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**By: Allegany County Delegation**

Introduced and read first time: February 2, 1996  
Assigned to: Commerce and Government Matters

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 18, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Code Counties - Landfill Disposal Fees - Enabling Legislation**

3 FOR the purpose of authorizing the county commissioners of a code home rule county to  
4 impose a disposal fee on any person or entity for the deposit of solid waste in a  
5 private or public landfill in the county; requiring fees be deposited in a certain  
6 manner; requiring that a public local law imposing the fee establish certain  
7 procedures; authorizing the county to provide a certain credit to a landfill operator  
8 to offset certain expenses; and generally relating to authorization for a code county  
9 to impose a certain fee for the disposal of solid waste in the county.

10 BY repealing and reenacting, without amendments,  
11 Article 25B - Home Rule for Code Counties  
12 Section 1(a)  
13 Annotated Code of Maryland  
14 (1994 Replacement Volume and 1995 Supplement)

15 BY adding to  
16 Article 25B - Home Rule for Code Counties  
17 Section 13-I  
18 Annotated Code of Maryland  
19 (1994 Replacement Volume and 1995 Supplement)

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

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1       **Article 25B - Home Rule for Code Counties**

2 1.

3           (a) "Code county" (as defined in Article XI-F of the Constitution, §1) means a  
4 county which is not a charter county under Article XI-A of the Constitution and which  
5 has adopted the optional powers of home rule provided in Article XI-F of the  
6 Constitution and this article.

7 13-I.

8           (A) (1) THE COUNTY COMMISSIONERS OF A CODE COUNTY, BY PUBLIC  
9 LOCAL LAW, MAY IMPOSE A DISPOSAL FEE ON ANY PERSON OR ENTITY FOR THE  
10 DEPOSIT OF GARBAGE, RUBBISH, OR OTHER SOLID WASTE IN A PRIVATE OR PUBLIC  
11 LANDFILL, INCLUDING RUBBLE LANDFILLS, LOCATED WITHIN THE COUNTY.

12           (2) FEES IMPOSED UNDER THIS SECTION SHALL BE BASED ON WEIGHT  
13 OR ON ANY OTHER REASONABLE CLASSIFICATION METHOD PRESCRIBED BY PUBLIC  
14 LOCAL LAW.

15           (B) A PUBLIC LOCAL LAW ENACTED UNDER THIS SECTION:

16           (1) SHALL ESTABLISH PROCEDURES FOR THE COLLECTION AND  
17 ADMINISTRATION OF FEES IMPOSED UNDER THIS SECTION; AND

18           (2) MAY ALLOW AN OPERATOR OF A LANDFILL A CREDIT, BASED ON A  
19 PERCENTAGE OF THE FEES COLLECTED, TO OFFSET THE EXPENSE OF COLLECTING  
20 AND PAYING THE FEES TO THE COUNTY, PROVIDED THAT THE FEES ARE  
21 TRANSFERRED IN A TIMELY MANNER TO THE COUNTY.

22           (C) FEES COLLECTED UNDER THIS SECTION SHALL BE DEPOSITED IN  
23 ACCORDANCE WITH THE PUBLIC LOCAL LAW:

24           (1) IN A SPECIAL FUND, DEDICATED FOR THE IMPLEMENTATION OF  
25 THE COUNTY'S RECYCLING PLAN REQUIRED UNDER § 9-1703 OF THE ENVIRONMENT  
26 ARTICLE OR FOR OTHER RECYCLING EFFORTS; OR

27           (2) IN THE GENERAL FUND OF THE COUNTY.

28       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 1996.