

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2017, Legislative Day No. 12

Bill No. 43-17

Councilmembers Quirk, Crandell & Almond

By the County Council, July 3, 2017

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Collection Bins

FOR the purpose of permitting a collection bin to be placed on certain private property under certain conditions; defining terms; specifying the properties where a bin may be located; requiring a use permit; requiring the consideration of certain factors prior to the issuance of a permit; providing for conditions to be imposed upon a use permit; authorizing the removal of a bin or the revocation of a permit; and generally relating to the location of collection bins.

BY repealing and re-enacting, with amendments

~~Section 415B.1~~ Sections 415B.1, 101.1, the definition of “collection trailer” and 500.4
Baltimore County Zoning Regulations

EXPLANATION:

CAPITALS indicate matter added to existing law.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF
2 BALTIMORE COUNTY, MARYLAND, that Baltimore County Zoning Regulations
3 read as follows:

4 Article 4. Special Regulations.

5
6 Section 415B. Collection [Trailers] BINS

7 § 415B.1. Placement on [shopping center] properties.

8 1. AS USED IN THIS SECTION, “COLLECTION BIN” MEANS A
9 STATIONARY OR FREE-STANDING CONTAINER, RECEPTACLE, OR SIMILAR
10 DEVICE THAT IS PLACED OUTDOORS AND IS USED FOR THE SOLICITATION
11 AND COLLECTION OF ITEMS OF PERSONAL PROPERTY TO BE DONATED OR
12 RECYCLED FOR REUSE.

13 [1.] 2. Contrary provisions of these regulations notwithstanding, collection
14 [trailers] BINS, profit and nonprofit, may be [temporarily] placed on shopping center
15 properties , INDUSTRIAL PARK PROPERTIES, OR FUEL SERVICE STATION
16 PROPERTIES, subject to a use permit being granted by the [Zoning Commissioner]
17 DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS in accordance with
18 Section 500.4.

19 [2.] 3. Prior to issuing a use permit for a collection [trailer] BIN, the [Zoning
20 Commissioner] DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS shall
21 approve the location of [said trailer] THE BIN which must be shown on an overall
22 functional site plan of the [shopping center] PROPERTY in question. In addition to other
23 considerations that he may deem necessary, the [Zoning Commissioner] DIRECTOR OF

1 PERMITS, APPROVALS AND INSPECTIONS shall give consideration to the following
2 factors and may impose any appropriate conditions, resulting from such consideration,
3 upon the use permit:

4 a. The size and vehicular accessibility of the [shopping center]
5 PROPERTY.

6 b. The available number of parking spaces [in the center] ON THE
7 PROPERTY.

8 c. Whether or not an attendant is provided, [and/]or required for the [trailer]
9 BIN.

10 d. Hours of operation.

11 e. The proposed location of the [trailer] BIN with regard to interior
12 vehicular circulation and adjoining residential premises.

13 f. The purpose for the [trailer] BIN; i.e., to provide a convenient location
14 for the placement of facilities designed to receive from the public [household products,
15 including used beverage cans and foil products,] NON-PERISHABLE ITEMS OF
16 PERSONAL PROPERTY to be DONATED OR recycled for reuse.

17 g. Whether a written authorization has been given by the owner or manager
18 of the [shopping center] PROPERTY granting permission to locate a [collection trailer]
19 BIN on the [shopping center] property.

20 [3.] 4. If, after a period of operation, the collection [trailer] BIN proves to be
21 detrimental to the [shopping center] PROPERTY'S function or the surrounding community
22 by creating traffic problems, or if it is not maintained in a clean and orderly condition, the

1 [Zoning Commissioner] DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS

2 may:

- 3 a. Require that the [trailer] BIN be relocated on the site;
- 4 b. Require that the [trailer] BIN be removed from the site upon 30 days'
- 5 notice;
- 6 c. Revoke the permit; or
- 7 d. Impose additional conditions upon the continuance of the use permit.

8
9 §101.1 Word Usage; definitions.

10
11 COLLECTION [TRAILER – A Trailer whose express purpose is to accommodate
12 the collection of recyclable items for the good of the general public by:

13
14 Reducing the amount of waste to be picked up and disposed of by the
15 county;

16 Reducing roadside litter, and;
17 Encouraging the conservation of energy (see Section 415B).]

18
19 BIN HAS THE MEANING STATED IN SECTION 415B.

20
21 §500.4. Issuance of use permits.

22
23 In cases in which no building permit is required, any person desiring to
24 use any land for any purpose other than that for which said land is being used at the time
25 of adoption of this Order and Resolution shall make application to the [Zoning
26 Commissioner] DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS for a
27 use permit, upon such form as the [Zoning Commissioner] DIRECTOR may prescribe. If
28 such use is permissible the [Zoning Commissioner] DIRECTOR may issue a use permit,
29 conditioned by other provisions contained in the regulations which shall indicate that it
30 authorizes the particular use applied for.

31

1 SECTION 2. AND BE IT FURTHER ENACTED, that a collection bin as
2 defined in this section that is in existence on the effective date of this Act shall be
3 brought into compliance with the provisions of this Act or be removed by the owner at its
4 sole cost and expense within 90 days of the effective date of this Act.

5
6 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, that this Act, having been
7 passed by the affirmative vote of five members of the County Council, shall take effect
8 on August 18, 2017.