

BOARD OF COUNTY COMMISSIONERS

ST. MARY'S COUNTY

LEONARDTOWN, MARYLAND



SOLID WASTE ORDINANCE

DEPARTMENT OF PUBLIC WORKS

POST OFFICE BOX 508

CALIFORNIA, MARYLAND

RESOLUTION : 88-32
DATED: November 29, 1988

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WHEREAS, Article 25, Section 14A, Paragraph (a) subparagraph (1) of the Annotated Code of Maryland empowers the County Commissioners to prescribe and enforce Rules and Regulations concerning the operation and manner of use of the disposal areas or facilities; and

WHEREAS, the Board of County Commissioners adopted Rules and Regulations governing the use of the County landfills by Resolution No. 71-4, effective the 1st day of March, 1971; and

WHEREAS, the Board of County Commissioners propose to assess the costs of County solid waste disposal services to the users of those services via the levy of user fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of St. Mary's County Commissioners that the following is the Ordinance, as adopted, governing the administration and use of the St. Mary's County Solid Waste Acceptance Facilities, St. Mary's County Maryland, as required by the State of Maryland Department of the Environment, Department of Health and Mental Hygiene and St. Mary's County Agencies having statutory authority; and

IT IS FURTHER RESOLVED, that this "Solid Waste Ordinance", supercedes and replaces the prior Solid Waste Disposal Ordinance as adopted by Ordinance No. 85-14.

SECTION 1: DEFINITIONS

- A. A Commercial Waste Hauler is any person, company or entity hauling refuse for hire, either for cash or any other remuneration, in St. Mary's County to the Solid Waste Acceptance Facility.
- B. Agricultural Waste means poultry and livestock manure, or residual materials in liquid or solid form, generated in the production and marketing of poultry, livestock, furbearing animals and their products. It includes the residual materials generated in producing, harvesting and marketing of all agronomic, horticultural, silvicultural, and aquacultural crops or commodities grown on what are usually recognized and accepted as farms, forests, or other agricultural lands
- C. Ashes means the residue from the burning of wood, coal, coke, and other combustible materials.
- D. Garbage means any putrescible solid and semi-solid animal or vegetable wastes resulting from the production, handling, preparation, cooking, serving or consumption of food or food materials.
- E. Hazardous Waste means any substance defined in the Health and Environmental Article, Section 7-208, Annotated Code of Maryland, as a hazardous substance.
- F. Industrial Waste shall mean food processing wastes, boiler house cinders, lumber scraps, metal scraps or shavings.

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SECTION 1: DEFINITIONS (Cont'd.)

- G. Infectious Waste means any waste that comes from a hospital, clinic, or laboratory and that is known or suspected to be contaminated with organisms capable of producing disease or infection in humans. Infectious waste includes:
- 1) Disposable equipment, instruments and utensils.
 - 2) Contaminated needles, scalpels, and razor blades.
 - 3) Human tissue and organs that result from surgery, obstetrics or autopsy.
 - 4) Feces, urine, vomitus and suctionings.
 - 5) Live vaccines for human use.
 - 6) Blood and blood products.
 - 7) Laboratory specimens, such as tissues, blood elements, excreta and secretions.
- H. Intermediate Disposal means the preliminary or incomplete disposal of solid waste including, but not limited to, transfer station, incineration, or processing.
- I. Open Dump means a land disposal site, which is not operated in accordance with the requirements for a sanitary landfill or rubble landfill as given in the Maryland Refuse Disposal Regulations.
- J. Person means any individual, corporation, company, association, society, firm, partnership, joint stock company, Federal or State governmental unit, or any political subdivision of any State or any agency or instrumentality of one.
- K. Refuse means all putrescible and non-putrescible solid wastes, with the exception of body wastes.
- L. Refuse Disposal means the disposal of all putrescible and non-putrescible waste (except sewage).
- M. Rubbish means non-bulky, domestic and commercial solid waste exclusive of garbage.
- N. Rubble shall mean waste materials from the construction and repair or demolition of buildings or structures, and other bulk materials such as tires and other items as listed in the proposed regulations, including:
- 1) Masonry materials such as brick, block and concrete.
 - 2) Wood and metal materials such as framing, siding, trim, millwork, etc.
 - 3) Earth, bituminous concrete, sheet rock, glass, etc.
 - 4) Electrical wiring, conduits, fixtures, etc.
 - 5) Plumbing materials such as piping, fixtures, etc.
 - 6) Roofing materials such as shingles, felts, membranes, aggregate, etc.
 - 7) Major appliances, HVAC equipment, air ducts, etc.
 - 8) Related packing such as paper, cardboard, wood crates, etc.
 - 9) Brush, trimmings, tree stumps, limbs.
- O. Sanitary Landfill means a land disposal site employing an engineered method of disposing of solid wastes on land in a manner that minimizes environmental hazards by spreading the solid wastes in thin layers, compacting the solid wastes in the smallest practical volume, and applying and compacting cover material at the end of each operating day, or more often, if required.

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SECTION 1: DEFINITIONS (Cont'd.)

- P. Solid Waste means garbage, refuse, sludges, and other discarded materials resulting from industrial and commercial operations and from community activities. It does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents or other common water pollutants.
- Q. Solid Waste Acceptance Facility means any landfill, transfer station, incinerator or processing facility whose preliminary purpose is to dispose of, treat or process solid waste.
- R. System of Refuse Disposal for Public Use means the services, facilities, or properties used in connection with the intermediate and final disposal of solid waste unless these activities are limited to waste generated by a single individual or business and disposed of on the same property where generated.
- S. Transfer Station means a place or facility where waste materials are taken from smaller collection vehicles and using mechanical means placed in larger transportation units (for example, over-the-road tractor-trailers) for movement to other intermediate or final disposal facilities.

SECTION 2: ACCEPTABLE REFUSE

Authorized use of Solid Waste Acceptance Facilities within St. Mary's County shall be restricted to the residents and commercial businesses of St. Mary's County and those Commercial Waste Haulers servicing residents and commercial businesses within St. Mary's County. Solid waste originating or generated outside the territorial limits of St. Mary's County shall not be transported to or disposed of in St. Mary's County or in any Solid Waste Acceptance Facility in St. Mary's County.

The Department of Public Works may adopt additional Rules and Regulations governing acceptable refuse.

SECTION 3: RULES AND REGULATIONS

The Board of County Commissioners may, by Resolution, establish such rules, regulations, schedule of fees, and system of permits as it shall deem necessary in connection with the use and operation of the Solid Waste Acceptance Facilities. The Department of Public Works is authorized to enforce and carry out all rules, regulations, schedule of fees, and system of permits established by the Board of County Commissioners. No person shall fail or refuse to comply with any of the rules, regulations, schedule of fees, or system of permits in connection with the Solid Waste Acceptance Facilities, or with any lawful order or the direction of any persons appointed by the Department of Public Works in enforcement of this Ordinance. Every person convicted of a violation of this section or any rule, regulation, schedule of fees, or system or permits hereunder, shall be subject to the penalty provided for by this Ordinance.

Applicable provisions of the Annotated Code of Maryland address the penalties for the illegal deposit of solid waste in Article 27, Section 468, and the Theft of Service in Article 27, Section 342(e).

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SECTION 4: LICENSES

Licenses for the use of the Sanitary Landfill in St. Mary's County are required for Commercial Waste Haulers. Licenses are issued by the Department of Public Works in accordance with a published fee schedule. All such users shall obtain an annual license, which must be renewed on or before January 1 of each year.

Failure to obtain said License shall constitute a violation of these regulations. This License is subject to suspension or revocation should health hazards, environmental degradation or nuisance conditions develop as a result of licensed, commercial hauler operations.

In addition, any person or company collecting other than his own solid waste shall be subject to all requirements of a Commercial Waste Hauler including the annual license and payment of fee.

SECTION 5: SPECIAL CONDITIONS

No attempt has been made herein to standardize the equipment, facilities, vehicles, receptacles, operations, etc. of the licensed Commercial Waste Haulers in their contracts with individual consumers. It is the intent of the Board of County Commissioners to encourage the use of private haulers in order to lessen congestion at the sanitary landfill and to minimize the exposure of the public to the operations at the working face of the sanitary landfills. It is the further intent of the Board of County Commissioners to encourage the private sector to develop and provide Rubble Fill Facilities operated in accordance with applicable regulations.

SECTION 6: VEHICLE IDENTIFICATION STICKERS

Valid vehicle identification stickers shall be displayed by all vehicles in use by Commercial Waste Haulers. Vehicle identification stickers are issued by the Department of Public Works at the time the license is issued.

SECTION 7: TRUCKS MUST BE CLOSED OR COVERED AS REQUIRED BY STATE LAW

All vehicles delivering refuse must be equipped with tied-down covers, or other means to prevent any part of the load from falling or spilling upon the roadway.

SECTION 8: HOURS

The hours of operation shall be set by the Department of Public Works.

SECTION 9: PENALTIES

In accordance with the provisions of the Ordinance as set forth above:

- A. The Board of County Commissioners is empowered to revoke any permit issued hereunder for violations of any of these Regulations.

