* * *

Waste: A general term to refer to items that might require disposal including ashes, bulky items, refuse and yard debris pet waste, non-compostable and non-organic materials.

ARTICLE II. REFUSE COLLECTION AND DISPOSAL SERVICE¹

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Sec. 7-24. Receptacles—Capacity and construction.

- (a) Refuse receptacles for the standard City service shall be provided by the City and shall be maintained in good and sanitary condition by the owner, lessee, tenant, or occupant of each premises served and shall. All refuse receptacles shall come equipped with a lift bar compatible with the City's collection trucks. Receptacles for collection of refuse shall be watertight and fitted with handles and provided with a tightfitting cover. Such receptacles shall have a capacity of not more than sixty-four (64) gallons and shall be so constructed that the contents can be removed easily and without delay. No more than one (1) ~~two (2)~~ such receptacle receptacles shall be collected from any single- or two-family dwelling unit per week, unless approved by the Director of Public Works. A home audit must be completed by the Environmental Programs Manager or designee prior to a final decision by the Director.
- (b) Commercial establishments and apartment houses are required to use a City-provided ninety-five-gallon container compatible (i.e., with lift bars) with the e City's refuse trucks. Commercial establishments may, in the discretion of the e City, receive additional services upon payment of the fee established by the Mayor.

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- (e) All refuse must be placed in the City-provided ~~an acceptable trash~~ receptacle. Bags of refuse are not permitted to be placed at the curb.

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Sec. 7-25. ~~Same~~—Access to; return of empty containers.

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- (e) The owner or occupant of each premises shall return emptied refuse and recycling and composting receptacles to their storage location prior to 7~~8~~:30 p.m. of the day of collection.

* * *

(g) In single-family, multifamily and attached residential units wherein outside, walled storage areas are not required, or are not practical, receptacles shall be stored in rear or side yards, and be set out to the normal place of collection by the owners or occupants. Refuse, recycling and composting receptacles may not be stored in the open front yards, unless the carts are in a City-approved enclosure or are behind a natural barrier that effectively hides their view from public rights-of-way (i.e., bushes and/or shrubs), and if stored ~~on~~ in the side yard of the property, must be at least twenty (20) feet from the public right-of-way.

ARTICLE III. RECYCLING

Sec. 7-31. Definitions.

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City Enforcement Official means the Environmental Programs Manager or designee; the Director of the Department of Public Works Official or its designee; or Enforcement Officials in the Department of Fire Marshal and Permit Services.

Compost means the product resulting from the controlled biological decomposition of organic solid wastes that is source-separated from the municipal solid waste stream, or which is separated at a centralized facility.

Compostable means any material that can be broken down into, or otherwise become part of, usable compost (e.g., soil-conditioning material) in a safe and timely manner as accepted in Prince George's County's composting facility, such as food scraps, soiled paper and plant trimmings. Compostable materials can also include disposable plastic food service ware and bags, if labeled "Certified Compostable", meeting the ASTM Standard Specification (D6400) for compostable plastics, and consistent with guidelines provided by Prince George's County's Organics Composting Facility.

Composting means the controlled biological decomposition of organic wastes that are source-separated from the solid waste stream.

Composting facility is a facility, the principal function of which is to receive and to process organic waste through composting.

Contamination means (A) any materials other than those defined as recyclable and/or organic materials that are placed in a container designated for recyclable materials only; (B) any materials other than those defined as organic materials that are placed in a container designated for organic materials only; or (C) in a food service establishment, recyclable materials and organic materials that are placed in a container designated for refuse.

* * *

Underlining indicates new language added.

Strikethroughs indicate language deleted.

* * * Asterisks indicate intervening language and section unchanged.

Food scraps means all food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells.

Food-soiled paper is compostable paper material that has come in contact with food or liquid, such as, but not limited to, compostable paper plates, paper coffee cups, napkins, paper towels soiled with non-chemical cleaners, pizza boxes, and ice cream cartons.

Food wastes means food scraps, food-soiled paper and compostable plastics.

Green waste means leaves, grass clippings, brush, branches, and other forms of organic materials generated from landscapes or gardens, which have been source-separated from other solid waste. Green waste is a subset of organic materials and excludes hazardous materials.

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Organic materials or waste means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, compostable bags and food-soiled papers.

* * *

Plastics means containers with symbols #1, #2, #3, #4, #5, #6, #7, narrow, wide-mouth and screw top containers.

Segregate means source-separation of any of the following: the placement of recyclable materials, organic materials, and refuse each in separate and designated receptacles; the binding of recyclable materials separately from other waste material; and the physical separation from each other of recyclable materials, organic materials, and refuse.

* * *

Solid waste means all waste materials, combustible or noncombustible, from all public and private establishments and residences which is not presorted prior to collection for the purposes of recovery for reuse, composting or recycling, or which is contaminated with more than one (1) percent food wastes or unsafe quantities of hazardous or toxic wastes as designated by the United States Environmental Protection Agency or by Maryland State agencies rendering it inappropriate or potentially harmful as a reusable or recyclable resource. Solid waste is a ~~includes trash, garbage, rubbish, offal, and industrial and commercial refuse, but not body excrements.~~ general term to refer to items that might require disposal, including ashes, bulky items, pet waste, non-compostable and non-organic materials.

Source separation means the act of segregating recyclable and organic materials from solid wastes by the generators of such waste for the purpose of collection, disposition, ~~and~~ recycling and composting.

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Sec. 7-32. Recycling program.

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- (b) *Separation of materials; use of containers.* All owners and/or residents of residential dwellings within the e-City, including multifamily residential dwellings, shall separate aluminum, bimetal containers, corrugated cardboard, glass containers, High Density Polyethylene HOPE (HDPE) containers, newspapers, Polyethylene Terephthalate (PET) containers and steel cans from other trash, refuse and other waste, and shall place ~~aluminum, bimetal containers, corrugated cardboard, glass containers, HOPE containers, newspapers, PET containers and steel cans~~ all such aforementioned materials together in recycling containers provided by the City. Such aluminum, bimetal containers, corrugated cardboard, plastic, glass containers, ~~HOPE~~ HDPE containers, mixed paper, PET containers and steel cans need not be separated from each other but, can be combined in the recycling containers provided. The above-described recyclable materials shall be placed at curbside in the same manner as other solid waste on days specified by the d Director of Public Works for collection of such materials.

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Sec. 7-35. Organics composting program.

- (a) *Established.* There is hereby established a program for the mandatory separation of “organic” waste, defined as food scraps, food waste, food-soiled papers and green waste, from solid waste collected from single-family or multifamily residential dwellings, whether the dwellings are owned or rented, including condominiums, in the City. Licensees and owners of single and multifamily rental facilities and condominiums shall provide an opportunity for tenants to recycle designated recyclable material in the same manner as solid waste disposal, in a convenient and accessible location with signage. Establishment of such programs shall be approved by the City of Laurel.
- (b) *Separation of materials; use of containers.* All owners and/or tenants of single-family or multifamily residential dwellings within the City, including condominiums, shall separate organic materials (as defined herein) from solid waste collection. All organic materials shall be placed in the organics recycling containers provided by the City. The above-described recyclable materials shall be placed at curbside in the same manner as other solid waste and recycling on days specified by the Director of Public Works for collection of such materials
- (c) *Prohibited materials include,* but are not limited to, plastic bags (unless certified as compostable), pet waste (including cat litter), facial or toilet tissue, “recyclables”, solid waste as defined in this section, and other materials prohibited by the Prince George’s County organics composting facility or the City’s Director of Public Works.

A full list of non-acceptable items can be found on the organics recycling section of the City's website.

- (d) Additional regulations. The Director of Public Works, with the approval of the City Administrator, is authorized to issue additional regulations as needed to safely and efficiently permit the removal and collection of the organic materials specified in this Section, and to otherwise achieve compliance with the provisions of this Article.

Sec. 7-36. ~~Information~~ Public education and enforcement.

- (a) The City Enforcement Official shall enforce this Chapter with the goal of maximizing the amount of recyclable materials and organic materials properly segregated by residents of single-family or multifamily residential dwellings (including condominiums), whether owned or rented, within the City, and correctly delivered to recycling and organics materials processing facilities.
- (b) The City Enforcement Official and Department of Public Works Official shall conduct the following activities to enforce this Chapter:
- (1) Provide details on the requirements of this Chapter to affected residents of single-family and multifamily residential dwellings (including condominiums) whether owned or rented, within the City; and
 - (2) Develop and disseminate public education and promotional materials relating to the importance of recycling and organic materials processing, and the availability of recycling and organic materials processing opportunities available to residents of single-family and multifamily (including condominiums) whether owned or rented within the City.
- (c) Education period for non-compliance. Beginning ~~January 1, 2024~~ ~~October 1, 2023~~ and through ~~July 1, 2025~~ ~~December 31, 2025~~, the City will conduct inspections, route reviews, waste/recycling evaluations, and compliance reviews, to determine compliance. If the City determines that organic waste and recyclables are not being properly segregated and collected at a certain property, it shall provide educational materials to the owner or tenant (as applicable) of said property, describing its obligations under this ordinance, providing a notice that compliance is required by July 1, 2025 and that violations may be subject to administrative civil penalties starting on December 1, 2025.
- (d) The City Enforcement Official will monitor compliance with this Chapter randomly and through compliance reviews, route reviews, investigation of complaints, and an inspection program.

The City may issue an official notification to notify regulated entities of its obligations under the ordinance but is not required to do so before enforcement.

Sec. 7-37. Inspections and investigations by City.

- (a) The City Enforcement Official is authorized to conduct inspections and investigations, at random or otherwise, of any collection container to confirm compliance with this Chapter. This Section does not authorize any City official to enter the interior of a private residential property for an inspection under this Chapter.

Sec. 7-38. Penalties.

- (a) The violation of any of the provisions of this Chapter is hereby declared to be a municipal infraction, and not a misdemeanor.
- (b) Any person who violates any section of this Chapter, shall be guilty of a municipal infraction, and shall be subject to a fine of Fifty Dollars (\$50.00) for the first offense, One Hundred Dollars (\$100.00) for the second offense, and One Hundred Fifty dollars (\$150.00) for any subsequent offense. Each day upon which a violation occurs shall be a separate offense. Any City Enforcement Official shall be authorized to issue municipal infraction citations pursuant to this Chapter.

Secs. 7-39—7-40. Reserved.

AND, BE IT FURTHER ENACTED AND ORDAINED, that this Ordinance shall take effect on **July 1, 2025.**

PASSED this ___ day of _____, 2023.

ATTEST:

SARA A. GREEN, CMC
City Clerk

BRENCIS D. SMITH
President of the City Council

APPROVED this ___ day of _____, 2023.

CRAIG A. MOE
Mayor