

# Chapter 602

(Senate Bill 1049)

AN ACT concerning

## **Recycling – Apartment Buildings and Condominiums – Ocean City**

FOR the purpose of providing that ~~a certain property owner or manager of an apartment building or a council of unit owners of a condominium is not required to provide for recycling for residents of any dwelling unit located in a county or municipality that does not currently provide a certain recycling service and that utilizes a certain system or facility for the disposal of waste~~ certain provisions of law requiring a certain property owner or manager of an apartment building or a council of unit owners of a condominium to provide for recycling for its residents do not apply in Ocean City; and generally relating to recycling requirements for apartment buildings and condominiums in Ocean City.

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

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

### **Article – Environment**

9–1711.

(a) (1) ~~This~~ **EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THIS** section applies only to:

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

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

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

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

**(4) THIS SECTION DOES NOT APPLY IN OCEAN CITY.**

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

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

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

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

~~(I) DOES NOT CURRENTLY PROVIDE CURBSIDE RECYCLING; AND~~

~~(II) UTILIZES A METHANE TO ENERGY SYSTEM OR FACILITY OR A WASTE TO ENERGY SYSTEM OR FACILITY FOR THE DISPOSAL OF WASTE.~~

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

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

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

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

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

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

**Approved by the Governor, May 16, 2013.**