

Chapter 10.18 RECYCLING PROGRAM

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10.18.010 Definitions.

As used in this chapter, the following definitions shall apply:

- A. "Act" means the Maryland Recycling Act, as amended.
- B. "Commingled" means that paper, glass, plastic, and cans may be placed in the same container.
- C. "Disposition" means the transportation, placement, or arrangement of recyclable materials for all possible end uses except disposal as solid waste.
- D. "Generator" means the landlord or management company responsible for removal of solid waste.
- E. "Glass" means clear and colored glass bottles and containers. Caps and lids should be removed. Glass shall not include crystal, ceramics, light bulbs, and plate window, laminated, wired, or mirrored glass.
- F. "Multi-unit community" means ten or more apartments, townhouses or condominiums located on a single property or contiguous properties under common ownership or management, including public-assisted housing. For this purpose, "unit" means an enclosed space that consists of one or more rooms occupying all or part of a floor or floors in a building of one or more floors or stories but not the entire building, and that is designed for use as a single residence.
- G. "Person" means any individual, firm, partnership, corporation, association, cooperative enterprise, trust, municipal authority, Federal institution or agency, State institution or agency, municipality, other governmental agency or any other entity or any group of such persons which is recognized by law as the subject of rights and duties. In any provisions of this chapter prescribing a fine, penalty, or imprisonment, the term "person" includes the officers and directors of a corporation or other legal entity having officers and directors.
- H. "Plastic" means plastic containers with symbols #1 and #2 with narrow necks, #3, #4, #5, #6, #7 with narrow necks and screw tops. Recycling symbols are generally found on the bottom of containers in the triangle. Caps and lids should be removed.
- I. "Recyclable materials" means the following materials and any future materials that have a useful physical or chemical properties included but not limited to: paper products which include newspaper, magazines and catalogs; books; cardboard and paper boxes; file folders, packing paper, colored paper, wrapping paper, pizza boxes, corrugated boxes; computer printouts; office papers and envelopes; paper bags; telephone books; junk mail; aluminum, glass bottles, and jars, steel and ferrous cans and containers including aerosol cans, HDPE- natural and HDPE- colored, PET- high grade. The City will encourage the recycling of other materials as markets develop as determined by the Department of Public Works Director.
- J. "Recycling" means any process by which materials are collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products.
- K. "Waste minimization" means the voluntary reduction by the consumer of the volume of refuse entering the solid waste stream.

L. "Yard recyclable materials" means grass clippings, weeds and discarded plants, leaves, branches and brush, tree wood waste up to four inches in diameter and no longer than two feet in length.

(Ord. O-38-08 § 1 (part), 2009: Ord. O-26-03 § 1 (part): Ord. O-25-94 § 1 (part))

10.18.020 Recycling program.

The City of Annapolis recycling program as described herein shall, insofar as possible, meet or exceed the solid waste reduction goals as stated in the Anne Arundel County Solid Waste Management Plan through concerted application of the principals of recycling and waste minimization.

(Ord. O-25-94 § 1 (part))

10.18.030 Establishment of residential curbside recycling program.

A. There is established, within the City of Annapolis, a residential curbside recycling program for the collection of recyclable materials as stated above in Section 10.18.010(I) from all residents of the City whose solid waste is collected by or on behalf of the City.

B. Collections of recyclable materials pursuant to this chapter shall be made every week except in cases where the collection day falls upon holidays recognized by the City. All collections shall occur in accordance with the Solid Waste/ Recycling schedule publicly advertised by the City.

C. All residents of the City within the area serviced by the curbside program, established pursuant to this chapter, participating in the recycling program shall place all recyclables materials into a City recycling container and place them at the side of the road fronting their residence in the manner designated by this chapter and on the date specified for collection by the schedule published by the City.

D. No material shall be placed at the roadside earlier than the evening of the day preceding a scheduled collection day. Material must be placed at the roadside by six a.m. on the scheduled collection day.

E. Paper and cardboard shall be placed in the recycling bin, in paper bags, or tied into bundles not to exceed thirty-five pounds in weight nor exceed one foot in thickness.

F. Containers placed in the recycling container shall contain five percent or less food contamination.

(Ord. O-38-08 § 1 (part), 2009: Ord. O-25-94 § 1 (part))

10.18.040 Establishment of a residential curbside yard recycling program.

A. There is established, within the City of Annapolis, a residential curbside yard recycling program for the collection of recyclable materials as stated above in Section 10.18.010(L) from all residents of the City whose solid waste is collected by or on behalf of the City.

B. Collections of recyclable materials pursuant to this chapter shall be made every other week in accordance with the Solid Waste/Recycling schedule publicly advertised by the City.

C. All residents of the City within the area serviced by the curbside program, established pursuant to this chapter, participating in the program shall place all yard recyclable materials into a container and place them at the side of the road fronting their residence in the manner designated by this chapter and on the date specified for collection by the schedule published by the City.

D. No material shall be placed at the roadside earlier than the evening of the day preceding a scheduled collection day. Material must be placed at the roadside by six a.m. on the scheduled collection day.

E. The container used for yard recyclable materials shall be placed in open containers, large paper lawn bags, or cardboard boxes clearly marked with an "X". Each container shall not to exceed fifty pounds in weight.

F. Branches and brush shall be tied with a natural fiber rope or twine, and the finished bundle shall be no more than two feet by four feet in size, not exceed fifty pounds in weight.

G. Yard recyclable materials shall not be collected as solid waste for disposal in a landfill.

(Ord. O-38-08 § 1 (part), 2009: Ord. O-25-94 § 1 (part))

10.18.050 Multi-unit community recycling program.

- A. All persons within the City who are residents of multi-unit communities and who are not served by the residential curbside program established pursuant to this chapter shall provide recycling collection in accordance with the City residential curbside recycling program:
1. Recyclable materials as stated in Section 10.18.030;
 2. Yard recyclable materials as stated in Section 10.18.040.
- B. The arrangement for collection of recyclable materials for disposition shall be the responsibility of the person who generated the recyclables ("generator"). The arrangements may include, without limitation, direct marketing of recyclables, delivery to a materials recovery facility, contracts with solid waste collector/haulers for separate collection of any or all designated recyclables or contracts with other persons for separate collection of any or all designated recyclables.
- C. Each multi-unit community shall report to the City, on a semi-annual basis, the total weight of each recyclable material that has been diverted from the solid waste stream, and the total estimated weight of solid waste collected from each multi-unit community. Reporting schedules and forms shall be provided by the City. Failure to report same shall result in revocation of the rental permit or fines as stated in Section 10.18.080.
- D. Each multi-unit community shall have established procedures for the collection of recyclables as described herein and shall file these procedures with the Department of Public Works within ninety days from August 8, 1994. Further, each multi-unit community shall implement the procedures for the collection of recyclables as described above within one hundred eighty days from August 8, 1994.
- E. Each multi-unit community recycling program must be approved by the Department of Public Works prior to implementation. Each recycling program submitted to the Department of Public Works shall include copies of executed recycling and solid waste contracts (excluding contract costs).
- (Ord. O-38-08 § 1 (part), 2009; Ord. O-25-94 § 1 (part))

10.18.055 Commercial recycling.

- A. The Director of Public Works shall establish a voluntary curbside collection service for recyclables from persons whose property is not supplied with curbside collection service, and may set reasonable criteria for determining eligibility for participation in the service.
- B. There is a service charge, to be determined by the Director of Public Works on a property-by-property basis based on the cost of collection from that property, to be charged to each person that participates in the voluntary curbside collection program.
- (Ord. O-38-08 § 1 (part), 2009)

10.18.060 Unlawful activities--Nuisance.

- A. It shall be unlawful for:
1. Any person, other than those persons authorized, to collect any designated recyclable which has been placed at the roadside for collection or within a recycling dropoff pursuant to this chapter;
 2. Any person to violate or to cause or to assist in the violation of any provision of this chapter or any provision of the City plan concerning recycling;
 3. Any person to hinder, to obstruct, to prevent or to interfere with the City or any other authorized persons in the performance of any duty under this chapter or in the enforcement of this chapter;
 4. Any multi-unit community subject to the terms of this chapter to not enact a plan for recycling.
- (Ord. O-25-94 § 1 (part))

10.18.070 Other means of disposal.

Notwithstanding anything to the contrary, any resident of the City may donate or sell any recyclable to any other person, whether operating for a profit or not for profit; provided, however, that the person receiving the recyclables shall not, under any circumstances, collect the donated or sold material from an established recycling collection route or from a recycling dropoff without prior written permission from the City for such collection.

(Ord. O-25-94 § 1 (part))

10.18.080 Noninterference with existing contracts.

A. Nothing contained in this chapter shall be construed to interfere with or in any way modify the provisions of any existing contract which is in force in the City on the effective date of the ordinance codified in this chapter.

B. No renewal of any existing solid waste/ recycling collection contract upon the expiration of the original term and no new contract for the collection, transportation, processing or purchase of solid waste or recyclables shall be entered into after the effective date of the ordinance codified in this chapter, unless such renewal or such contract shall conform to the requirements of this chapter. Failure of a contract to conform to the requirements of this chapter shall result in the cancellation or withdrawal of a property owner's residential rental license or the imposition of a fine pursuant to Section 10.18.080 of this chapter.

(Ord. O-25-94 § 1 (part))

10.18.090 Penalties.

A. Any person who engages in unlawful conduct as defined in this chapter shall, upon conviction, in a proceeding before a court of competent jurisdiction be sentenced to pay a fine of not more than one thousand dollars and not less than twenty-five dollars.

B. Each continuing day of violation of this chapter shall constitute a separate offense.

(Ord. O-25-94 § 1 (part))

10.18.100 Injunctions--Concurrent remedies.

A. In addition to any other remedy provided in this chapter, the City may institute a suit in equity where unlawful conduct or public nuisance exists as defined in this chapter for an injunction to restrain a violation of this chapter. In addition to an injunction, the court may impose penalties as authorized by Section 10.18.080.

B. The penalties and remedies prescribed by this chapter shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the City from exercising any other remedy provided by this chapter or otherwise provided at law or equity.

(Ord. O-25-94 § 1 (part))

10.18.110 Enforcement.

Enforcement and administration of this chapter shall be the responsibility of the Director of Public Works.

(Ord. O-26-03 § 1 (part); Ord. O-25-94 § 1 (part))

10.18.120 Appeals.

Any person aggrieved by the requirements of this chapter as enforced by the Director of Public Works may direct an appeal to the building Board of Appeals.

(Ord. O-26-03 § 1 (part); Ord. O-25-94 § 1 (part))