

**COUNTY COUNCIL
OF
TALBOT COUNTY**

2015 Legislative Session, Legislative Day No.: September 22, 2015

Resolution No.: 222

Introduced by: Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, Ms. Williams

A RESOLUTION TO AMEND THE TALBOT COUNTY SOLID WASTE MANAGEMENT PLAN TO ESTABLISH A SPECIAL EVENTS RECYCLING PROGRAM AS REQUIRED BY STATE LAW PURSUANT TO SECTIONS 9-1703 (B) (14) AND 9-1712 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND

By the Council: September 22, 2015

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, October 13, 2015 at 2:00 p.m. in the Council Meeting Room, 11 North Washington Street, Easton, Maryland.

By order: 
Susan W. Moran, Secretary

A RESOLUTION TO AMEND THE TALBOT COUNTY SOLID WASTE MANAGEMENT PLAN TO ESTABLISH A SPECIAL EVENTS RECYCLING PROGRAM AS REQUIRED BY STATE LAW PURSUANT TO SECTIONS 9-1703 (B) (14) AND 9-1712 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND

WHEREAS, Talbot County adopted a Solid Waste Management Plan for 2009-2019 (“SWMP”) on March 8, 2011 by Resolution 177, as amended; and,

WHEREAS, pursuant to §§ 9-1703 (b) (14) and 9-1712 of the Environment Article, Talbot County must update the SWMP to address the collection and recycling of recyclable materials from special events.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, as follows:

Section 1. In accordance with the requirements of Chapter 5 of the SWMP and COMAR 26.03.03.05, the proposed amendment has been submitted for comment to municipal corporations, town and county agencies, sanitary districts, owners of private facilities, and federal or State agencies having programmed solid waste management facilities in the County. Further, pursuant to Environment Article § 9-506 (a) (1), Md. Ann. Code, the proposed amendment has been submitted to the Talbot County Planning Commission and the Talbot County Public Works Advisory Board for review and comment, within a 30 day period, for consistency with planning programs for the County. Before the County Council may adopt the proposed amendment the Talbot County Planning Commission must first certify that the amendment is consistent with the County Comprehensive Plan prepared under Article 25A, §5 (X), Md. Ann. Code. Upon conclusion of the public hearing(s), closing of the public record, receipt and consideration of certifications and recommendations from the Planning Commission and Public Works Advisory Board, the County Council considered and acted upon the proposed amendments. Adopted amendments will be submitted to MDE for final review and approval as required by COMAR 26.03.03.05 C. (3).

Section 2. The Talbot County SWMP shall be and is hereby amended to address the collection and recycling of recyclable materials from special events as set forth in Exhibit “A,” attached hereto and incorporated by reference herein.

Section 3. Having been duly advertised and public input and comment considered, the foregoing Resolution shall be and is hereby APPROVED.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its date of passage.

Public Hearing

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. having been published, a public hearing was held on Tuesday, October 13, 2015 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Enacted: **October 13, 2015**

By Order: *Susan W. Moran*
Secretary

Pack	-	Absent
Williams	-	Aye
Bartlett	-	Aye
Price	-	Aye
Callahan	-	Aye

Effective: **October 13, 2015**

EXHIBIT "A"

KEY

Boldface..... Heading or defined term.

Underlining..... Added to existing law by original bill.

~~Strikethrough~~..... Deleted from existing law by original bill.

* * *.....Existing law unaffected.

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CHAPTER FIVE- ACTION PLAN

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5.3 MANAGEMENT OF INDIVIDUAL WASTE STREAMS

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Sewage Sludge

Sewage sludge generated in Talbot County is currently disposed of by a variety of practices, including land application, composting, and transport to the Midshore Regional Solid Waste Management Facility. These current management practices are adequate and are expected to continue.

Septage

See Chapters Three and Four.

Special Events Recycling Program ("SERP")

A. Special Events Subject to SERP

Environment Article, §9-1712, Annotated Code of Maryland, requires special events organizers to provide for recycling at special events that meet the following three criteria:

1. Includes temporary or periodic use of a public street, publicly owned site or facility, or public park;

2. Serves food or drink; and
3. Is expected to have 200 or more persons in attendance.

Projected attendance may be estimated based on past attendance, number registered to attend, the venue's seating capacity, or other similar methods.

In consultation with municipalities, the County has identified the following public sites within the County that host or may host special events meeting the above criteria. In addition to the sites listed individually, special events taking place on any local, State, or Federally-owned streets are also included in the SERP.

Municipally-owned sites:

1. Easton
 - a. Idlewild Park – 115 Idlewild Ave., Easton, MD 21601

2. St. Michaels
 - a. Muskrat Park – 207 Willow Green St., St. Michaels, MD 21663

3. Oxford
 - a. North/South Morris Street (Oxford Day Event)
 - b. Oxford Town Park (Oxford Day Event)
 - c. Little League/Ballpark
 - d. Oxford Beach
 - e. Causeway Park

County-owned sites:

1. Talbot County Community Center – 10028 Ocean Gateway, Easton, MD 21601
2. Hog Neck Golf Course – 10142 Old Cordova Rd., Easton, MD 21601
3. George Murphy Community Pool – 501 Port St., Easton, MD 21601
4. Bay Hundred Community Pool – 911 S. Talbot St., St. Michaels, MD 21663
5. Dogwood Harbor Landing – 21481 Dogwood Rd., Tilghman, MD 21671
6. Easton Point Landing – 100 Port St., Easton, MD 21601
7. Cordova Park – 31028 Skipton Cordova Rd., Cordova, MD 21625
8. Easton Middle School Sports Complex – 201 Peachblossom Rd., Easton, MD 21601
9. Home Run Baker Park – 4200 Main St., Trappe, MD 21673
10. Olde Trappe Park – 3924 Main St., Trappe, MD 21673

11. Perry Cabin Park – 710 N. Talbot St., St. Michaels, MD 21663

State-owned sites:

1. Wye Oak State Park – 14214 Old Wye Mills Rd., Wye Mills, MD 21679
2. The Bill Burton Fishing Pier – 29761 Bolingbroke Point Dr., Trappe, MD 21673

B. Materials and Obligations

Special events organizers are responsible for:

1. Providing and placing recycling receptacles adjacent to each trash receptacle at the event (except where already existing on site):
2. Ensuring that recycling receptacles are clearly distinguished from trash receptacles by color or signage:
3. Providing any other labor and equipment necessary to carry out recycling at the event:
4. Ensuring that materials placed in recycling receptacles are collected and delivered for recycling: and
5. Paying any costs associated with recycling at the special event:

Special events organizers may fulfill the requirement to ensure materials are collected and delivered for recycling through one or more of the following methods:

1. Self-hauling the materials to County recycling drop-off sites, provided there is adequate room at the drop-off site when the materials arrive and provided the materials are properly separated and placed into the appropriate receptacles at the drop-off site:
2. Contracting with a recycling hauler to collect the materials and deliver them for recycling: or,
3. Receiving prior agreement from the site owner to use an existing recycling collection system available at the site, such as the curbside recycling available in certain municipalities.

The special events recycling program must include collection of at least plastic containers, metal containers, glass containers, and paper. The special events organizer must assess the availability of food scraps recycling services for the event. If services are available, the special events organizer must provide for food scraps recycling, including provision of separate containers for organic and non-organic recyclables.

Recycling at a State-owned site must follow the State agency's recycling plan, if available. Recycling at a federally-owned site must follow any applicable federal recycling plan. If no State or federal recycling program is available for the site, the special event organizer must set up a recycling program in

accordance with the SERP. Recycling at municipally-owned sites must follow any additional regulations established by the municipality.

C. Stakeholders

The following stakeholders will be involved in the SERP:

1. County Department of Public Works (“DPW”): Responsible for assuring that all properties that potentially host events falling under the recycling mandate in §9-1712 are included in the SERP.
2. DPW, in cooperation with the Talbot County Department of Planning and Zoning: Responsible for communicating the requirements of the law to prospective special events organizers and owners/operators of publicly-owned sites in the County.
3. Special Events Organizer: Responsible for providing recycling bins and ensuring collection for recycling in accordance with the requirements in §B.

D. Program Monitoring

DPW and special events organizers will monitor progress and performance of the SERP.

The special event organizer is responsible for monitoring the implementation of recycling at the special event. Special event organizers must oversee placement and labeling of recycling receptacles and collection and recycling of recyclables. Performance of any recycling contractor engaged for compliance with the SERP must be monitored by the special event organizer. The special event organizer must promptly take action to correct any deficiencies in the contractor’s performance.

E. Program Enforcement

DPW, the Talbot County Department of Planning and Zoning Code Enforcement Office, or the equivalent office of the municipality in which the event is located may conduct inspections of the event to ensure compliance with the SERP. If a violation of the SERP is detected, the County or municipality may pursue an enforcement action against the special event organizer. A person that violates the SERP is subject to a civil penalty not exceeding \$50 for each day the violation exists. Any penalties collected for violation of the SERP must be paid to the County, municipality, or other local government that brought the enforcement action.

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