

SENATE BILL 1049

M3, L3

3lr3376

By: **Senators Mathias and Astle**

Introduced and read first time: March 4, 2013

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Recycling – Apartment Buildings and Condominiums**

3 FOR the purpose of providing that a certain property owner or manager of an
4 apartment building or a council of unit owners of a condominium is not required
5 to provide for recycling for residents of any dwelling unit located in a county or
6 municipality that does not currently provide a certain recycling service and that
7 utilizes a certain system or facility for the disposal of waste; and generally
8 relating to recycling requirements for apartment buildings and condominiums.

9 BY repealing and reenacting, with amendments,
10 Article – Environment
11 Section 9–1711
12 Annotated Code of Maryland
13 (2007 Replacement Volume and 2012 Supplement)

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

16 **Article – Environment**

17 9–1711.

18 (a) (1) This section applies only to:

19 (i) A property owner or manager of an apartment building that
20 contains 10 or more dwelling units; and

21 (ii) A council of unit owners of a condominium that contains 10
22 or more dwelling units.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) This section does not affect the authority of a county, municipality,
2 or other local government to enact and enforce recycling requirements, including
3 establishing civil penalties, for an apartment building or a condominium that are more
4 stringent than the requirements of this section.

5 (3) This section does not require a county to manage or enforce the
6 recycling activities of an apartment building or condominium that is located within the
7 boundaries of a municipality.

8 (b) (1) **[On] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
9 **SUBSECTION, ON** or before October 1, 2014, each property owner or manager of an
10 apartment building or a council of unit owners of a condominium shall provide for
11 recycling for the residents of the dwelling units, including:

12 (i) The collection of recyclable materials from residents of the
13 dwelling units; and

14 (ii) The removal for further recycling of recyclable materials
15 collected from residents of the dwelling units.

16 **(2) A PROPERTY OWNER OR MANAGER OF AN APARTMENT**
17 **BUILDING OR A COUNCIL OF UNIT OWNERS OF A CONDOMINIUM IS NOT**
18 **REQUIRED TO PROVIDE FOR RECYCLING FOR THE RESIDENTS OF ANY**
19 **DWELLING UNIT LOCATED IN A COUNTY OR MUNICIPALITY THAT:**

20 **(I) DOES NOT CURRENTLY PROVIDE CURBSIDE**
21 **RECYCLING; AND**

22 **(II) UTILIZES A METHANE-TO-ENERGY SYSTEM OR**
23 **FACILITY OR A WASTE-TO-ENERGY SYSTEM OR FACILITY FOR THE DISPOSAL OF**
24 **WASTE.**

25 **[(2)] (3)** A county may require a property owner or manager of an
26 apartment building or a council of unit owners of a condominium that provides for
27 recycling for the residents of the dwelling units in accordance with paragraph (1) of
28 this subsection to report to the county on recycling activities in a manner determined
29 by the county.

30 (c) The recycling required under subsection (b) of this section shall be carried
31 out in accordance with the recycling plan required under § 9-1703 of this subtitle for
32 the county in which the apartment building or condominium that contains 10 or more
33 dwelling units is located.

34 (d) A person that violates subsection (b) or (c) of this section is subject to a
35 civil penalty not exceeding \$50 for each day on which the violation exists.

1 (e) An enforcement unit, officer, or official of a county, municipality, or other
2 local government may conduct inspections of an apartment building or condominium
3 to enforce subsection (b) of this section.

4 (f) Any penalties collected under subsection (d) of this section shall be paid
5 to the county, municipality, or other local government that brought the enforcement
6 action.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2013.