

# HOUSE BILL 1309

M3

7lr3238  
CF SB 885

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By: **Delegates Frush and Waldstreicher**

Introduced and read first time: February 10, 2017

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Recycling – Special Events**

3 FOR the purpose of altering the application of certain provisions of law relating to recycling  
4 at special events; requiring a county, a municipality, or any other local government  
5 to provide a certain written statement before issuing a certain permit for a special  
6 event; requiring a county, a municipality, or any other local government to enforce  
7 certain provisions of law relating to recycling at a special event; altering certain  
8 penalties; making stylistic changes; and generally relating to recycling at special  
9 events.

10 BY repealing and reenacting, with amendments,  
11 Article – Environment  
12 Section 9–1712  
13 Annotated Code of Maryland  
14 (2014 Replacement Volume and 2016 Supplement)

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

17 **Article – Environment**

18 9–1712.

19 (a) (1) This section applies to any special event that:

20 (i) Includes temporary or periodic use of a public street, publicly  
21 owned site or facility, or public park;

22 (ii) Serves food or drink; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) Is expected to have [200] **100** or more persons in attendance.

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

6 (b) **(1) BEFORE ISSUING A PERMIT FOR A SPECIAL EVENT, A COUNTY, A  
7 MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT SHALL PROVIDE TO THE  
8 ORGANIZER OF THE SPECIAL EVENT A WRITTEN STATEMENT THAT DESCRIBES THE  
9 REQUIREMENTS AND PENALTIES UNDER THIS SECTION.**

10 **[(1)] (2)** In addition to any other conditions required as part of a special  
11 events or other permit, the organizer of a special event shall:

12 (i) Provide a recycling receptacle immediately adjacent to each  
13 trash receptacle at the special event;

14 (ii) Ensure that all recycling receptacles are clearly distinguished  
15 from trash receptacles by color or signage; and

16 (iii) Ensure that all recyclable materials deposited into recycling  
17 receptacles at the special event are collected for recycling.

18 **[(2)] (3)** A county may require the organizer of a special event that  
19 provides for recycling to report to the county on recycling activities in a manner determined  
20 by the county.

21 (c) The recycling required under subsection (b) of this section shall be carried out  
22 in accordance with the recycling plan required under § 9-1703 of this subtitle for the county  
23 in which the special event takes place.

24 (d) A person **OR AN ORGANIZATION** that violates subsection (b) or (c) of this  
25 section is subject to a civil penalty [not exceeding \$50 for each day on which the violation  
26 exists] **OF:**

27 **(1) FOR EVENTS THAT HAVE 100 TO 499 PERSONS IN ATTENDANCE,  
28 \$500;**

29 **(2) FOR EVENTS THAT HAVE 500 TO 999 PERSONS IN ATTENDANCE,  
30 \$1,000;**

31 **(3) FOR EVENTS THAT HAVE 1,000 TO 9,999 PERSONS IN  
32 ATTENDANCE, \$10,000;**

1           **(4) FOR EVENTS THAT HAVE 10,000 TO 99,999 PERSONS IN**  
2 **ATTENDANCE, \$100,000; AND**

3           **(5) FOR EVENTS THAT HAVE 100,000 OR MORE PERSONS IN**  
4 **ATTENDANCE, \$500,000.**

5           **(e) (1) A COUNTY, A MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT**  
6 **THAT ISSUES A SPECIAL EVENTS OR OTHER PERMIT AUTHORIZING A SPECIAL EVENT**  
7 **SHALL ENFORCE THIS SECTION.**

8           **(2)** An enforcement unit, officer, or official of a county, a municipality, or  
9 any other local government may conduct inspections of a special event location to enforce  
10 [subsection (b) of] this section.

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

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2017.