

RESOLUTION NO. RS-2017-18

**RESOLUTION FOR ADOPTION AND
MODIFICATION OF RULES AND REGULATIONS, LANDFILL AND
CONVENIENCE BOX FEES AND CHARGES**

RECITALS

The Board of County Commissioners of Washington County, Maryland (the "Board"), in accordance with Md. Code, Article 25, §14A ("§14A"), as amended from time to time, owns and operates a county landfill and convenience boxes for refuse and garbage disposal purposes.

In accordance with §14A, on June 22, 1995, the Board enacted an ordinance entitled "Ordinance to Provide for Solid Waste Collection Licensing in Washington County, Maryland" (the "Ordinance"), effective July 1, 1995.

The Ordinance and §14A both provide for the adoption by the Board of rules and regulations and landfill and convenience box fees and charges.

By amended resolution dated May 16, 2000, the Board modified certain landfill and convenience box fees and charges but retained certain other fees previously adopted.

By action of the Board on May 8, 2001, a discount of \$12.00 per ton was approved for certain high-volume solid waste haulers (4,000 or more tons annually), municipalities and local government agencies.

By resolution dated September 10, 2002, effective October 1, 2002, the Board modified the amount of the discount given to certain high-volume solid waste haulers (4,000 or more tons annually), municipalities and local government agencies from \$12.00 to \$9.00.

By resolutions adopted May 18, 2004, effective July 1, 2004, and April 19, 2005, effective May 1, 2005, April 18, 2006, effective July 1, 2006 (RS-06-12), and May 13, 2008, effective May 19, 2008 (RS-08-08), the Board modified certain landfill and convenience box fees and charges.

By Resolution No. RS-2011-07 adopted on April 19, 2011, effective July 1, 2011, the Board modified certain landfill and convenience box fees and charges.

By Resolution No. RS-2011-12 adopted on June 14, 2011, effective July 1, 2011, the Board modified the landfill user fees by establishing an optional \$15.00 annual permit fee for the unlimited disposal of residential yard debris to be added to the previously approved \$130.00 and \$95.00 residential municipal solid waste drop-off permit fees.

By Resolution No. RS-2014-08 adopted on April 29, 2014, effective July 1, 2014, and by Curative Resolution No. RS-2014-12 adopted on June 17, 2014, effective July 1, 2014, the Board established a discounted rate of \$45.00/ton for large haulers bringing in 1,000 tons or more per year of general refuse/municipal solid waste (with contract).

The Board now desires to establish a discounted rate of \$40.00/ton for large haulers bringing in 10,000 or more per year of general refuse/municipal solid waste (with contract), to be effective October 1, 2017.

A public hearing was held on Tuesday, August 29, 2017, following due notice and advertisement of the landfill user fees that were proposed to be modified.

After public comment was received, reviewed and considered, the Board determined to continue the following rules and regulations and adopt the following landfill and convenience box fees and charges.

The Board expressly finds that adoption of the following rules and regulations, landfill and convenience box fees and charges would be in the best interests of the citizens of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washington County, Maryland, that:

1. All previous resolutions adopted by the Board, relating to the adoption of rules and regulations, landfill and convenience box fees and charges, and to charge interest for late payment of fees by landfill and convenience box users, are hereby repealed.

2. **Washington County Trash.** Only trash originating in Washington County will be accepted at the landfill or greenboxes. All vehicles must have proper stickers and have paid the requisite fees for authorization to dispose of trash in the landfill or greenboxes, and all vehicles must be covered or loads secured.

3. **Acts Not Allowed.** The following acts are not allowed at the Washington County landfill facilities or at the greenboxes:

- Maryland;
- (a) dumping trash collected from areas outside Washington County,
 - (b) salvaging, scavenging, or animal feeding in the landfill facilities or at the greenbox facilities;
 - (c) speeding or reckless driving;
 - (d) dumping before or after scheduled operating hours; or
 - (e) operating unsafe vehicles, or vehicles not meeting the weight limitations prescribed by the laws of the State of Maryland.

4. The following items will **NOT** be accepted at Washington County landfill facilities or at the greenboxes:

- (a) out-of-county trash
- (b) liquids
- (c) hazardous wastes as defined by the State of Maryland and the United States Government
- (d) septic tank sludge
- (e) dead animals
- (f) firearms
- (g) radioactive materials
- (h) wet paint
- (i) rolled wire
- (j) tree stumps (over 4 ft. in diameter)
- (k) hot ashes
- (l) pesticides
- (m) toxic waste
- (n) explosives
- (o) chemicals
- (p) vehicle bodies
- (q) gas, kerosene, and oil – except for automotive oil and anti-freeze which is collected in special collection tanks
- (r) closed containers or closed drums
- (s) paint sludge from industry unless tested and approved by the Maryland Department of the Environment and Washington County
- (t) no concrete or rocks larger than 4' x 4' x 4'
- (u) batteries which will be accepted only at approved recycling areas

5. Asbestos will be accepted at the Forty West Landfill upon 72 hours prior notice. Paint will be accepted if it is dry or solidified, and rolled wire must be compressed before it will be accepted. No paint sludge from industry will be accepted without the TCLP toxic test having been performed.

6. The green box facilities at Greensburg Road near Smithsburg, Kaetzel Road near Rohrerstown, Dargan, Hancock, and the Forty West Landfill may only be used by cars and pickup trucks for disposal of waste from residences. No non-residential waste will be allowed in the greenbox facilities.

7. Only county residents and county businesses, including county municipalities may deposit solid waste in the County landfill. Only county residents may deposit solid waste in the greenbox facilities.

8. **VIOLATIONS.**

(a) Anyone found violating any of the above rules and regulations of the Washington County Landfill and greenboxes, including anyone failing to pay fees or penalties when due, shall have their right to use the said landfill and greenboxes suspended for an indefinite period of time or for such time as determined by the Deputy Director of the Division of Environmental Management Solid Waste Department.

(b) Anyone who wishes to appeal the decision of the Deputy Director of the Division of Environmental Management Solid Waste Department relating to their use of the landfill and the greenboxes shall have thirty (30) days from the decision of the Deputy Director of the Division of Environmental Management Solid Waste Department to appeal to the Director of the Division of Environmental Management.

(c) The Director of the Division of Environmental Management shall conduct an informal hearing on the appeal in a timely manner and issue a written decision affirming, reversing or modifying the decision of the Deputy Director of the Division of Environmental Management Solid Waste Department. The decision shall be made and issued within thirty (30) days of the hearing.

(d) A person aggrieved by the decision of the Director of the Division of Environmental Management may appeal the decision to the County Commissioners of Washington County within ten (10) days from the date of the decision of the Director. The County Commissioners shall conduct a hearing on any such appeal as soon as practical thereafter and issue a decision in writing on such appeal within thirty (30) days after the hearing thereof.

(e) A person aggrieved by the decision of the County Commissioners may appeal the decision to the Circuit Court pursuant to the Maryland Rules of Procedure within thirty (30) days of the date the decision was issued. Unless stayed by a court of competent jurisdiction, the decision of the Deputy Director of the Division of Environmental Management Solid Waste Department to suspend or revoke a license issued hereunder continues in effect until reversed or modified.

9. For accounts more than thirty (30) days in arrears following billing, interest will be charged at the rate of one and one-half percent (1.5%) per month on the unpaid balance.

10. The following landfill and convenience box fees and charges are as follows:

WASHINGTON COUNTY SOLID WASTE DEPARTMENT

**LANDFILL AND CONVENIENCE BOX
FEE SCHEDULE**

(Effective October 1, 2017)

INBOUND MATERIAL:	
Minimum scale charge	\$10.00 (320 lbs)
General Refuse/Municipal Solid Waste	\$52.00/ton
Large haulers (with contract) – 1,000 tons or more annually	\$45.00/ton
Large haulers (with contract) – 10,000 tons or more annually	\$40.00/ton
Rubble, Building Debris	\$75.00/ton
Yard Debris (grass, leaves, brush)	\$63.00/ton
Auto and Light Truck (less than 22")	(1-5 tires) \$3.00 each (6 or more tires) \$162.00/ton
Equipment and Agriculture Tires	\$250.00/ton
Domestic Sludge	\$60.00/ton
Industrial Sludge	\$60.00/ton
High Volume/Low Weight	\$120.00/ton
Asbestos	\$130/ton \$25 minimum charge
OUTBOUND MATERIAL:	
Minimum scale charge	\$10.00
Fill Dirt	\$4.00/ton
Mulch	\$30.00/ton
Soil Amendment (compost)	\$20.00/ton
OTHER FEES:	
Appliances that used refrigeration	\$5.00/unit
Management/Inspection Fee	\$50.00/load asbestos
Solid Waste Collection License Fee	\$100.00/fiscal year (>5 employees) \$10.00/ fiscal year (<5 employees)

PERMIT FEES FOR RESIDENTIAL DROP-OFF	
Citizens	\$130.00/annual***
Citizens (with permit for unlimited disposal of yard debris)	\$145.00/annual
Senior Citizens (Age 62 & over) and Disabled American Veterans (Under Age 62)	\$95.00/annual***
Senior Citizens (Age 62 & over) and Disabled American Veterans (Under Age 62) (with permit for unlimited disposal of yard debris)	\$110.00/annual
Second Permit – Same Owner	\$65.00/annual
***Permits purchased between January 1 and May 1 will be half price	

11. Landfill and convenience box fees and charges shall be scheduled for review within twelve (12) months of the date of this Resolution.


Adopted this 29th day of August, 2017.

Effective the 1st day of October, 2017.

ATTEST:

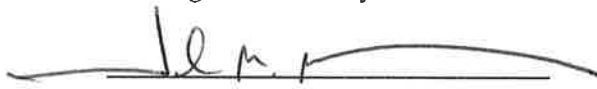
BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND


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BY: 
Terry L. Baker, President

Approved as to form
and legal sufficiency:

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