



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Kraft

A BILL ENTITLED

AN ORDINANCE concerning
Resource Sustainability

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

BY repealing and reordaining, with amendments

Article 5 - Finance, Property, and Procurement

Section(s) 34-1 to 34-4, to be under the amended subtitle heading,

"Subtitle 34. Commission on Resource Sustainability"

Baltimore City Code

(Edition 2000)

BY repealing and reordaining, with amendments

Article 5 - Finance, Property, and Procurement

Section(s) 45-2

Baltimore City Code

(Edition 2000)

BY adding

Article 5 - Finance, Property, and Procurement

Section(s) 46-1, to be under the subtitle heading,

"Subtitle 46. Emissions Reduction"

Baltimore City Code

(Edition 2000)

BY repealing and reordaining, with amendments
Article 23 - Sanitation
Section(s) 16-1 to 16-5, to be under the amended subtitle heading,
"Subtitle 16. Recyclable Material and Compostable Yard Waste"
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 5. Finance, Property, and Procurement

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

§ 34-1. Commission created; members.

(a) Created.

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

(b) Appointed members.

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

- (1) THE RESTAURANT AND BAR BUSINESS COMMUNITY;
- (2) COMMUNITY ASSOCIATIONS;
- (3) CURRENT AND POTENTIAL APPLICANTS AND AWARDEES OF CITY SANITATION, COMPOSTING, AND RECYCLING CONTRACTS;
- (4) THE POLYSTYRENE PRODUCT AND PACKAGING INDUSTRY;
- (5) PROVIDERS OF RECYCLING, COMPOSTING, AND BIODEGRADABLE, POLYSTYRENE-ALTERNATIVE PRODUCT SERVICES;
- (6) THE U.S. GREEN BUILDING COUNCIL - BALTIMORE REGION;
- (7) LABOR UNIONS;

(8) THE MAYOR'S OFFICE;

(9) THE DEPARTMENT OF PUBLIC WORKS;

(10) THE DEPARTMENT OF FINANCE;

(11) THE DEPARTMENT OF RECREATION AND PARKS;

(12) THE PUBLIC SCHOOL SYSTEM;

(13) THE HEALTH DEPARTMENT; AND

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

(c) 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 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:

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

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

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

(IV) COMPLIANCE WITH City, state, and federal legislation, and regional agreements concerning:

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

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

(2) TO PREPARE AND IMPLEMENT:

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

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

(III) A PLAN TO EXPAND AND ATTRACT TO THE CITY BUSINESSES AND INDUSTRIES PROVIDING WASTE REDUCTION, ENERGY CONSERVATION, AND RECYCLING SERVICES;

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

(V) INCENTIVES, STANDARDS, AND GOALS TO ENCOURAGE CITIZENS AND BUSINESSES TO RECYCLE FOOD AND CONSTRUCTION AND OTHER WASTE MATERIALS AND TO UTILIZE BIODEGRADABLE PACKAGING AND STORAGE PRODUCTS;

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

(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 PRODUCE AND DISTRIBUTE EDUCATIONAL MATERIALS AND CREATE EDUCATIONAL PROGRAMS THAT WILL INFORM CITIZENS, BUSINESS, INDUSTRY, AND OTHER ORGANIZATIONS OF THE CITY'S RESOURCE CONSERVATION, RECYCLING, AND ENERGY CONSERVATION PROGRAMS, LAWS, AND GOALS;

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

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

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

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

(i) the need for an Office of Recycling;

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

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

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

Subtitle 45. Energy Costs

§ 45-2. Annual energy consumption report.

(a) Agency reports to Finance.

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

(2) This [item] REPORT shall state:

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

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

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

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

(3) The amounts shall be stated in:

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

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

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

(b) Finance report to Council.

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

SUBTITLE 46. EMISSIONS REDUCTION

§ 46-1. ANNUAL GREENHOUSE GAS EMISSIONS REDUCTION REPORT.

(A) AGENCY REPORTS TO PUBLIC WORKS.

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

(2) THIS REPORT SHALL STATE:

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

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

(III) THE AMOUNT OF GREENHOUSE GAS EMISSIONS PRODUCED IN THE CURRENT FISCAL YEAR;

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

(V) A PLAN TO REDUCE GREENHOUSE GAS EMISSIONS TO 7 % BELOW 1990 LEVELS BY 2012; AND

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

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

(B) REPORT TO COUNCIL.

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

Article 23. Sanitation

Subtitle 16. RECYCLABLE MATERIALS AND Compostable Yard Waste

[§ 16-1. "Yard waste" defined.]

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

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

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

§ 16-2. [§ 16-3.] Recycling plan.

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

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

(b) Scope of plan.

The plan shall include:

- (1) provisions for a City RECYCLING AND composting facility;
- (2) standards for the operation of private individual and corporate RECYCLING AND composting facilities;
- (3) PROVISIONS FOR RESIDENTIAL AND FOOD AND BEVERAGE BUSINESS RECYCLING PROGRAMS, INCLUDING:
 - (I) AN EXPANSION OF THE SCOPE OF RECYCLABLE MATERIALS TO BE COLLECTED FROM RESIDENTIAL AND FOOD AND BEVERAGE BUSINESS LOCATIONS;
 - (II) IMPROVEMENTS IN FREQUENCY AND SCHEDULING OF PICKUP OF RECYCLABLE MATERIALS FROM RESIDENTIAL AND FOOD AND BEVERAGE BUSINESS LOCATIONS;
 - (III) PERFORMANCE MEASURES FOR EVALUATING RECYCLING SERVICES;
 - (IV) AN ANALYSIS OF THE FISCAL IMPACT OF COMPLYING WITH THIS RECYCLING PLAN;
- (4) PROVISIONS FOR A LOCAL FOOD WASTE COMPOSTING PROGRAM FOR FOOD AND

BEVERAGE BUSINESSES;

(5) AN ANALYSIS OF THE FISCAL IMPACT OF COMPLYING WITH THE RECYCLING AND COMPOSTING PLAN; and

(6) [(3)] any other provisions relating to the process of providing for a comprehensive RECYCLING AND composting plan for the City of Baltimore.

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

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

[§ 16-5. Penalties.

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

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

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

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