

PERTAINING TO THE AMENDMENT OF THE 2006-2018 CALVERT COUNTY
COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN, AS AMENDED, TO
INCLUDE A SPECIAL EVENTS RECYCLING PROGRAM

WHEREAS, pursuant to the authority contained in Title 9, Subtitle 5 of the *Environment Article* of the Maryland Annotated Code, the Board of County Commissioners of Calvert County, Maryland has general powers to adopt and amend a County plan addressing the Solid Waste Management Plan and has heretofore adopted the 2006-2018 Calvert County Comprehensive Solid Waste Management Plan by Resolution 49-10 on December 14, 2010;

WHEREAS, the 2006-2018 Calvert County Comprehensive Solid Waste Management Plan was amended by Resolution 30-14 on July 15, 2014 (SWTA #14-01);

WHEREAS, the Department of Public Works has advised and recommended that the 2006-2018 Calvert County Comprehensive Solid Waste Management Plan be further amended to include provision for special event recycling program and impose obligations for recycling upon special event organizers (SWTA #17-01) as set forth herein;

WHEREAS, the Calvert County Planning Commission discussed the proposed revisions (SWTA #17-01) to the Comprehensive Solid Waste Plan on March 15, 2017 and found that the proposed revisions are consistent with the County's Comprehensive Plan;

WHEREAS, after due notice was published, the Board of County Commissioners conducted a public hearing on February 28, 2017, at which time the proposed revisions were discussed, staff's recommendations were considered, and public comment was solicited; and

WHEREAS, after considering the comments presented at the public hearing and the open record period regarding the proposed revisions and the recommendation of the Department of Public Works and the Planning Commission, and in furtherance of the public health, safety and welfare, the Board of County Commissioners of Calvert County, Maryland finds it is in the best interest of the citizens of the County to adopt the recommended revisions to the Comprehensive Solid Waste Plan as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, Maryland, that within the 2006-2018 Calvert County Comprehensive Solid Waste Management Plan:

1. The following is appended to Chapter 1, Page I-11:
 - xxiii. Special Event Recycling Program (2014): An Act requiring a county recycling plan to address the collection and recycling of paper, glass and plastic bottles, jugs and jars, cans and food at events held on public property, expecting 200 or more people, and serves food or drink.
2. The following is appended to Chapter 3 Section (A)(4)(c), with a corresponding update to the

Table of Contents and page numbers and subsequent section numbering:

A. Special Events Subject to the Recycling Program:

Environment Article, §9-1712, Annotated Code of Maryland, requires special events organizers to provide for recycling at special events that meet the following three criteria:

1. Includes temporary or periodic use of a public street, publicly owned site or facility, or public park;
2. Serves food or drink; and
3. Is expected to have 200 or more persons in attendance.

Projected attendance may be estimated based on past attendance, number registered to attend, the venue’s seating capacity, or other similar methods.

An Event Day shall mean each day that meets the criteria (A.1-3) above.

In consultation with municipalities, the County has identified the following public sites within the County that host or may host special events meeting the above criteria. In addition to the sites listed individually, special events taking place on any local, State, or Federally-owned streets are also included in the Special Events Recycling Program (SERP).

Municipally-owned sites:

Town of Chesapeake Beach:

Overseen by Town of Chesapeake Beach:

Kellam’s Field (Owned by the County and overseen by Town of Chesapeake Beach)

3825 Gordon Stinnett Blvd., Chesapeake Beach 410-257-2230

Bay Front Park 410-257-2230

Maryland Route 261, Chesapeake Beach

Veterans’ Memorial Park 410-257-2230

Intersection of Route 261 and Route 260, Chesapeake Beach

Chesapeake Beach Water Park 410-257-1404

4079 Gordon Stinnett Blvd., Chesapeake Beach

Town of North Beach:

Overseen by Town of North Beach:

North Beach

Waterfront Beach

Wetlands Overlook Park 301-855-6681
10th and Dayton Ave., North Beach

County-owned sites:Overseen by Sheriff's Department:

All Public Streets and Roads 410-535-2800
30 Church St, Prince Frederick

Overseen by Respective Board of Directors / Governors:

American Chestnut Land Trust (ACLT) 410-414-3400
POB 2363, Prince Frederick

Anmarie Garden 410-326-4640
13480 Dowell Rd., Lusby

Calvert County Fairgrounds 410-535-0026
140 Calvert Fair Dr., Barstow

Calvert Marine Museum 410-326-2042
14200 Solomons Island Rd. S., Solomons

Overseen by Calvert County Board of Education / Public Schools:Elementary

Appeal 410-535-7800
11655 H. G. Trueman Rd., Lusby

Barstow 443-486-4770
295 William Rd., Prince Frederick

Beach 410-257-1512
7900 Old Bayside Rd., Chesapeake Beach

Calvert 410-535-7311
1450 Dares Beach Rd., Prince Frederick

Dowell 410-535-7802
12680 H. G. Trueman Rd., Lusby

Huntingtown 410-535-7212
4345 Huntingtown Rd., Huntingtown

Mt. Harmony 900 West Mount Harmony Rd., Owings	410-257-1611
Mutual 1455 Ball Rd., Port Republic	410-535-7700
Patuxent 35 Appeal Ln., Lusby	410-535-7830
Plum Point 1245 Plum Point Rd., Huntingtown	410-535-7391
St. Leonard 5370 St. Leonard Rd., St. Leonard	410-535-7714
Sunderland 150 Clyde Jones Rd., Sunderland	410-257-1501
Windy Hill 9550 Boyds Turn Rd., Owings	410-257-1539
<u>Middle</u>	
Calvert 655 Chesapeake Blvd., Prince Frederick	410-535-7355
Mill Creek 601 Margaret Taylor Rd., Lusby	410-535-7824
Northern 2954 Chaneyville Rd., Owings	410-257-1622
Plum Point 1475 Plum Point Rd., Huntingtown	410-535-7400
Southern 9615 H. G. Trueman Rd., Lusby	410-535-7877
Windy Hill 9560 Boyds Turn Rd., Owings	410-257-1560
<u>High</u>	
Calvert 520 Fox Run Blvd., Prince Frederick	410-535-7330

Huntingtown 410-414-7036
4125 Solomons Island Rd., Huntingtown

Northern 410-257-1519
2950 Chaneyville Rd., Owings

Patuxent 410-535-7865
12485 Southern Connector Blvd., Lusby

Other Schools and Facilities

Adult Education 410-535-7382
Hunting Creek Annex, 4105 Old Town Rd., Huntingtown

Arthur Storer Planetarium 410-535-7339
520 Fox Run Blvd., Prince Frederick

Brooks Administrative and Instructional Facility 410-535-1700
1305 Dares Beach Rd., Prince Frederick

Calvert Career and Technology Center 410-535-7450
330 Dorsey Rd., Prince Frederick

Calvert Country School 410-535-7300
1350 Dares Beach Rd., Prince Frederick

Overseen by Department of Community Resources / Division Office on Aging:

Calvert Pines Senior Center 410-535-4606
450 West Dares Beach Rd., Prince Frederick

North Beach Senior Center 410-257-2549
9010 Chesapeake Ave., North Beach

Southern Pines Senior Center 410-586-2748
20 Appeal Ln., Lusby

Overseen by Department of Public Safety / Each Department and/or Squad Individually:

Dunkirk Volunteer Fire Department #5 301-855-8895
3170 West Ward Rd., Dunkirk

Huntingtown Volunteer Fire Department #6 410-535-3331
4030 Old Town Rd., Huntingtown

North Beach Volunteer Fire Department #1 410-257-6564

8536 Bayside Rd., Chesapeake Beach

Prince Frederick Volunteer Fire Department #2 410-535-9875
450 Solomons Island Rd., Prince Frederick

Prince Frederick Volunteer Rescue Squad #4 410-535-9836
755 Solomons Island Rd., Prince Frederick

Solomons Volunteer Rescue Squad and Fire Department #3 410-326-6657
13150 H. G. Trueman Rd., Solomons

St. Leonard Volunteer Fire Department #7 410-586-1713
200 Calvert Beach Rd., St. Leonard

Overseen by Department of General Services

Chesapeake Railway Museum 410-257-3892
4155 Mears Ave., Chesapeake Beach

Overseen by Department of General Services / Division of Natural Resources:

Battle Creek Cypress Swamp Sanctuary 410-535-5327
2880 Grays Rd., Prince Frederick

Briscoe Gray Heritage Farm 410-535-5327
2695 Gray's Rd., Prince Frederick

Flag Ponds Nature Park 410-586-1477 or 410-535-
5327
1525 Flag Ponds Pkwy, Lusby

Kings Landing Park 410-535-2661 or 410-535-
5327
3255 Kings Landing Rd., Huntingtown

Overseen by Department of General Services / Division of Parks and Recreation:

Cove Point Park Pool 410-394-6248
Cove Point Park, 750 Cove Point Rd., Lusby

Edward T. Hall Aquatic Center 410-414-8350
130 Auto Dr., Prince Frederick

Kings Landing Pool 410-535-3321
Kings Landing Park, 3255 Kings Landing Rd., Huntingtown

Breeze Point Beach and Campground 410-535-0259

5300 Breezy Point Rd, Chesapeake Beach

Chesapeake Hills Golf Course 410-326-4653
11352 H. G. Trueman Rd., Lusby

Dowell House 410-586-1101
4889 Calvert Dr., St. Leonard

Mount Hope Community Center 410-257-6770
104 Pushaw Station Rd., Sunderland

North Beach Community Center 410-257-4344
9021 Dayton Ave., North Beach

Northeast Community Center 410-257-2554
4075 Gordon Stinnett Ave., POB 1360, Chesapeake Beach

Southern Community Center 410-586-1101
20 Appeal Ln., Lusby

BGE Field
9550 H.G. Trueman Rd., Lusby

Cove Point Park
750 Cove Point Rd., Lusby

Dunkirk District Park
10750 Southern Maryland Blvd., Dunkirk

Grays Road Dog Park
2695 Grays Rd., Prince Frederick

Hallowing Point Park
4755 Hallowing Point Rd., Prince Frederick

Marley Run Recreation Area
1455 Mairfield Ln., Huntingtown

St. Leonard Recreation Area
4825 Maryland Ave., St. Leonard

Solomons Town Center Park
13320 Dowell Rd., Dowell

Twin Shields Recreation Area
2420 Shields Dr., Dunkirk

State-owned sites:

Overseen by Respective Board of Trustees:

College of Southern Maryland (Prince Frederick Campus) 443-550-6000
115 J.W. Williams Rd., Prince Frederick

Overseen by Maryland Department of Planning / Maryland Historical Trust:

Jefferson Patterson Park & Museum 410-586-8514
10515 Mackall Rd., St. Leonard

Overseen by Maryland Department of Natural Resources / Maryland Historical Trust:

Calvert Cliffs State Park 301-743-7613 or (301) 888-1410
9500 H. G. Trueman Rd., Lusby

Federally-owned sites:

None.

B. Materials and Obligations:

Special events organizers are responsible for:

1. Providing and placing recycling receptacles adjacent to each trash receptacle at the event (except where already existing on site);
2. Ensuring that recycling receptacles are clearly distinguished from trash receptacles by color or signage;
3. Providing any other labor and equipment necessary to carry out recycling at the event;
4. Ensuring that materials placed in recycling receptacles are collected and delivered for recycling; and
5. Paying any costs associated with recycling at the special event;

Special events organizers may fulfill the requirement to ensure materials are collected and delivered for recycling through one or more of the following methods:

1. Self-hauling the materials to a recycling facility providing a material, weight, date, market name and generator name;

2. Contracting with a recycling hauler to collect the materials and deliver them for recycling; or
3. Receiving prior written agreement from the site owner to use an existing recycling collection system available at the site.

The special events recycling program must include collection of at least plastic bottles, jugs and jars, metal cans, glass bottles, jugs and jars, paper and cardboard. The special events organizer must assess the availability of food scraps recycling services for the event. If services are available, the special events organizer must provide for food scraps recycling, including provision of separate containers for organic and non-organic recyclables. The County may optionally require that additional materials be recycled.

Recycling at a State-owned site must follow the State agency's recycling plan, if available. Recycling at a federally-owned site must follow any applicable federal recycling plan. If no State or federal recycling program is available for the site, the special event organizer must set up a recycling program in accordance with the SERP. Recycling at municipally-owned sites must follow any additional regulations established by the municipality.

Special Event Recycling Program (SERP) Bond

All event organizers shall submit a Special Event Recycling Program (SERP) Bond at the time of establishing the use of the facility. The Bond shall be Cash or Certified Check in the amount of Fifty (\$50.00) Dollars per event day, made payable to the Calvert County Treasurer, and submitted to the Federal, State, County, or Municipal Agency of the facility. This Bond shall then be submitted to the Calvert County Division of Solid Waste with a copy of the event permit. This Bond shall be refunded to the Event Organizer when copies of the weight receipts have been submitted to the issuing agency or to the Calvert County Division of Solid Waste as indicated on the Special Event Recycling Program Permit. Failure of the Event Organizer to submit weight receipts within Thirty (30) Days of the end of the event shall result in the forfeiture of the Special Event Recycling Program Bond. The Bond forfeiture shall be divided equally between the issuing agency and the Calvert County Division of Solid Waste. No Bond needs to be issued if the Issuing Agency permits the Event Organizer to use their trash and recycling services with or without funding.

C. Stakeholders:

The following stakeholders will be involved in the SERP:

1. County Department of Public Works: Responsible for overseeing the County Division of Solid Waste activities and assuring that all properties that potentially host events falling under the recycling mandate in §9-1712 are included in the SERP.

2. Federal and State, in cooperation with County Division of Solid Waste, responsible for special events permitting at sites within the County, if any. Responsible for communicating the requirements of the law to prospective special events organizers and owners/operators of publicly-owned sites in the County. This office may also assist special events organizers in setting up recycling programs; monitor the progress and performance of the SERP; and develop and communicate any additional requirements for recycling under the SERP at county-owned sites. The Federal and State agencies shall use a SERP recycling tonnage reporting form, provided by the County, to be used by special events organizers in reporting recycling activity to the County.
3. County Division of Solid Waste, in cooperation with County agencies responsible for special events permitting at county sites, if any. Responsible for communicating the requirements of the law to prospective special events organizers and owners/operators of publicly-owned sites in the County. This office may also assist special events organizers in setting up recycling programs; monitor the progress and performance of the SERP; and develop and communicate any additional requirements for recycling under the SERP at county-owned sites. The County Division of Solid Waste shall provide a SERP recycling tonnage reporting form to be used by special events organizers in reporting recycling activity to the County.
4. Municipal Office of Town of Chesapeake Beach and Town of North Beach, in cooperation with County Division of Solid Waste and agencies responsible for special events permitting at municipal sites, if any. Responsible for communicating the requirements of the law to prospective special events organizers and owners/operators of publicly-owned sites in the Municipality. This office may also assist special events organizers in setting up recycling programs; monitor the progress and performance of the SERP; and develop and communicate any additional requirements for recycling under the SERP at municipally-owned sites. The Municipal Office of the Town shall use a SERP recycling tonnage reporting form, provided by the County, to be used by special events organizers in reporting recycling activity to the County.
5. Special Events Organizer: Responsible for providing recycling bins and ensuring collection for recycling in accordance with the requirements, beginning on October 1, 2016. Perform recordkeeping and submit the SERP recycling tonnage reporting form to the County within thirty (30) calendar days following the closing of the event.

D. Program Monitoring:

The publicly owned facilities shall complete the Special Event Recycling Program (SERP) Permit prior to the event and submit a copy to the County Division of Solid Waste.

The County Division of Solid Waste and Municipal Offices of the Towns and special events organizers will monitor progress and performance of the SERP.

Recycling at events subject to the SERP will be ensured as follows:

1. Special events permits issued for use of county and municipal sites will include a statement on the permit application that recycling is required for events subject to the SERP. The application form will require a certification that the special events organizer will provide for recycling in accordance with the requirements of the SERP.
2. Special events permits issued by the county will include provisions for compliance with the SERP.
3. A fact sheet or other informational document outlining the requirements of the SERP will be distributed with each special event permit issued by the county.

The special event organizer is responsible for monitoring the implementation of recycling at the special event. Special event organizers must oversee placement and labeling of recycling receptacles and collection and recycling of recyclables. Performance of any recycling contractor engaged for compliance with the SERP must be monitored by the special event organizer. The special event organizer must promptly take action to correct any deficiencies in the contractor's performance.

A special event organizer is responsible for maintaining the following records:

1. Any contracts for recycling service;
2. A list of the types of recyclables accepted for recycling;
3. If food scraps recycling is not provided at the event, a description of efforts made to identify available organics recycling services and the reasons organics recycling was determined to be unavailable;
4. The quantity of recyclables collected for recycling at the event;
5. The quantity of solid waste collected for disposal at the event.

No later than 30 calendar days after the final day of the special event, the special event organizer must complete and submit to the County Office of Recycling the Special Event Recycling Report on a form provided by the Municipality or County.

E. Program Enforcement:

The following shall be inserted into the Calvert County Code of Ordinances, Chapter 119. The County Division of Solid Waste or the equivalent office of the municipality

in which the event is located may conduct inspections of the event to ensure compliance with the Special Events Recycling Program (SERP). If a violation of the SERP is detected, the County or municipality may pursue an enforcement action against the special event organizer. A person that violates the SERP is subject to a civil penalty not exceeding \$50 for each day the violation exists. Any penalties collected for violation of the SERP must be paid to the County, municipality, or other local government that brought the enforcement action.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the Calvert County Comprehensive Solid Waste Management Plan shall otherwise remain in full force and effect;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of the Calvert County 2006-2018 Comprehensive Solid Waste Management Plan, as amended, is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provisions, and that the remainder of the Comprehensive Solid Waste Management Plan shall be enforceable and valid; and

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County that this enactment shall be effective upon recordation, publication of a fair summary and approval of the Maryland Department of the Environment pursuant to Section 9-503, (b) and (c) of the *Environment Article* of the Maryland Annotated Code.

DONE, this 4th day of April, 2017, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5
Nay: 0
Absent/Abstain: 0

[SIGNATURES ON FOLLOWING PAGE]

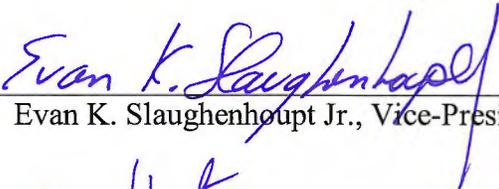
ATTEST:

**BOARD OF COUNTY
COMMISSIONERS OF CALVERT
COUNTY, MARYLAND**


Maureen L. Frederick, Clerk


Thomas Hejl, President

Approved for form and legal
sufficiency by:


Evan K. Slaughenhoupt Jr., Vice-President


Michael Hart


John B. Norris, III, County Attorney


Pat Nutter


Steven R. Weems

Received for Record... April 5, 2017
at 1:57, o'clock P, M. Same day
Recorded in Liber KPS No. 51
Folio 388, COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

