COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

RESOLUTION NO. 2015-20

WHEREAS, the County Commissioners of Charles County, Maryland, by the authority of Environmental Article, Title 9, Subtitle 5, of the Annotated Code of Maryland, and Title 26, Subtitle 3, Chapter 3, of the Code of Maryland Regulations (COMAR), as well as other provisions of the Annotated Code of Maryland and the provisions of the Code of Public Local Laws of Charles County, are directed to adopt and submit to the Maryland State Department of the Environment a comprehensive plan for the provision of adequate solid waste management systems throughout the County to include all towns and municipal corporations within Charles County; and

WHEREAS, the Special Events Recycling Program (SERP) Amendment requires organizers of special events which include; the temporary or periodic use of a public street, publicly owned site or facility, or public park; serves food or drink; and is expected to have 200 or more persons in attendance must provide recycling receptacles and collection of recyclables; and

WHEREAS, said SERP Amendment to the Comprehensive Solid Waste Management Plan has been reviewed by the County Commissioners of Charles County, Maryland, and it appears that the requirements of State law have been met; and

WHEREAS, the Charles County Commissioners held a public hearing on the proposed amendments to the SERP Amendment on October 6, 2015 to solicit public comment; and

WHEREAS, the County Commissioners of Charles County, Maryland, held a public work session on all public testimony and all comments submitted during the public record on

October 6, 2015; and

WHEREAS, the said SERP Amendment is found to be consistent with land use master planning in Charles County; and

WHEREAS, after deliberation and study the County Commissioners of Charles County, Maryland, are of the opinion that it is in the best interest of the citizens of Charles County that the SERP Amendment be adopted and approved; and

NOW, THEREFORE BE IT RESOLVED, this 6th day of October, 2015, by the County Commissioners of Charles County, Maryland, that the Charles County Comprehensive Solid Management Plan 2011-2021, dated November 18, 2014, be amended to include as part of Chapter V "Plan of Action" the SERP Amendment, dated October 6, 2015, attached hereto as Exhibit A; and

FURTHER, IT IS RESOLVED, that the SERP Amendment, dated October 6, 2015, shall be submitted to Maryland Department of the Environment for review and approval.

IT IS FURTHER RESOLVED, that if any clause, sentence, article, section, part or parts of said Comprehensive Solid Waste Management Plan 2011-2021 shall be held unconstitutional or invalid for any reason whatsoever, such unconstitutionality or invalidity shall not effect the validity of the remaining parts of said Plan or any action thereof; the County Commissioners of Charles County, Maryland, hereby declare that they would have adopted the remaining parts of said Plan, or any section thereof, if they had known any such clause, sentence, article, section, part or parts of said Plan would be declared unconstitutional or invalid.

FINALLY, IT IS RESOLVED that said the SERP Amendment to the Charles County Comprehensive Solid Waste Management Plan 2011-2021 shall take effect on the _____ day of _____, 2015.

COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND

Peter F. Murphy, *President*

Ken Robinson , *Vice President*

Debra M. Davis, Esq.

Amanda M. Stewart, M.Ed.

Bobby Rucci

ATTEST: Danielle E. Mitchell, Clerk

Exhibit A: Special Events Recycling Plan (SERP)

Exhibit A: Special Events Recycling Plan (SERP) to be inserted in new section 5.6.6 of CCCSWP.

5.6.6 Special Events Recycling Program (SERP)

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.
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:

1. Indian Head Village Green - 100 Walter Thomas Road, Indian Head, MD 20640
2. Mattingly Park - Mattingly Ave, Indian Head, MD 20640
3. Town Hall La Plata - 305 Queen Anne Street La Plata, MD
4. Tilghman Lake Park & Water Plant - 10598 Box Elder Road, La Plata, MD 20646
5. Wills Memorial Park - 500 St. Mary's Avenue La Plata, MD

County-owned sites:

1. Charles County Public Schools, as listed in section 3.10.2.1.3 of the CCCSWMP
2. Bensville Park - 6980 Bensville Road, White Plains, MD 20695
3. Bryantown Sports Complex - 5665 Bryantown Road, Waldorf, MD 20601
4. Capital Clubhouse - 3033 Waldorf Market Place Waldorf, MD 20603
5. Charles County Government Building - 200 Baltimore Street, La Plata, MD 20646
6. Charlie Wright Community Park - 101 Dr. Mitchell Lane, Indian Head, MD 20640
7. Cobb Island Park - Cobb Island MD
8. Community Services Port Tobacco - 8190 Port Tobacco Port Tobacco, MD 20677
9. Courthouse Soccer Field - 200 Baltimore Street, La Plata, MD 20646
10. Friendship Farm Park - 4705 Friendship Landing Road, Nanjemoy, MD 20662
11. Gilbert Run Park - 13140 Charles Street, Charlotte Hall, MD 20622
12. Indian Head Community Center - 100 Cornwallis Square Indian Head, MD 20640
13. Laurel Springs Park - 5940 Radio Station Road, La Plata, MD 20646
14. Maxwell Hall House - 6680 Maxwell Hall Drive, Hughesville, MD 20637
15. Nanjemoy Community Center - 4375 Port Tobacco Road, Nanjemoy, MD 20662
16. Oak Ridge Park - 13675 Oaks Road, Hughesville, MD 20637
17. Pinefield Park - Pinefield Road, Waldorf, MD 20601 (Pinefield Neighborhood)
18. Pisgah Park - 6645 Mason Springs Road, La Plata, MD 20646
19. Pomonkey Sports Complex - 3395 Metropolitan Church Road, Indian Head, MD 20640
20. Port Tobacco Park - South of Port Tobacco Village on Chapel Point Road

21. Robert Stethem Park - 4250 Piney Church Road, Waldorf, MD 20602
22. Regency Furniture Stadium - 11765 Saint Linus Drive Waldorf, MD 20602
23. Ruth B. Swann Memorial Park - 3100 Ruth B. Swann Drive, Bryans Road, MD 20616
24. Turkey Hill Park - 9430 Turkey Hill Road, La Plata, MD 20646
25. Waldorf Gym and Dance Studio - 2745 Old Washington Road Waldorf, MD 20601
26. Waldorf Jaycees Community Center - 3090 Crain Highway Waldorf, MD 20601
27. White Plains Park & Golf Course - 1015 St. Charles Parkway, White Plains, MD 20695

State-owned sites:

1. Cedarville State Forest - 10201 Bee Oak Road, Brandywine, MD 20613
2. Chapel Point State Park - South of Port Tobacco - Chapel Point Road - Port Tobacco River
3. Chapman State Park - 3452 Ferry Place, Indian Head, MD 20640
4. Mallows Bay Area - 1440 Wilson Landing Road, Nanjemoy, MD 20662
5. Maxwell Hall Natural Resource Management Area - 6680 Maxwell Hall Drive, Hughesville, MD 20637
6. Purse State Park - South of Nanjemoy - MD 224 Riverside Road - Wades Bay (Potomac River)
7. Smallwood State Park - 2750 Sweden Point Road, Marbury, MD 20658

Federally-owned sites:

1. Marshall Hall Boat Launch Facility - 1005 Marshall Hall Road, Bryans Road, MD 20616
2. Piscataway Park - 1005 Marshall Hall Road, Bryans Road, MD 20616 - Marshall Hall area of Piscataway Park
3. Thomas Stone National Landmark - 6655 Rose Hill Road, Port Tobacco, MD 20677

A. Materials and Obligations:

Special events organizers are responsible for:

1. Providing and placing recycling receptacles adjacent to each trash receptacle at the event, where the existing on-site recycling is not sufficient;
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 as the result of deviations to the existing on-site recycling program at your 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 one of the County's recycling drop-off centers;
2. Contracting with a recycling hauler to collect the materials and deliver them for recycling; or
3. Receiving prior 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 containers, metal containers, glass containers, 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.
Recycling at a State-owned site must follow the State agency's recycling plan. 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.

B. Stakeholders:

The following stakeholders will be involved in the SERP:

1. Charles County Department of Public Works: Responsible for overseeing the Division of Environmental Resources and recycling programs and activities in the County and assuring that all properties that potentially host events falling under the recycling mandate in §9-1712 are included in the SERP.
2. Charles County Environmental Resources Division: 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 will also assist special events organizers in facilitating recycling programs; monitor the progress and performance of the SERP; and develop and communicate any additional requirements for recycling under the SERP at publicly-owned sites. Ensuring that all publicly owned sites and facilities included in the SERP plan have an existing recycling program in place. The Environmental Resources Division oversees recycling programs in County-owned spaces and will assist special event organizers if additional recycling receptacles are needed at publicly owned sites and facilities. This office will also assist special events organizers in developing and communicating any additional requirements for recycling under the SERP.
3. Special Events Organizer: Responsible for ensuring recycling bins are available and ensuring collection for recycling in accordance with the requirements in §B, beginning October 1, 2015. Organizers are responsible for ensuring the existing recycling receptacles are sufficient for their event. Request additional recycling receptacles through the Division of Environmental Resources as needed for publicly owned sites and facilities. At least one recyclable receptacle must be adjacent to each trash receptacle at the event. Ensuring recycling receptacles are clearly distinguished from trash receptacles by color or signage. Must ensure that the collected recyclables are in accordance with the on-site recycling program. Finally, Event Organizers are responsible for any costs and labor to carry out any deviations to the existing on-site recycling program at your event. Recycling receptacles will not be available from the Division of Environmental Resources for events held on public streets, where a recycling program is not already established.

C. Program Monitoring:

The Charles County Department of Public Works, Environmental Resources Division 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. The publicly owned sites and facilities included in the SERP plan have existing recycling programs in place.
2. Special events organizers are responsible to identify when the existing recycling program is not sufficient to meet the needs of their event. If the event is held on a public street or the existing recycling program is not sufficient, then the organizer is required to self-hauling the materials to one of the County's recycling drop-off centers, contract with a recycling hauler to collect and deliver the materials for recycling.
3. A fact sheet or other informational document outlining the requirements of the SERP will be distributed to each site and facility manager where special events could take place. Site and facility managers will distribute information to special event organizers utilizing their site and/or facility.

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. If any additional receptacles were used to supplement the existing recycling receptacles at the site;
2. Any contracts for recycling service if needed;
3. A list of any additional types of recyclables accepted during the event including food scrap recycling.

D. Program Enforcement:

The Charles County Environmental Resources Division or the equivalent office of the municipality in which the event is located may conduct inspections of the event to ensure compliance with the 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.