

**CITY OF BALTIMORE
COUNCIL BILL 09-0400
(First Reader)**

Introduced by: Councilmembers Reisinger, Spector, Holton

At the request of: Curtis Bay Energy

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Introduced and read first time: September 1, 2009

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Incinerator –**
3 **Amending Conditional Use**

4 FOR the purpose of amending Ordinances 89-323, 93-224, and 97-127, which authorized a
5 conditional use for an incinerator, to repeal certain geographic restrictions on the use of the
6 incinerator; clarifying, conforming, and correcting certain citations and related language; and
7 providing for a special effective date.

8 BY repealing and reordaining, with amendments

9 Ordinance 89-323
10 Section 1

11 BY repealing

12 Ordinance 89-323
13 Section 2
14 (As amended by Ordinances 93-224 and 97-127)

15 BY renumbering

16 Ordinance 89-323
17 Sections 3 through 6
18 to be
19 Sections 2 through 5
20 (As amended by Ordinances 93-224 and 97-127)

21 BY repealing

22 Ordinance 93-224
23 Section 3
24 (As amended by Ordinance 97-127)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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Recitals

The Curtis Bay Energy Limited Partnership operates a medical waste incinerator in Hawkins Point, Baltimore City. The City recognizes the importance of safe and efficient waste disposal facilities.

This Ordinance is necessary to enhance the cogeneration capacity and capabilities of the waste-to-energy facility and is otherwise in the public interest.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

**Ordinance 89-323
(As amended by Ordinances 93-224 and 97-127)**

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted to Medical Waste Associates, a Maryland Limited Partnership, for the construction and operation of an incinerator for the disposal of special medical waste on the property located at 3204-3214 Hawkins Pt. Road, as outlined in red on the plats accompanying this [ordinance] ORDINANCE, under the provisions of [Sections 7-3-1cc-5 and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended)] ZONING CODE §§ 7-408 AND 14-102, and subject to final licensure by the State Department of the Environment.

[SEC. 2. AND BE IT FURTHER ORDAINED, That the use of the incinerator, including testing and any use under any reciprocal agreement with any other waste disposal site or incinerator, will be restricted to facilities located within 250 miles of the city limits of Baltimore City.]

**Ordinance 93-224
(As amended by Ordinance 97-127)**

[SEC. 3. AND BE IT FURTHER ORDAINED, That any medical or other facility that is served by this medical waste incinerator and that is located outside of the area originally authorized by Section 2 if Ordinance 89-323 shall not serve as a pass through or medical waste transfer facility for any medical waste generated outside of the area authorized by this or any other Ordinance.]

SECTION 2. AND BE IT FURTHER ORDAINED, That Sections 3 through 6 of Ordinance 89-323, as amended by Ordinances 93-224 and 97-127, are renumbered to be Sections 2 through 5 of Ordinance 89-323.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.