

Chapter 119
SOLID WASTE

ARTICLE I
General Provisions

- § 119-1. Applicability.
- § 119-2. Definitions.

ARTICLE II
Accumulation and Storage of
Garbage and Refuse

- § 119-3. Private premises container requirements.
- § 119-4. Bundling of certain refuse offered for collection.
- § 119-5. Breeding places for pests.
- § 119-6. Farm animal waste.
- § 119-7. Hazardous waste.

ARTICLE III
Transportation of Refuse

- § 119-8. Garbage, refuse and dry nonputrescible material; vehicle requirements.
- § 119-9. Hazardous waste.
- § 119-10. Sewage treatment residue.

ARTICLE IV
Commercial Haulers

- § 119-11. Permit required.

- § 119-12. Liability insurance.
- § 119-13. Display of permit number on vehicle.
- § 119-14. Notification of violations; suspension of permit.
- § 119-15. Application for reinstatement of permit.
- § 119-16. Appeal; hearing; decision.

ARTICLE V
Disposal of Refuse

- § 119-17. Approved methods of disposal.
- § 119-18. Sanitary landfill.
- § 119-19. Hazardous wastes.
- § 119-20. Disposal of sewage treatment residue.
- § 119-21. Residential refuse disposal not affected.

ARTICLE VI
Miscellaneous Provisions

- § 119-22. Exemptions.
- § 119-23. Enforcement.
- § 119-24. Violations and penalties.
- § 119-25. Amendments.

[HISTORY: Adopted by the Board of County Commissioners of Calvert County 7-15-1975 by Res. No. 38-75. Amendments noted where applicable.]

GENERAL REFERENCES

Sewers and sewage disposal — See Ch. 110.

ARTICLE I
General Provisions

§ 119-1. Applicability.

The following chapter governing the storage, collection, transporting and disposal of solid waste is hereby adopted and shall apply throughout Calvert County, including but not limited to all cities towns, hamlets and villages, whether incorporated or unincorporated.

§ 119-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ASHES — Residue from fires, including incineration.

COMMERCIAL HAULER — A person who hauls refuse for hire within Calvert County either for cash or any other remuneration, or a person who operates a vehicle within Calvert County for the purpose of transporting refuse on a routine or regular basis.

CONSTRUCTOR WASTE — Scrap lumber and other discarded construction materials.

DEMOLITION WASTE — Lumber, pipes, brick, masonry and other construction materials from razed buildings and other structures.

GARBAGE — Waste resulting from the preparation, cooking and serving of food, including market waste and waste resulting from the handling, storage and sale of produce.

HAZARDOUS WASTE — Explosive material, drugs, poisons, radioactive material, highly combustible material, or any discarded clothing, bedding, dressings and other waste that may be contaminated by products of infection or communicable disease, and any other waste designated from time to time by the Health Officer as hazardous.

HEALTH OFFICER — The Calvert County Health Officer or his designee.

HOUSEHOLD REFUSE — Refuse customarily accumulated in a residential home and is ordinarily limited to garbage and rubbish and specifically excludes large appliances, furniture, sewage treatment residue and hazardous wastes.

INDUSTRIAL WASTE — Food processing waste, boiler house cinders, scrape or shavings of either lumber, metal, rubber, leather, cloth, paper, plastics or glass, or other waste from a manufacturing process.

PERSON — Any individual, firm, organization, association, partnership, business, trust, corporation, company or governmental agency.

PREMISES — A definite portion of real estate, including land with its appurtenances, a building or part of a building.

PUBLIC COLLECTION — The pickup of refuse from residential homes and commercial establishments by a commercial hauler.

REFUSE — Any discarded material or waste. Refuse includes garbage, rubbish, ashes, street refuse, dead animals, animal waste, industrial waste, demolition waste, construction waste, hazardous waste, sewage treatment residue and abandoned vehicles.

RUBBISH — Nonputrescible solid waste consisting of combustibles, including paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, wood furniture and bedding, and noncombustibles, including metals, cans, metal furniture, appliances, dirt, glass, crockery and minerals.

SANITARY LANDFILL — A site where refuse is disposed of by compaction and covering with earth or other material approved by the Health Officer in a planned and controlled manner that prevents public nuisances or hazards to health and limits environmental pollution to the minimum that is practical.

SEWAGE TREATMENT RESIDUE — Liquid, semiliquid or solid residue or sludge from sewage treatment plants, or from individual septic tanks or other devices used for the accumulation or treatment of human waste.

STREET REFUSE — Sweepings, dirt, leaves, catch basin dirt, and contents of litter receptacles.

ARTICLE II

Accumulation and Storage of Garbage and Refuse

§ 119-3. Private premises container requirements.

No owner, occupant, tenant or lessee of any public or private premises shall permit the accumulation upon his premises of garbage, food processing waste or any refuse that has been in contact with or soiled by animal or vegetable wastes, except in covered containers meeting the following requirements:

- A. Watertight.
- B. Provided, with a tight-fitting lid.
- C. Rust resistant.
- D. Structurally sound to withstand handling stress.
- E. Easily filled, emptied and cleaned.
- F. **Flytight** and rodentproof.
- G. If offered for public collection it shall be no larger than 30 gallons capacity and furnished with side handles, a bail or other suitable lifting device; however, power-operated bulk containers are excluded from this requirement.
- H. Disposable bags of plastic or paper manufactured for solid waste disposal may be used, provided that they are further contained in an approved container as specified above or in a suitable frame or protective device.

§ 119-4. Bundling of certain refuse offered for collection.

Household refuse consisting of books, magazines, boxes, newspapers or other nonputrescible rubbish being offered for public collection need not be placed in an approved container provided it is securely tied in bundles or completely contained in disposable boxes not larger than 24 inches by 24 inches by 36 inches. Bundles of tree limbs, brush, yard trimmings or other household rubbish offered for public collection may not be larger than 48 inches long and 18 inches in diameter.

§ 119-5. Breeding places for pests.

No person shall deposit refuse on any land, developed or undeveloped, or in, under or outside any building, occupied or unoccupied, or permit the accumulation of refuse on his own premises in a manner that may provide harborage or breeding places for vectors, mosquitoes, other insects, vermin or rats.

§ 119-6. Farm animal waste.

Nothing in this section shall prevent the normal accumulation of waste from farm animals in areas zoned for agricultural use.

§ 119-7. Hazardous waste.

No person shall deposit in a public litter receptacle, "Green Box," or otherwise offer for public collection any hazardous waste.

ARTICLE III
Transportation of Refuse

§ 119-S. Garbage, refuse and dry nonputrescible material; vehicle requirements.

No person shall transport any garbage, food processing waste or any refuse that has been soiled with animal or vegetable waste upon the streets, alleys or public places of Calvert County, unless such refuse shall be in approved containers as specified in § 119-3, securely fastened to prevent spillage, or in a totally enclosed watertight vehicle. If, however, the refuse is a dry type of nonputrescible material, it may be hauled in a totally enclosed vehicle or open vehicle which is covered with a tight-fitting canvass tarpaulin or similar cover to prevent scattering, spillage or leakage.

§ 119-9. Hazardous waste.

No hazardous waste shall be transported except by the owner or his agent in a manner prescribed by the Health Officer.

§ 119-10. Sewage treatment residue.

No sewage treatment residue shall be transported except in a manner approved by the Health Officer and in compliance with applicable state health laws and regulations.

**ARTICLE IV
Commercial Haulers****§ 119-11. Permit required.**

No commercial hauler shall collect or transport refuse without first applying for and obtaining a written permit from the Health Officer. The Health Officer shall issue such permit when, upon inspection, he finds that the facilities, equipment and proposed operating methods of the applicant are adequate and in compliance with this chapter. A permit shall be valid for one year but shall be renewable annually following application to the Health Officer. However, this requirement for a permit shall, not apply to any person transporting household refuse from his own residence.

§ 119-12. Liability insurance.

No commercial hauler shall be granted a permit unless he carries liability insurance in an amount determined from time to time by the County Commissioners as sufficient to cover such damage as may be done to the premises of any person upon which the commercial hauler may enter for the collection of refuse.

§ 119-13. Display of permit number on vehicle.

Every vehicle operated by a commercial hauler for transporting refuse shall have the permit number, either by painting or any other permanent manner, displayed on the rear and driver's side of the vehicle.

§ 119-14. Notification of violations; suspension of permit.

Whenever, upon inspection of the facilities, equipment or operating methods of a commercial hauler, the Health Officer finds that conditions or practices exist that violate this chapter, the Health Officer shall notify the commercial hauler in writing that unless such conditions or practices are corrected within 10 days the permit will be suspended. At the end of such ten-day period the Health Officer shall make a reinspection, and if he finds that such conditions or practices have not been corrected, he shall give notice in writing that the permit is being suspended. Upon receipt of notice of suspension, the commercial hauler shall immediately cease to collect, transport or dispose of refuse.

§ 119-15. Application for reinstatement of permit.

A commercial hauler whose permit is suspended, may, within 30 days following such suspension, apply to the Health Officer for reinstatement of his permit. Within five days of

receiving such application, the Health Officer shall make an inspection, immediately following which he shall reinstate the permit, provided that all provisions of these regulations are complied with.

§ 119-16. Appeal; hearing; decision.

If the Health Officer shall refuse to issue, renew or reinstate a permit, he shall indicate such refusal to the applicant in writing, setting forth the specific grounds for the refusal and such applicant shall have the right to appeal the decision of the Health Officer to the County Commissioners acting as the local Board of Health. Upon receipt of such appeal, the local Board of Health shall hold a hearing within 15 days to receive evidence on the merits of the action to be taken and shall render a decision in writing within five days from the date of such hearing, either granting or refusing to grant the permit depending upon compliance with this chapter.

ARTICLE V
Disposal of Refuse

§ 119-17. Approved methods of disposal.

No person shall dispose of refuse except by one of the following methods:

- A. By burning refuse in an incinerator of a type approved by the Maryland Department of Health and Mental Hygiene.
- B. By placing household refuse from his own residence into a compactor receptacle provided by the County and designated for that purpose. Unless otherwise indicated, placement of any refuse other than household refuse into a compactor receptacle is prohibited. Littering or depositing refuse on the ground in the vicinity of a compactor receptacle is prohibited.
- C. By placing refuse in a sanitary landfill operating under state permit. Persons using a sanitary landfill shall adhere to those procedures established by the landfill operator for the purpose of compliance with § 119-18 of this chapter.
- D. By disposing of in a manner approved by the Health Officer.

§ 119-18. Sanitary landfill.

A sanitary landfill shall comply with the following requirements:

- A. It shall be approved by the Maryland State Department of the Environment in compliance with the Annotated Code of Maryland.
- B. Grading and earth moving shall be accomplished in accordance with an approved County grading permit.
- C. Suitable equipment for excavating, thorough compaction, and covering shall be provided.
- D. No refuse shall be deposited on the landfill except during operating time as defined by the presence of equipment and personnel operating for the purpose of providing immediate

compaction of refuse. Suitable fencing and other security measures as needed shall be provided in order to assure compliance with this requirement.

- E. All refuse shall be suitably compacted and covered with at least six inches of earth or approved cover material as promptly as possible at the end of each day's operation to prevent fly emergence, rodent infestation, and to prevent or allay odors.
- F. Roadways shall be provided within the landfill site and maintained in a safe condition for the use of vehicles hauling refuse. Towing assistance shall be provided by the landfill operator for stranded vehicles, provided such vehicles are equipped with a suitable frontend towing attachment
- G. The disposal site shall be maintained in a neat and sanitary condition. Proper sight screening and litter control shall be maintained.
- H. No layer of refuse shall exceed a depth of eight feet after compaction.
- I. To prevent water pollution, diversion ditches shall be provided to intercept surface runoff before it reaches the operation area. Diking and proper drainage through and around the site may be required, depending on the terrain, to lessen water pollution potentials.
- J. The accumulation of surface water that may provide breeding places for insects is prohibited.
- K. Open burning on landfill sites is strictly prohibited unless a permit is first obtained from the Health Officer.
- L. Scavenging within the landfill shall be prohibited, with the exception that under the discretion of the landfill operator reusable materials or materials suitable for recycling may be salvaged, provided that any such salvage operation does not result in a health hazard or nuisance.
- M. No domestic animals shall be permitted to feed from garbage at the site.
- N. The final covering for the surface and side slopes of landfills shall be compacted to a minimum depth of 24 inches.
- O. The completed surface of the landfill shall be seeded to produce adequate vegetation cover to prevent erosion.
- P. After the sanitary landfill is completed, inspection and maintenance shall be continued until the fill has become stabilized. Cracks, depressions and erosion of the surface and side slopes shall be corrected promptly.
- Q. Inspection for insects, rodents and odors shall be conducted periodically until the landfill has become stabilized.

§ 119-19. Hazardous wastes.

Disposal of hazardous wastes shall be in a manner prescribed by the Health Officer.

(Cont'd on page 11907)

§ 119-20. Disposal of sewage treatment residue.

Disposal of sewage treatment residue shall be in a manner prescribed by the Health Officer in compliance with applicable State health law and regulations.

§ 119-21. Residential refuse disposal not affected.

Nothing in this article shall prevent any person from disposing of household refuse from his own residence on his own premises in a manner that does not result in any public health hazard or public nuisance.

ARTICLE VI
Miscellaneous Provisions

§ 119-22. Exemptions.

Any person who has submitted to the Health Officer a plan for compliance and who has had that plan approved by the Health Officer, or any person who has submitted such a plan and whom the Health Officer certifies is actively engaged in good-faith negotiations of such a plan, shall not be considered to be in violation of this chapter so long as he acts in accordance with an approved plan or so long as the Health Officer certifies that active, good-faith negotiations are being carried on.

§ 119-23. Enforcement.

It shall be the duty of the Health Officer, or his designee, to enforce this chapter.

§ 119-24. Violations and penalties. [Amended 4-22-1997 by Res. No. 18-97]

- A. Any person convicted of any violation of this chapter shall be guilty of a misdemeanor and shall be fined \$100 for the first conviction; \$250 for a second conviction; \$500 for a third conviction. For the purposes of this section, each day that a violation exists may be considered a separate offense.
- B. The Health officer may bring a proceeding in the Circuit Court of Maryland for the abatement of any condition violating this chapter, and the Circuit Court may, upon hearing and for good cause shown, enjoin the continuance of the condition violating this chapter, irrespective of all other remedies at law.

§ 119-25. Amendments.

This chapter may from time to time be amended, supplemented, changed, modified or repealed by the County Commissioners. No such change or amendment shall become effective until after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall, at least 15 days prior to any public

hearing, publish a notice in one or more local newspapers of the proposed changes and amendments and the time and place of such hearing.