

Chapter 832

(House Bill 1309)

AN ACT concerning

Environment – Recycling – Special Events

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

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

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

Article – Environment

9–1712.

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

- (i) Includes temporary or periodic use of a public street, publicly owned site or facility, or public park;
- (ii) Serves food or drink; and
- (iii) Is expected to have ~~200~~ 100 or more persons in attendance.

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

(b) (1) **BEFORE ISSUING A PERMIT FOR A SPECIAL EVENT, THE STATE, A COUNTY, A MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT SHALL PROVIDE TO**

THE ORGANIZER OF THE SPECIAL EVENT A WRITTEN STATEMENT THAT DESCRIBES THE REQUIREMENTS AND PENALTIES UNDER THIS SECTION.

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

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

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

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

[(2)] (3) A county may require the organizer of a special event that provides for recycling 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 special event takes place.

(d) A person **OR AN ORGANIZATION** that violates subsection (b) or (c) of this section is subject to a civil penalty ~~not exceeding \$50~~ **\$300** for each day on which the violation exists ~~or~~:

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

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

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

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

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

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

~~(2)~~ An enforcement unit, officer, or official of a county, a municipality, or any other local government may conduct inspections of a special event location 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, 2017.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 27, 2017.