


FROM	NAME & TITLE	David E. Scott, P.E., Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 08-0184		

DATE: December 12, 2008

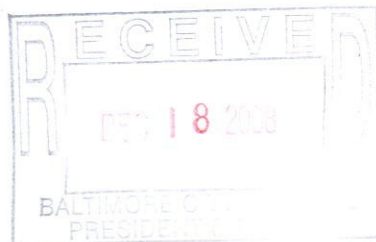
TO
 The Honorable President and Members
 of the Baltimore City Council
 c/o Karen Randle
 Room 400 - City Hall

I am herein reporting on City Council Bill 08-0184 introduced by Council Members Branch, Young, Middleton, D'Adamo, Henry, Clarke, Cole, Curran, Welch, Conaway, Reisinger, Holton, and Spector.

The purpose of the Bill is to require certain large waste containers to be registered; define certain terms; require certain information; prohibit certain conduct; and impose certain civil and criminal penalties.

Subtitle 2 of the Baltimore City Health Code provides for the issuance of annual licenses to large and small haulers of solid waste by the Health Commissioner. License fees are set by the Commissioner, with the approval of the Board of Estimates. The licensing requires the name and business telephone number to be displayed on both sides of the vehicle. Waste containers having a capacity of 2 cubic yards or more must be labeled with the name of the licensee and an identification number assigned by the Commissioner on the outside of the container and in permanent lettering. Haulers are to keep a daily log that provides the location where the waste is collected, the nature of the waste, the customer's name, and when, where, and how the waste is disposed. In addition to the ability to suspend or revoke a hauler's license, violations of this subtitle may result in environmental citations, civil citations, or criminal prosecutions, each carrying penalties if the violator is found guilty. Currently, the Department of Public Works administers Minor Privilege permits for numerous encroachments into the rights-of-way, including the temporary placement of dumpsters. Beginning July 1, 2009, these permits will be issued by the newly formed Department of General Services.

City Council Bill 08-0184 would add to Article 23 of the Baltimore City Code parallel provisions requiring the Director of Public Works to issue annual registrations for all dumpsters having capacities of at least 90 gallons or 1/2 cubic yard, labeling of the exterior of the dumpsters with ownership information, an annual registration fee, the impounding of unregistered dumpsters or dumpsters placed in the rights-of-way without the necessary Minor



Info/comments

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Privilege permits, and enforcement of violations through environmental and civil citations and criminal prosecutions. Since the intent of this legislation is already provided for in the Health Code and administered by the Commissioner of Health, the Department of Public Works finds the provisions of City Council Bill 08-0184 to be duplicative, and therefore cannot support the Bill. However, this Department would recommend consulting with the Department of Health to determine the efficacy of extending licensing to the much smaller dumpsters having less than the current 2 cubic yard capacity.



David E. Scott, P.E.
Director

DES/MMC:pat

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