

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 07-0582

Introduced by: Councilmember Kraft, President Rawlings-Blake, Councilmembers Holton,
Clarke, Harris, Curran, Spector, Branch
Introduced and read first time: February 12, 2007
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: July 16, 2007

AN ORDINANCE CONCERNING

Resource Sustainability

1
2 ~~FOR the purpose of renaming the Commission on Resource Conservation and Recycling to be the~~
3 ~~Commission on Resource Sustainability; reconstituting the Commission's membership;~~
4 ~~restating and modifying the Commission's duties; expanding the information to be included~~
5 ~~by City agencies in their annual energy consumption reports; requiring City agencies to~~
6 ~~submit an annual greenhouse gas emissions reduction report; providing for the Commission~~
7 ~~to develop a comprehensive recycling plan for the City; and generally relating to resource~~
8 ~~conservation, recycling, and sustainability.~~

9 ~~By repealing and reordaining, with amendments~~
10 ~~Article 5 - Finance, Property, and Procurement~~
11 ~~Section(s) 34-1 to 34-4, to be under the amended subtitle heading;~~
12 ~~“Subtitle 34. Commission on Resource Sustainability”~~
13 ~~Baltimore City Code~~
14 ~~(Edition 2000)~~

Commission on Sustainability

15
16 FOR the purpose of establishing a Commission on Sustainability to develop a Sustainability Plan
17 for the City of Baltimore; providing for the Commission's membership; requiring a public
18 process in development of the Plan; specifying the Commission's duties; providing for City
19 agencies' responsibilities to the Commission; conditioning the effectiveness of the Plan on
20 approval by the City Council; abolishing the Commission on Resource Conservation and
21 Recycling; providing for a special effective date; and generally relating to resource
22 conservation, recycling, and sustainability.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 07-0582

1 By repealing

2 Article 5 - Finance, Property, and Procurement
3 Section(s) 34-1 to 34-4, and the subtitle designation,
4 “Subtitle 34. Commission on Resource Conservation and Recycling”
5 Baltimore City Code
6 (Edition 2000)

7 By adding

8 Article 5 - Finance, Property, and Procurement
9 Section(s) 34-1 to 34-8, to be under the new subtitle designation,
10 “Subtitle 34. Commission on Sustainability”
11 Baltimore City Code
12 (Edition 2000)

13 By repealing and reordaining, with amendments

14 Article 5 - Finance, Property, and Procurement
15 Section(s) 45-2
16 Baltimore City Code
17 (Edition 2000)

18 ~~By adding~~

19 ~~Article 5 - Finance, Property, and Procurement~~
20 ~~Section(s) 46-1, to be under the subtitle heading,~~
21 ~~“Subtitle 46. Emissions Reduction”~~
22 ~~Baltimore City Code~~
23 ~~(Edition 2000)~~

24 By repealing and reordaining, with amendments

25 Article 23 - Sanitation
26 Section(s) 16-1 to 16-5, to be under the amended subtitle heading,
27 “Subtitle 16. Recyclable Material and Compostable Yard Waste”
28 Baltimore City Code
29 (Edition 2000)

30 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**
31 **Article 5, §§ 34-1 to 34-4 of the Code are repealed, together with the subtitle designation**
32 **“Subtitle 34. Commission on Resource Conservation and Recycling”.**

33 **SECTION 2. AND BE IT FURTHER ORDAINED, That** the Laws of Baltimore City read as
34 follows:

35 **Baltimore City Code**

36 **Article 5. Finance, Property, and Procurement**

37 **~~Subtitle 34. Commission on Resource [Conservation and Recycling]~~ SUSTAINABILITY**

Council Bill 07-0582

1 ~~§ 34-1. Commission created; members.~~

2 ~~(a) Created.~~

3 There is [~~hereby created~~] a Commission on Resource [~~Conservation and Recycling~~]
4 SUSTAINABILITY, to consist of 17 members, 16 of whom [~~shall be~~] ARE appointed by the
5 Mayor in the manner prescribed by Article IV, § 6 of the City Charter.

6 ~~(b) Appointed members.~~

7 The [~~members~~] appointed MEMBERS shall represent [~~the interests of utilities, business,~~
8 community organizations, mass transit and petroleum industry, private recycling
9 industries, environmental groups, labor unions, the Mayor's Office, and persons who
10 have a general interest in energy and resource conservation, recycling, and waste
11 reduction as well as the age, sex, and race of the City population].

12 ~~(1) THE RESTAURANT AND BAR BUSINESS COMMUNITY;~~

13 ~~(2) COMMUNITY ASSOCIATIONS;~~

14 ~~(3) CURRENT AND POTENTIAL APPLICANTS AND AWARDEES OF CITY SANITATION,~~
15 ~~COMPOSTING, AND RECYCLING CONTRACTS;~~

16 ~~(4) THE POLYSTYRENE PRODUCT AND PACKAGING INDUSTRY;~~

17 ~~(5) PROVIDERS OF RECYCLING, COMPOSTING, AND BIODEGRADABLE, POLYSTYRENE-~~
18 ~~ALTERNATIVE PRODUCT SERVICES;~~

19 ~~(6) THE U.S. GREEN BUILDING COUNCIL - BALTIMORE REGION;~~

20 ~~(7) LABOR UNIONS;~~

21 ~~(8) THE MAYOR'S OFFICE;~~

22 ~~(9) THE DEPARTMENT OF PUBLIC WORKS;~~

23 ~~(10) THE DEPARTMENT OF FINANCE;~~

24 ~~(11) THE DEPARTMENT OF RECREATION AND PARKS;~~

25 ~~(12) THE PUBLIC SCHOOL SYSTEM;~~

26 ~~(13) THE HEALTH DEPARTMENT; AND~~

27 ~~(14) SUSTAINABILITY ADVOCATES WHO HAVE A GENERAL INTEREST IN ENERGY AND~~
28 ~~RESOURCE CONSERVATION, RECYCLING, AND WASTE REDUCTION.~~

Council Bill 07-0582

~~(e) City Council representative.~~

~~The 17th member shall be a member of the City Council appointed [to the Commission] by the COUNCIL President [of the Council].~~

~~§ 34-2. Terms; Chair.~~

~~(a) Terms of members.~~

~~The terms of each member [shall be] is 4 years, concurrent with the Mayor's term of office, [or] AND until a successor qualifies and takes office.~~

~~(b) Commission Chair.~~

~~The Commission shall appoint one member as its Chair.~~

~~§ 34-3. Compensation; expenses.~~

~~No member of the Commission [shall] MAY receive any compensation for services, but each member may be reimbursed for necessary and proper expenses incurred in the performance of his OR HER duties [as such].~~

~~§ 34-4. Commission duties.~~

~~THE DUTIES OF THE COMMISSION ARE:~~

~~(1) to [study] ESTABLISH CRITERIA AND PERFORMANCE MEASURES FOR, REVIEW, and make recommendations to the Mayor[, the] AND City Council[, and appropriate City agencies of methods by which the City can conserve energy, water and other vital resources and reduce and recycle solid waste within City government;]~~

~~[(2) to make recommendations of methods by which the City can establish appropriate incentives, standards, and goals for the purchase of products made from recycled materials and to encourage and enable vendors to sell recycled products to the City;]~~

~~[(3) to develop an information and referral system for City agencies and the general public related to conservation of energy, waste reduction, and recycling;]~~

~~[(4) to cooperate with state and federal energy conservation, waste reduction, and recycling agencies;]~~

~~[(5) to produce and distribute educational materials and create educational programs which will inform citizens, business, industry, and other organizations of the City's resource conservation, recycling, and energy conservation programs, laws, and goals;]~~

~~[(6) to make recommendations to the Mayor and the City Council for a plan to expand and attract to the City recycling, resource, and energy conservation businesses and industries;]~~

~~[(7) to make recommendations to the Mayor and the City Council] regarding:~~

Council Bill 07-0582

1 ~~(i) REQUESTS FOR PROPOSALS FOR THE CITY'S GARBAGE, MIXED REFUSE,~~
2 ~~RECYCLING, COMPOSTING, AND WATER AND SEWERAGE CONTRACTS;~~

3 ~~(ii) THE CITY'S ANNUAL ENERGY CONSUMPTION REPORTS, REQUIRED BY § 45-2 OF~~
4 ~~THIS ARTICLE;~~

5 ~~(iii) THE CITY'S ANNUAL GREENHOUSE GAS EMISSIONS REDUCTION REPORTS,~~
6 ~~REQUIRED BY § 46-1 OF THIS ARTICLE; AND~~

7 ~~(iv) COMPLIANCE WITH City, state, and federal legislation, and regional~~
8 ~~agreements concerning:~~

9 ~~(A) [(i)] energy or resource conservation, waste reduction, recycling, and~~
10 ~~the marketing of recyclables; and~~

11 ~~(B) [(ii)] the development of energy conservation, resource conservation,~~
12 ~~recycling, and waste reduction businesses and industry;~~

13 ~~(2) TO PREPARE AND IMPLEMENT:~~

14 ~~(i) A COMPREHENSIVE RECYCLING AND COMPOSTING PLAN, AS PRESCRIBED IN~~
15 ~~CITY CODE ARTICLE 23, § 16-3;~~

16 ~~(ii) A PLAN BY WHICH THE CITY CAN RECYCLE WASTE AND CONSERVE ENERGY~~
17 ~~AND WATER IN ALL OF ITS BUILDINGS AND FACILITIES;~~

18 ~~(iii) A PLAN TO EXPAND AND ATTRACT TO THE CITY BUSINESSES AND INDUSTRIES~~
19 ~~PROVIDING WASTE REDUCTION, ENERGY CONSERVATION, AND RECYCLING~~
20 ~~SERVICES;~~

21 ~~(iv) A COMPREHENSIVE PLAN FOR FOOD SERVICE ESTABLISHMENTS AND~~
22 ~~INDUSTRIES TO UTILIZE ALTERNATIVES TO PLASTIC, POLYSTYRENE, AND OTHER~~
23 ~~TOXIC, NON-BIODEGRADABLE SYNTHETIC MATERIALS;~~

24 ~~(v) INCENTIVES, STANDARDS, AND GOALS TO ENCOURAGE CITIZENS AND~~
25 ~~BUSINESSES TO RECYCLE FOOD AND CONSTRUCTION AND OTHER WASTE~~
26 ~~MATERIALS AND TO UTILIZE BIODEGRADABLE PACKAGING AND STORAGE~~
27 ~~PRODUCTS;~~

28 ~~(vi) INCENTIVES, STANDARDS, AND GOALS FOR THE CITY TO PURCHASE, MARKET,~~
29 ~~AND SELL PRODUCTS MADE FROM RECYCLED MATERIALS;~~

30 ~~(3) TO DEVELOP AN INFORMATION AND REFERRAL SYSTEM FOR CITY AGENCIES AND THE~~
31 ~~GENERAL PUBLIC RELATED TO CONSERVATION OF ENERGY, WASTE REDUCTION, AND~~
32 ~~RECYCLING;~~

33 ~~(4) TO PRODUCE AND DISTRIBUTE EDUCATIONAL MATERIALS AND CREATE EDUCATIONAL~~
34 ~~PROGRAMS THAT WILL INFORM CITIZENS, BUSINESS, INDUSTRY, AND OTHER~~
35 ~~ORGANIZATIONS OF THE CITY'S RESOURCE CONSERVATION, RECYCLING, AND ENERGY~~
36 ~~CONSERVATION PROGRAMS, LAWS, AND GOALS;~~

Council Bill 07-0582

1 ~~(5) [(8)] to [make] PRESENT a written report to the City Council in January of each year,~~
2 ~~summarizing Commission activities of the previous year; AND~~

3 ~~[(9) to review the City's water and sewerage plans that are required by the State of~~
4 ~~Maryland;]~~

5 ~~[(10) to examine alternative methods of waste reduction, resource conservation, and~~
6 ~~recycling;]~~

7 ~~[(11) to make recommendations to the Mayor and the City Council regarding:~~

8 ~~(i) the need for an Office of Recycling;~~

9 ~~(ii) implementation of the state-mandated recycling plan; and~~

10 ~~(iii) establishment of a plan to market recycled materials utilized by the City of~~
11 ~~Baltimore; and]~~

12 ~~(6) [(12)] to perform [such] ANY other duties [as may be deemed] CONSIDERED necessary~~
13 ~~to carry out the City's RECYCLING PLAN, AS PRESCRIBED IN CITY CODE ARTICLE 23,~~
14 ~~§ 16-3, THE CITY'S energy and resource conservation plans, and [its] THE CITY'S~~
15 ~~recycling and waste reduction efforts.~~

16 **SUBTITLE 34. COMMISSION ON SUSTAINABILITY**

17 **§ 34-1. COMMISSION CREATED; MEMBERS.**

18 **(A) CREATED.**

19 **(1) THERE IS A COMMISSION ON SUSTAINABILITY**

20 **(2) THE COMMISSION CONSISTS OF 21 MEMBERS, 20 OF WHOM ARE APPOINTED BY THE**
21 **MAYOR IN THE MANNER PRESCRIBED BY ARTICLE IV, § 6 OF THE CITY CHARTER.**

22 **(B) APPOINTED MEMBERS.**

23 **THE 20 APPOINTED MEMBERS SHALL REPRESENT:**

24 **(1) COMMUNITY ORGANIZATIONS;**

25 **(2) ENVIRONMENTAL GROUPS REPRESENTING ALL ELEMENTS OF ENVIRONMENTAL**
26 **SUSTAINABILITY, INCLUDING BUT NOT LIMITED TO AIR QUALITY, WATER QUALITY,**
27 **GREEN BUILDING TECHNIQUES, ENERGY CONSERVATION, AND ALTERNATE**
28 **TRANSPORTATION;**

29 **(3) LABOR UNIONS;**

30 **(4) PUBLIC HEALTH AND ENVIRONMENTAL JUSTICE;**

31 **(5) PRIVATE INDUSTRY, TO INCLUDE BUT NOT LIMITED TO RESTAURANTS AND BARS,**
32 **PACKAGING INDUSTRY, AND RECYCLING INDUSTRY;**

Council Bill 07-0582

1 (6) THE MAYOR’S OFFICE;

2 (7) CITY AGENCIES; AND

3 (8) PERSONS WITH A GENERAL INTEREST IN ENVIRONMENTAL ISSUES.

4 (C) CITY COUNCIL REPRESENTATIVE.

5 THE 21ST MEMBER SHALL BE A MEMBER OF THE CITY COUNCIL APPOINTED BY THE
6 COUNCIL PRESIDENT.

7 **§ 34-2. TERMS; CHAIR.**

8 (A) TERMS OF MEMBERS.

9 THE TERMS OF EACH MEMBER IS 4 YEARS, CONCURRENT WITH THE MAYOR’S TERM OF
10 OFFICE, AND UNTIL A SUCCESSOR QUALIFIES AND TAKES OFFICE.

11 (B) COMMISSION CHAIR.

12 THE MAYOR SHALL APPOINT ONE MEMBER AS CHAIR OF THE COMMISSION.

13 **§ 34-3. COMPENSATION; EXPENSES.**

14 NO MEMBER OF THE COMMISSION MAY RECEIVE ANY COMPENSATION FOR SERVICES, BUT
15 EACH MEMBER MAY BE REIMBURSED FOR NECESSARY AND PROPER EXPENSES INCURRED IN
16 THE PERFORMANCE OF HIS OR HER DUTIES.

17 **§ 34-4. DUTIES.**

18 (A) COMPREHENSIVE PLAN.

19 THE COMMISSION SHALL PREPARE A COMPREHENSIVE SUSTAINABILITY PLAN AND, FROM
20 TIME TO TIME, RECOMMEND APPROPRIATE AMENDMENTS TO THE PLAN.

21 (B) MONITOR OFFICE OF SUSTAINABILITY.

22 THE COMMISSION SHALL MONITOR THE OFFICE OF SUSTAINABILITY AND THAT OFFICE’S
23 INCORPORATION AND IMPLEMENTATION OF THE COMPREHENSIVE SUSTAINABILITY PLAN.

24 (C) REPORT TO COUNCIL.

25 THE COMMISSION SHALL REPORT ANNUALLY TO THE CITY COUNCIL ON ITS ACTIVITIES.

26 **§ 34-5. COMPREHENSIVE SUSTAINABILITY PLAN.**

27 THE COMMISSION’S COMPREHENSIVE SUSTAINABILITY PLAN SHALL:

28 (1) DISCUSS ALL ELEMENTS OF SUSTAINABILITY, INCLUDING AIR QUALITY, WATER
29 QUALITY, RESOURCE CONSERVATION AND RECYCLING, ENERGY, PUBLIC HEALTH,

Council Bill 07-0582

1 ENVIRONMENTAL JUSTICE, REDUCTION OF GREENHOUSE EMISSIONS, AND INCREASING
2 USE OF ALTERNATIVE MEANS OF TRANSPORTATION;

3 (2) ESTABLISH 3-, 5-, AND 10-YEAR SUSTAINABILITY TARGETS;

4 (3) CREATE PUBLIC AND PRIVATE SUSTAINABILITY INITIATIVES, TO INCLUDE BUT NOT
5 LIMITED TO STANDARDS FOR CITY PURCHASING, INCENTIVES FOR CITIZENS AND
6 BUSINESSES TO RECYCLE AND PURCHASE RECYCLED GOODS, INCENTIVES FOR ENERGY
7 CONSERVATION, AND WATER QUALITY IMPROVEMENTS;

8 (4) DESCRIBE THE RESOURCES AND RESPONSIBLE AGENCIES AND OTHERS NEEDED TO
9 IMPLEMENT THE PLAN;

10 (5) INCLUDE A PUBLIC INFORMATION COMPONENT;

11 (6) ESTABLISH KEY SUSTAINABILITY INDICATORS TO TRACK PROGRESS OF PLAN
12 IMPLEMENTATION; AND

13 (7) SET CRITERIA AND RECOMMEND MANDATORY MEASURES FOR ANNUAL REPORTING TO
14 THE CITY COUNCIL ON:

15 (i) ENERGY CONSUMPTION REPORTS, AS REQUIRED IN CITY CODE ARTICLE 5,
16 § 45-2;

17 (ii) COMPREHENSIVE RECYCLING AND COMPOSTING PLAN, AS PRESCRIBED IN CITY
18 CODE ARTICLE 23, § 16-2; AND

19 (iii) GREENHOUSE GAS EMISSIONS REDUCTION REPORTS.

20 **§ 34-6. COMMISSION STAFF.**

21 (A) PLANNING DEPARTMENT.

22 THE DEPARTMENT OF PLANNING WILL PROVIDE STAFF FOR COMMISSION IN THE
23 DEVELOPMENT AND IMPLEMENTATION OF THE PLAN.

24 (B) CONSULTANTS.

25 THE COMMISSION MAY EMPLOY, AS PROVIDED IN THE ORDINANCE OF ESTIMATES,
26 CONSULTANTS AND OTHER PERSONNEL NECESSARY FOR THE PROPER PERFORMANCE OF ITS
27 DUTIES.

28 **§ 34-7. ADOPTION OF PLAN.**

29 TO BE BECOME EFFECTIVE, THE SUSTAINABILITY PLAN OR AN AMENDMENT TO IT MUST BE
30 APPROVED BY AN ORDINANCE OF THE MAYOR AND CITY COUNCIL.

Council Bill 07-0582

1 **§ 34-8. EFFECT OF PLAN.**

2 THE SUSTAINABILITY PLAN WILL BE INCORPORATED INTO THE CITY'S COMPREHENSIVE
3 MASTER PLAN AS AN APPENDIX.

4 **Subtitle 45. Energy Costs**

5 **§ 45-2. Annual energy consumption report.**

6 (a) *Agency reports to Finance.*

7 (1) On or before January 1 of every year, each City agency shall provide the Department
8 of Finance with an energy consumption [item] REPORT.

9 (2) This [item] REPORT shall state:

10 (I) HOW THE AGENCY HAS COMPLIED TO DATE WITH THE CRITERIA AND
11 PERFORMANCE MEASURES ESTABLISHED BY THE COMMISSION ON ~~RESOURCE~~
12 SUSTAINABILITY;

13 (II) the amount budgeted for energy consumption in the current fiscal year; [and]

14 (III) the amount budgeted for ENERGY CONSUMPTION IN the next fiscal year; AND

15 (IV) A PLAN TO REDUCE ENERGY CONSUMPTION IN THE NEXT FISCAL YEAR IN
16 ACCORDANCE WITH THE CRITERIA AND PERFORMANCE MEASURES
17 ESTABLISHED BY THE COMMISSION ON ~~RESOURCE~~ SUSTAINABILITY.

18 (3) The amounts shall be stated in:

19 (i) the units of energy [as] billed by the sources, such as gallons, kilowatt-hours,
20 or therms;

21 (ii) the energy equivalent per year in the International System of Units (joules per
22 year) or BTU's by each energy source; AND

23 (iii) the cost of each type of energy; and the total cost of energy for each agency.

24 (B) *FINANCE REPORT TO COUNCIL.*

25 This information shall be transmitted BY THE DEPARTMENT OF FINANCE to the City
26 Council on or before March 1 of the same year.

27 **~~SUBTITLE 46. EMISSIONS REDUCTION~~**

28 **~~§ 46-1. ANNUAL GREENHOUSE GAS EMISSIONS REDUCTION REPORT.~~**

29 ~~(A) *AGENCY REPORTS TO PUBLIC WORKS.*~~

Council Bill 07-0582

1 ~~(1) ON OR BEFORE JANUARY 1 OF EVERY YEAR, EACH CITY AGENCY SHALL PROVIDE THE~~
2 ~~DEPARTMENT OF PUBLIC WORKS WITH A GREENHOUSE GAS EMISSIONS REDUCTION~~
3 ~~REPORT.~~

4 ~~(2) THIS REPORT SHALL STATE:~~

5 ~~(i) HOW THE AGENCY HAS COMPLIED TO DATE WITH THE CRITERIA AND~~
6 ~~PERFORMANCE MEASURES ESTABLISHED BY THE COMMISSION ON RESOURCE~~
7 ~~SUSTAINABILITY;~~

8 ~~(ii) TO THE EXTENT KNOWN OR ASCERTAINABLE, THE AMOUNT OF GREENHOUSE~~
9 ~~GAS EMISSIONS PRODUCED BY THE AGENCY IN 1990;~~

10 ~~(iii) THE AMOUNT OF GREENHOUSE GAS EMISSIONS PRODUCED IN THE CURRENT~~
11 ~~FISCAL YEAR;~~

12 ~~(iv) THE AMOUNT OF GREENHOUSE GAS EMISSIONS THAT WOULD BE PRODUCED IN~~
13 ~~THE NEXT FISCAL YEAR AT THE CURRENT RATE;~~

14 ~~(v) A PLAN TO REDUCE GREENHOUSE GAS EMISSIONS TO 7% BELOW 1990 LEVELS~~
15 ~~BY 2012; AND~~

16 ~~(vi) THE AMOUNT OF GREENHOUSE GAS EMISSIONS PROJECTED TO BE PRODUCED IN~~
17 ~~THE NEXT FISCAL YEAR IN ACCORDANCE WITH THE PLAN.~~

18 ~~(3) THE AMOUNTS SHALL BE STATED IN UNITS OF METRIC TONS OF CO₂ EQUIVALENT, IN~~
19 ~~COMPLIANCE WITH PARAMETERS SET BY THE U.S. DEPARTMENT OF ENERGY AS PART~~
20 ~~OF ITS "VOLUNTARY REPORTING OF GREENHOUSE GASES PROGRAM".~~

21 ~~(B) REPORT TO COUNCIL.~~

22 ~~THIS INFORMATION SHALL BE TRANSMITTED BY THE DEPARTMENT OF PUBLIC WORKS TO~~
23 ~~THE CITY COUNCIL ON OR BEFORE MARCH 1 OF THE SAME YEAR.~~

24 **Article 23. Sanitation**

25 **Subtitle 16. RECYCLABLE MATERIALS AND Compostable Yard Waste**

26 **[§ 16-1. "Yard waste" defined.]**

27 ["Yard waste" includes grass, leaves, tree limbs, wood, and other natural byproducts of land
28 maintenance operation.]

29 **§ 16-1. [§ 16-2.] No disposal at Quarantine Landfill.**

30 [After March 1, 1993,] RECYCLABLE MATERIALS, AS DEFINED IN § 11-1 OF THIS ARTICLE, AND
31 compostable yard waste [shall] MAY not be disposed of at the Quarantine Landfill.

32 **§ 16-2. [§ 16-3.] Recycling plan.**

33 (a) [Public Works] COMMISSION ON ~~RESOURCE~~ SUSTAINABILITY to develop.

Council Bill 07-0582

1 The [Director of Public Works] COMMISSION ON ~~RESOURCE~~ SUSTAINABILITY shall
2 prepare AND IMPLEMENT a comprehensive recycling plan for RECYCLING AND composting
3 at facilities operated by the City, individuals, and corporations, AS PRESCRIBED IN CITY
4 CODE ARTICLE 5, SUBTITLE 34.

5 (b) *Scope of plan.*

6 The plan shall include:

- 7 (1) provisions for a City RECYCLING AND composting facility;
- 8 (2) standards for the operation of private individual and corporate RECYCLING AND
9 composting facilities;
- 10 (3) PROVISIONS FOR RESIDENTIAL AND FOOD AND BEVERAGE BUSINESS RECYCLING
11 PROGRAMS, INCLUDING:
- 12 (I) AN EXPANSION OF THE SCOPE OF RECYCLABLE MATERIALS TO BE
13 COLLECTED FROM RESIDENTIAL AND FOOD AND BEVERAGE BUSINESS
14 LOCATIONS;
- 15 (II) IMPROVEMENTS IN FREQUENCY AND SCHEDULING OF PICKUP OF
16 RECYCLABLE MATERIALS FROM RESIDENTIAL AND FOOD AND BEVERAGE
17 BUSINESS LOCATIONS;
- 18 (III) PERFORMANCE MEASURES FOR EVALUATING RECYCLING SERVICES;
- 19 (IV) AN ANALYSIS OF THE FISCAL IMPACT OF COMPLYING WITH THIS RECYCLING
20 PLAN;
- 21 (4) PROVISIONS FOR A LOCAL FOOD WASTE COMPOSTING PROGRAM FOR FOOD AND
22 BEVERAGE BUSINESSES;
- 23 (5) AN ANALYSIS OF THE FISCAL IMPACT OF COMPLYING WITH THE RECYCLING AND
24 COMPOSTING PLAN; and
- 25 (6) [(3)] any other provisions relating to the process of providing for a comprehensive
26 RECYCLING AND composting plan for the City of Baltimore.

27 **§ 16-3. [§ 16-4.] Rules and regulations.**

28 The Director of Public Works [is authorized to] MAY adopt rules and regulations to [enforce]
29 CARRY OUT THE provisions of this subtitle, SUBJECT TO REVIEW BY THE COMMISSION ON
30 ~~RESOURCE~~ SUSTAINABILITY.

31 **[§ 16-5. Penalties.**

32 The Director of Public Works shall recommend to the City Council penalties for the
33 violations of the provisions of this subtitle, on or before 3 months after the date of passage of
34 this subtitle.]

Council Bill 07-0582

1 **SECTION 2 3. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this
2 Ordinance are not law and may not be considered to have been enacted as a part of this or any
3 prior Ordinance.

4 **SECTION 4. AND BE IT FURTHER ORDAINED**, That the Commission on Sustainability shall
5 complete the Comprehensive Sustainability Plan required by City Code Article 5, §§ 34-4 and
6 34-5, as enacted by this Ordinance, and submit it for approval to the Mayor and City Council
7 within 6 months of the Commission's initial appointment under this Ordinance.

8 **SECTION 3 5. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on ~~the 30th~~
9 ~~day after~~ the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City