

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND ENTITLED “AN ORDINANCE TO REPEAL AND REENACT WITH AMENDMENTS ARTICLE 6 OF THE CITY CODE, TITLED ‘STORAGE OF SOLID WASTE’ FOR THE PURPOSE OF ESTABLISHING EXCEPTIONS TO THE REQUIREMENTS OF THAT SECTION.

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND that Section 5-8 of the Frostburg City Code be and is hereby repealed and reenacted with amendments, to read as follows [NOTE: a text-edited version of Section 5-8 is attached hereto]:

Sec. 5-8. Storage of solid waste.

- (a) *Prohibited storage of solid waste.* No person shall place any solid waste in any street, alley or other public place within the City unless it is in bags or cans as set forth within the provisions of this article for collection. All solid waste being stored between City collections shall be placed in leak-proof containers as set forth in section 308.3.2 of the International Property Maintenance Code. Stored solid waste may not be visible from the street and shall be placed either in the rear of the property or, when stored on the side, must be screened. No person shall cast, place, sweep or deposit anywhere within the City any solid waste in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public place, or into any occupied or unoccupied premises in the City. Any unauthorized accumulation of solid waste on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation shall be deemed a municipal infraction and subject to the penalties provided within the Code.
- (b) *Exceptions.* The following conditions are exempt from the requirements of subsection (a) of this section:
 - (i) Compost piles less than four (4) feet in height and six (6) feet in diameter at ground level, and thirty (30) feet or more from any dwelling, and four feet or more from adjoining properties.
 - (ii) Storm debris within thirty (30) days following a storm event.
 - (iii) Construction residue and debris during and for fourteen (14) days following completion of work.
 - (iv) Fallen leaves, tree needles, tree fruit and similar vegetation.

- (v) The accumulation and temporary storage in containers designated for such purposes, of “recyclable” materials pursuant to a program of recycling adopted by the City; provided, however, that such containers must not be publicly visible or they must be made available to the City’s garbage or recycling contractor within thirty (30) days after having been filled to fifty percent (50%) or more of their capacity.

- (vi) Uncultivated, uncut, or untended weeds, grass, bushes, or other vegetation not constituting a health or fire hazard, existing in a natural state on undeveloped, agricultural, industrially zoned, or planned open space areas.

SECTION 2: BE IT FURTHER ORDAINED, that this ordinance shall take effect on the date of its passage.

THE MAYOR AND CITY COUNCIL OF
FROSTBURG

By: _____
Todd Logsdon, Mayor

ATTEST

Elizabeth Stahlman, City Administrator

Introduced:
Public Hearing:
Adopted:
Effective:

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(b) Exceptions. The following conditions are exempt from the requirements of subsection (a) of this section:

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