

BOARD OF COMMISSIONERS
FOR THE
TOWN OF UPPER MARLBORO

ORDINANCE: 08-03
SESSION: Regular
DATE: October 14, 2008

AN ORDINANCE related to commercial trash pickup, providing for the repeal of two provisions of the Town of Upper Marlboro trash ordinance, Ordinance 02-05, which provisions relate to permissive commercial trash pickup by the Town at food establishments, as more particularly set forth herein.

WHEREAS, the Board of Commissioners of the Town of Upper Marlboro (the "Board") at the regular Town Meeting on August 12, 2008, voted to limit residential trash pick up by the Town to one day a week starting October 20, 2008 and stop the Town's trash service for the Town's commercial establishments on November 1, 2008;

WHEREAS, Town Ordinance 02-05 makes reference to permissive use by food establishments of daily trash service by the Town which is now inconsistent with Town policy;

WHEREAS, the Board finds that there is adequate private commercial trash service available to the businesses downtown without the need of the Town to provide this service;

WHEREAS, the Board also finds that by ceasing to provide commercial trash pickup, there will be a cost savings for the Town;

WHEREAS, this Ordinance 08-03 was introduced and read at the regular Town Meeting on September 9, 2008;

NOW THEREFORE, the Board of Commissioners of the Town of Upper Marlboro, State of Maryland, does ordain as follows:

Section 1. That the following provisions of the Town of Upper Marlboro Ordinance 02-05 are hereby repealed: Section II, Paragraph C, (c), (1) and (2), as restated within brackets herein below.

[(1) Food handling establishments may use the services of the town for daily trash collections. No open garbage will be collected by the town unless it is placed in plastic bags that are tightly sealed before they are placed in the containers. Such service shall be on a fee schedule that is set from time to time by the Board of Town Commissioners and bills for such collections shall be sent out at such times as may be directed by the Board of Town Commissioners.

(2) When an owner of a food handling establishment fails to pay the fee for removal of garbage by the Town, the superintendent of public works shall notify the owner of this fact and shall refuse further collection until the required fee is paid.]


Section 2. Savings Clause. The parts of Ordinance 02-05 which are repealed by this Ordinance shall remain in full force and effect until the effective date of this ordinance.

Section 3. BE IT FURTHER ENACTED AND ORDERED that this Ordinance shall be posted in the Town office, and this ordinance, or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town.

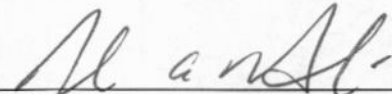
Section 4. BE IT FURTHER ENACTED AND ORDERED that this Ordinance shall take effect twenty (20) calendar days after its final approval by the Board of Commissioners of the Town of Upper Marlboro, Maryland.

Adopted this 14th day of October, 2008.

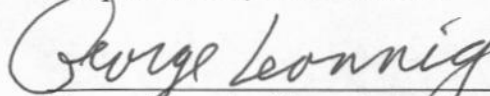
THE TOWN OF UPPER MARLBORO,
BOARD OF COMMISSIONERS



Stephen Sonnett, President

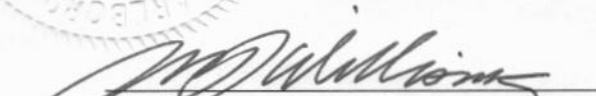


Joseph Hourcle, Commissioner



George Leonnig, Commissioner





Clerk