

RESOLUTION #2011-013

**SOLID WASTE DISPOSAL FACILITIES
RULES AND REGULATIONS, PERMITS**

A Resolution of the County Commissioners of Caroline County (the "County Commissioners") adopting rules and regulations governing Solid Waste Disposal Facilities owned or operated by the County and establishing the fee for Disposal Facility Use Permits pursuant to Chapter 127 – Littering and Solid Waste Management of the Code of Public Local Laws of Caroline County, Maryland (the "Code").

RECITALS

WHEREAS, pursuant to Article 25§ 14A of the Annotated Code of the State of Maryland, applicable to Caroline County through the provisions of Article 25B and pursuant generally to Article 25B of the Annotated Code of Maryland, Caroline County is permitted, inter alia, to own and/or operate land within Caroline County for the disposal of solid waste and to fix and collect reasonable service charges or fees therefore; and

WHEREAS, the County Commissioners have adopted Chapter 127 of the Code, as amended, to exercise that authority; and

WHEREAS, The County Commissioners, pursuant to §127-3.C of the Code, are authorized to adopt by resolution rules and regulations for Solid Waste Disposal Facilities owned or operated by Caroline County; and

WHEREAS, The County Commissioners, pursuant to §127-4.B of the Code, are authorized to adopt by resolution a fee for the annual Disposal Facility Use Permit and regulations pursuant to the issuance thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND THAT:

Section 1. The Recitals to this Resolution are incorporated by reference herein and deemed a substantive part of this Resolution.

Section 2. All Solid Waste Disposal Facilities owned or operated by Caroline County pursuant to Chapter 127 – Littering and Solid Waste Management of the Code shall be subject to the following rules:

- A. A valid Disposal Facility Use Permit is required to use any County owned or operated Solid Waste Disposal Facility.
- B. The Solid Waste Disposal Facilities are intended for residential solid waste only. Commercial solid waste is prohibited.

- C. Users are limited to one visit to each Solid Waste Disposal Facility per day.
- D. Acceptable material is limited to general household trash (maximum 10 bags) and the following recyclables: motor oil, anti-freeze, cardboard, and scrap metal.
- E. Unacceptable materials include, but are not limited to, tires, wood and lumber, rubble, demolition debris, construction debris, yard waste, furniture, carpet, and large appliances.
- F. Items not accepted at County owned or operated Solid Waste Disposal Facilities may be accepted at the Mid-Shore II Regional Landfill. Exceptions may exist for hazardous waste.
- G. Facilities are only to be accessed during posted operating hours.
- H. Users must comply with all instructions by County staff when utilizing the facilities.
- I. Users of Solid Waste Disposal Facilities may not verbally or physically threaten, harass, or abuse County staff working at the facilities. Doing so may result in the loss of the user's permit and a future prohibition against receiving a permit.

Section 3. Enforcement.

- A. Any County staff observing a violation of the rules listed in Section 2 of this Resolution shall write down the date, time, location, and nature of the violation, and the license plate number of the offender's vehicle.
- B. Staff shall submit this information to the Department of Public Works in a timely fashion.
- C. The following Department staff are authorized to issue a citation in accordance with §127-2 of the Code of Public Local Laws of Caroline County:
 - 1. Director
 - 2. Assistant Director
 - 3. Administrative Aide
 - 4. Office Support Assistant

Section 4. Disposal Facility Use Permits. Disposal Facility Use Permits are required for use of all County owned or operated Solid Waste Disposal Facilities.

A. Eligibility. Disposal Facility Use Permits will only be issued to:

- 1. County residents, as demonstrated by a valid vehicle registration or proof of residency.

2. Those who have completed the Disposal Facility Use Permit Application and paid the accompanying fee.
 3. Vehicles that meet the following specifications:
 - a. Licensed passenger vehicles
 - b. Licensed pickup trucks up to $\frac{3}{4}$ ton
 - c. Licensed six-wheeled trucks over $\frac{3}{4}$ ton with a crew cab and standard length truck bed
 4. Eligibility of vehicles registered out of state or, out of county, if registered to an individual periodically residing in Caroline County may be eligible for a permit as determined by the Director of Public Works or their designee on a case by case basis.
- B. Vehicles covered. A separate Disposal Facility Use Permit is required for each vehicle.
- C. Display. The Disposal Facility Use Permit sticker is required to be affixed to the interior of the vehicle's windshield on the lower left corner of the driver's side. A permit that is not affixed will not be considered valid.
- D. Fee. The fee for each Disposal Facility Use Permit is \$100. The fee will be prorated in accordance with the Fee Schedule incorporated in this Resolution as Exhibit A.
- E. Term of Permit. Disposal Facility Use Permits are valid for one year, from September 1 to August 31 of the following year. Permits must be obtained annually on this schedule.
- F. Facilities covered. Permits are valid for all County owned or operated Solid Waste Disposal Facilities. A permit is not required to use the Home Owner Drop Off at the Mid-Shore II Regional Landfill or the Holly Road site operated by Mid-Shore II..
- G. Transferability.
1. Disposal Facility Use Permits may not be transferred to any other vehicle or individual.
 2. A replacement permit may be obtained free of charge under the following limited circumstances and if the Department is provided with the indicated documentation:
 - a. Sale of vehicle, if provided with all or a portion of the removed original sticker and proof of sale;

- b. Theft of vehicle, if provided with a valid police report;
- c. Loss of vehicle due to accident, if provided with a valid accident report; or
- d. Broken or replaced windshield, if provided with a copy of the receipt for the repair.

H. Application and issuance.

1. A Disposal Facility Use Permit Application must be completed in order to obtain a permit.
2. Residency must be demonstrated by submitting a valid vehicle registration or proof of residency.
3. The permit fee must be paid prior to the issue of a Disposal Facility Use Permit.

ADOPTED/EFFECTIVE:

August 2, 2011

**COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND**

ATTEST:

Sara B. Visintainer

Sara B. Visintainer
Executive Assistant

Jefferson L. Ghrist

Jefferson L. Ghrist, President

Larry C. Porter

Larry C. Porter, Vice President

Wilbur Levenson Jr.

Wilbur Levenson Jr., Commissioner



**STATE OF MARYLAND CAROLINE COUNTY
FILED FOR RECORD**

At 10:30 o'clock Am on 8/2 2011
and duly recorded in Liber FDM 4
Folio 583 one of the Resolutions
record books for the aforesaid and
F. Dale Mims, Clerk
Recording Fee \$4.00

Exhibit A

**Caroline County, Maryland
Solid Waste**

Disposal Facility Use Permit Fee Schedule

Fees are charged for a 12-month period beginning each September 1. The permit fee is one hundred dollars for a the first quarter of the 12 month period. Part-year fees are levied on a quarterly basis, not to exceed the full year fee, per the following schedule:

Month of purchase:

September, October, November, (or advance purchase)	\$100.00
December, January, February	\$ 75.00
March, April, May	\$ 50.00
June, July, August	\$ 25.00

All permits expire on August 31 of each year.