

HOUSE BILL 393

L2

EMERGENCY BILL

11r1466
CF 11r2635

By: **Delegates Otto and McDermott**

Introduced and read first time: February 3, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Somerset County – Smith Island Solid Waste District – Remove Limitation on**
3 **Fee**

4 FOR the purpose of repealing certain limitations on the amount of the solid waste
5 disposal fee imposed on certain property in the Smith Island Solid Waste
6 District in Somerset County; making this Act an emergency measure; and
7 generally relating to the solid waste removal fee imposed in the Smith Island
8 Solid Waste District in Somerset County.

9 BY repealing and reenacting, with amendments,
10 The Public Local Laws of Somerset County
11 Section 8–201
12 Article 20 – Public Local Laws of Maryland
13 (2003 Edition and 2009 Supplement, as amended)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 20 – Somerset County**

17 8–201.

18 (a) The County Commissioners by ordinance may designate that part of
19 Smith Island in Somerset County as a solid waste district for the sole purpose of
20 imposing an annual fee on improved property on Smith Island to offset the cost of
21 removing solid waste, including ash and other residue from the County's incinerator,
22 from Smith Island.

23 (b) [(1)] A fee imposed by ordinance under this section shall be compatible
24 to the costs incurred by other property owners in Somerset County for disposal of solid
25 waste.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(2) The annual fee imposed under this section may not exceed:

2 (i) \$50 for improved, residential property; or

3 (ii) \$100 for other improved property.]

4 (c) (1) The County Commissioners may:

5 (i) Include the fee as a separate item on the County tax bill; or

6 (ii) Mail a separate bill to the owner of the property as shown on
7 County tax rolls.

8 (2) A fee imposed under this section shall constitute a lien on the
9 property and may be collected in the same manner as property taxes may be collected.

10 (3) A fee not paid by the date set by the County Commissioners and
11 indicated on the bill shall be subject to interest charges at the same rate of interest as
12 overdue property taxes.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
14 measure, is necessary for the immediate preservation of the public health or safety,
15 has been passed by a ye and nay vote supported by three-fifths of all the members
16 elected to each of the two Houses of the General Assembly, and shall take effect from
17 the date it is enacted.