

Ordinance O-4-2019, Trash & Recycling, was introduced in June. The proposed ordinance modifies Colmar Manor's existing trash ordinance. The primary changes are that it allows for larger trash containers (already provided by the Town) and, most importantly, it prohibits placing recyclables in plastic bags. It also provides for a \$50 penalty for violation of the ordinance.

The Mayor & Town Council will vote on the proposed ordinance at their regular meeting at 7 PM on Tuesday, September 10, 2019.

A copy of the proposed ordinance follows.

MAYOR AND TOWN COUNCIL OF COLMAR MANOR

ORDINANCE NO. O- 4 - 2019

AN ORDINANCE concerning trash, trash collection, trash containers, the manner and method of the collection trash and recyclables and providing violation and penalties for the violation thereof.

Section 1. BE IT ENACTED by the Mayor and Town Council of Colmar Manor, Maryland that Section 5-104 of Article 5 HEALTH of the Code of Ordinances of the Town be and the same is repealed and reenacted with amendments to read as follows:

Section 5-104. Trash AND RECYCLING Containers

A. EXCEPT AS PROVIDED HEREIN TRASH AND RECYCLING SHALL IN ACCORDANCE WITH SUBTITLE 21. - REFUSE OF THE PRINCE GEORGE'S COUNTY CODE.

B. Each private residence in the Town shall for the storage of trash and garbage maintain a suitable trash container, or containers, constructed of durable, fire resistant materials, with handles suitable for lifting, not to exceed a **60** [40] gallon capacity, except for trash containers distributed by the Town or approved trash containers distributed by a Town approved trash contractor. Every trash container shall have a lid which shall be permanently attached to and at all times cover the trash container. All trash containers shall, on Town scheduled collection days, be placed on the public street within; two feet of the curb line. No trash container receptacle shall be permitted on any street except on scheduled trash collection days. All trash containers, other than scheduled collection days, shall be stored either in the side or rear yard of each residence. No trash container shall be stored in any front yard at any time. The terms front yard, side yard and rear yard shall be defined for the purposes hereof using the definitions

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[BRACKETS] indicate material deleted from the existing Town Code
~~STRIKEOUTS~~ indicate material deleted from this proposed ordinance
DOUBLE UNDERLINES indicate amendment to proposed ordinance

contained in Sections 27-107.01(a)(261), 27-107.01(a)(262) and 27-107.01(a)(263) of the Prince George's County Code, or their successor definitions.

C. EACH PRIVATE RESIDENCE IN THE TOWN SHALL IN ADDITION TO ONE OR MORE CONTAINERS FOR TRASH AND GARBAGE AS PROVIDED IN SECTION 5-104. B. HEREOF MAINTAIN ONE OR MORE CONTAINERS FOR RECYCLING OF DISCARDED RECYCLABLE MATERIALS. SUCH CONTAINERS SHALL BE YELLOW IN COLOR AND CLEARLY MARKED AS CONTAINERS FOR RECYCLABLES. ALL CONTAINERS FOR RECYCLABLES SHALL BE CLEARLY MARKED THAT THEY ARE FOR RECYCLABLES, AND SHALL HAVE A LID PERMANENTLY ATTACHED TO AND THAT AT ALL TIMES COVERS THE RECYCLABLES CONTAINER. RECYCLABLES SHALL NOT BE PLACED IN PLASTIC BAGS WHETHER OR NOT SUCH RECYCLABLES ARE Ththat EREAFTER PLACED IN MARKED RECYCLABLE CONTAINERS.

D. THE PENALTY FOR A VIOLATION OF THIS SECTION 5-104 SHALL BE FIFTY DOLLARS (\$50.00) FOR EACH VIOLATION PER RESIDENCE PER DAY.

Section 2. Severability.

If any section, subsection, sentence, clause, phrase or portion hereof is held to be invalid, or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions hereof.

Section 3. BE IT FURTHER ENACTED that this Ordinance shall take effect on the forty-fifth (45th) day following its enactment.

Introduced on the 11th day of June 2019.

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MAYOR AND TOWN COUNCIL OF COLMAR MANOR
ORDINANCE NO. O- 4 - 2019
RECYCLING CONTAINERS
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Adopted on the _____ day of _____ 2019.

ATTEST:

MAYOR AND TOWN COUNCIL OF
COLMAR MANOR, MARYLAND

Daniel R. Baden
Clerk-Treasurer

Sadara B. Barrow
Mayor

Lois Ann Blue
Councilmember, Ward 1

Cynthia Bowden
Councilmember, Ward 2

Vivian Jackson
Councilmember, Ward 3

Melinda Mendoza
Councilmember, Ward 4

I certify that the following motion was made at the meeting of the Mayor and Town Council of Colmar Manor for the purpose of providing for recycling and recycling containers and providing penalties for the violation thereof.

Councilmember _____ moved to approved said Ordinance with such amendments, if any, as shown.

Motion Seconded: Councilmember _____

Vote: Clerk-Treasurer to the Mayor and Town Council of Colmar Manor

Daniel R. Baden