

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 804 (Frederick County Delegation)
Environmental Matters Education, Health, and Environmental Affairs

Frederick County - Solid Waste Collection - Franchises and Contracts

This bill authorizes the Frederick County Commissioners to grant a franchise or enter into contracts for the collection of solid waste. The county may impose franchise fees, establish rates and charges that relate to a franchise, adopt licensing requirements, and provide for the enforcement of those requirements. The county commissioners must receive the consent from the governing body of the municipal corporation before granting a franchise for the collection of solid waste within a municipal corporation. A franchise or contract for the collection of solid waste may be exclusive or nonexclusive.

The bill takes effect June 1, 2008.

Fiscal Summary

State Effect: None.

Local Effect: Minimal increase in Frederick County revenues and expenditures.

Small Business Effect: Potential meaningful.

Analysis

Current Law: The Frederick County Commissioners may by ordinance, establish, charge, levy, and collect a fee or tax for the reasonably anticipated capital costs for the collection and disposal of waste. A fee or tax levied for the collection of waste shall be collected and secured in the same manner as general real property taxes.

Background: All counties provide facilities for the disposal of solid waste (landfills, etc.). In addition, most counties provide for solid waste collection. In locations where a county does not provide for solid waste removal, the service is often provided by licensed private companies or a municipal corporation. **Exhibit 1** lists the types of services provided by each county.

In Frederick County, solid waste removal is provided for residents living within a municipality by their municipal government. County residents living outside of a municipality may choose to have trash collected by private waste hauling companies or may personally deliver their trash to the county's waste disposal facilities. Additionally, some county residents who live outside of municipalities obtain curbside trash collection through a homeowners association. Curbside recycling is provided by the county in limited areas.

Local Fiscal Effect: Frederick County revenues could increase by a minimal amount from franchise fees charged to companies that are awarded a franchise agreement or contract to collect solid waste in the county. County expenditures may increase by a minimal amount for the regulation of trash collection. The county advises that it will remain revenue neutral in the process. Any increase in expenditures would likely be offset by the franchise fees.

The county indicates that the proposed legislation will provide uniform collection services to all residential properties, achieve greater efficiencies thus lowering cost for households, and reduce vehicular truck traffic to and from the landfill.

Small Business Effect: Awarding companies franchise agreements or contracts to collect solid waste in a certain geographic area would be beneficial for the companies awarded contracts or franchise agreements and detrimental to companies that are not awarded a franchise agreement or contract.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Frederick County, Maryland Department of the Environment, Department of Legislative Services

Fiscal Note History: First Reader - February 20, 2008
mll/hlb

Exhibit 1
County Public Works Functions

County	Water	Sewer	Solid Waste	
			Collection	Disposal
Allegany	yes	yes	yes	yes
Anne Arundel	yes	yes	yes	yes
Baltimore City	yes	yes	yes	yes
Baltimore	yes	yes	yes	yes
Calvert	yes	yes	yes	yes
Caroline	no	no	yes	yes
Carroll	yes	yes	yes	yes
Cecil	yes	yes	no	yes
Charles	yes	yes	yes	yes
Dorchester	yes	yes	no	yes
Frederick	yes	yes	no	yes
Garrett	yes	yes	yes	yes
Harford	yes	yes	yes	yes
Howard	yes	yes	yes	yes
Kent	yes	yes	yes	yes
Montgomery	yes	yes	yes	yes
Prince George's	yes	yes	yes	yes
Queen Anne's	yes	yes	no	yes
St. Mary's	yes	yes	yes	yes
Somerset	yes	yes	yes	yes
Talbot	no	yes	No	yes
Washington	yes	yes	No	yes
Wicomico	yes	yes	No	yes
Worcester	yes	yes	no	yes

Note: The services provided by the Washington Suburban Sanitary Commission are shown under Montgomery and Prince George's counties.

Source: *Uniform Financial Reports*, County Public Works web sites; Department of Legislative Services
