

**A RESOLUTION FOR THE PURPOSE OF REVISING SOLID WASTE TIPPING FEES
SCHEDULE FOR THE FY2024 BUDGET**

WHEREAS, Maryland Annotated Code, Local Government Article, § 13-402 authorizes the Board of County Commissioners of Calvert County, Maryland to provide for the disposal of refuse, garbage, rubbish, and other solid waste by acquiring and operating refuse disposal facilities;

WHEREAS, by said authority the Board of County Commissioners of Calvert County, Maryland may fix and collect reasonable service charges or fees from any user of Calvert County disposal areas and facilities;

WHEREAS, Article V of the Solid Waste Ordinance of Calvert County, codified as Chapter 119 of the Calvert County Code of Ordinances provides for the disposal of refuse in a sanitary landfill to be operated in compliance with State law; and

WHEREAS, the Board of County Commissioners of Calvert County, Maryland, does operate a sanitary landfill within Calvert County which meets all local, State and Federal requirements for solid waste disposal;

WHEREAS, the Board of County Commissioners of Calvert County, Maryland, has previously adopted a user tipping fee structure for residential and commercial customers of the landfill;

WHEREAS, the Board of County Commissioners of Calvert County, Maryland, has found that it is necessary to increase tipping fees for FY2024, and subsequent years, based on the provisions of the transportation and disposal agreement with Garnet of Maryland, Inc. for the collection and hauling of solid waste from the Appeal Transfer Station;

WHEREAS, a public hearing regarding a proposed increase in tipping fees was duly advertised in two County newspapers for two consecutive weeks before the public hearing as required by Section 5-103(c) of the Public Local Laws of Calvert County, and held on August 1, 2023 at which time the Board of County Commissioners received public comment; and

WHEREAS, upon due consideration of the comments of the public and staff, and in furtherance of the public's health, safety and welfare, the Board of County Commissioners finds that it is in the best interest of the citizens of Calvert County, Maryland to adopt an increase in solid waste tipping fees.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Calvert County, Maryland, hereby repeals prior solid waste tipping fees and adopts the following user tipping fees at the Calvert County sanitary landfill be assessed, levied, and collected at the following rates:

1. Effective August 8, 2023, the tipping fee rate for residential customers shall be Eighty-Six and 54/100 Dollars (\$86.54) per ton; and
2. Effective August 8, 2023, the tipping fee rate for commercial customers, and residents of a County other than Calvert, shall be Ninety-Five and 77/100 Dollars (\$95.77) per ton;

BE IT FURTHER RESOLVED by the Board of County Commissioners that, in the event any portion of this Resolution 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 of the provision, and that the remainder of the Resolution shall be enforceable and valid;

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

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective upon recordation without publication of a fair summary.

DONE, this 1st day of Aug., 2023, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5

Nay: 0

Absent/Abstain: 0

ATTEST:

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

Katie Brittain

Katie Brittain, Clerk

Earl F. Hance

Earl F. Hance, President

Mike Hart

Mike Hart

Approved for form and legal sufficiency:

Mark C. Cox Sr.

Mark C. Cox Sr.

John B. Norris

John B. Norris, County Attorney

Catherine M. Grasso

Catherine M. Grasso

Received for Record..... 8/11....., 2023
at 4:20 o'clock..... 9 M. Same day
recorded in Liber KPS No. 72
Folio..... 56.....**COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.**

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Garry P. Smith