

**COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND**

**Ordinance No.** O-08-02  
**Introduced By** Council Member Brian Shivers  
**Date Introduced** February 11, 2008  
**First Reading** March 17, 2008  
**Second Reading** April 14, 2008  
**Date Adopted** April 14, 2008  
**Date Effective**

**AN ORDINANCE concerning**

**RETAIL FOOD ESTABLISHMENTS – LITTER CONTROL**

**FOR** the purpose of requiring certain retail food service establishments in the City of Seat Pleasant to provide and maintain certain receptacles for the control of certain litter, trash and refuse; providing a penalty for a violation of this requirement; and generally relating to the control of litter in the City of Seat Pleasant.

**BY** adding

Section 129-6.1  
Chapter 129, Solid Waste  
Seat Pleasant City Code (1994 Edition, as amended)

**SECTION 1. BE IT ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that new Section 129-6.1 be and it hereby is added to the Code of the City of Seat Pleasant (1994 Edition as amended), to be under the Chapter 129, "SOLID WASTE", to follow immediately after Section 129-6 and read as follows:

**Chapter 129  
SOLID WASTE**

**§129-6.1 RETAIL FOOD ESTABLISHMENTS.**

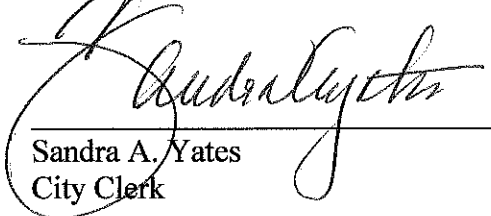
- A. AS USED IN THIS SECTION, "RETAIL FOOD ESTABLISHMENT" MEANS ANY VENDOR OF CARRY-OUT PREPARED FOOD AND DRINK FOR IMMEDIATE CONSUMPTION, INCLUDING, WITHOUT LIMITATION, AND TO THE EXTENT THAT THEY SELL SUCH FOOD OR DRINK, A FAST-FOOD ESTABLISHMENT,

CONVENIENCE STORE, DELICATESSEN, GROCERY STORE, RESTAURANT AND BAR.

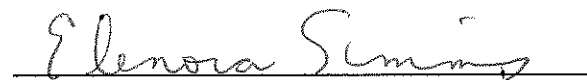
- B. EACH RETAIL FOOD ESTABLISHMENT SHALL PLACE AND MAINTAIN ON TH EXTERIOR OF ITS PREMISES, IN PLACES EASILY ACCESSIBLE BY THE PUBLIC, RECEPTACLES FOR THE DEPOSIT OF PAPER AND OTHER LITTER, TRASH AND REFUSE GENERATED BY OR FROM THE OPERATION OF THE ESTABLISHMENT.
- C. THE OWNER, OPERATOR AND MANAGER OF EACH RETAIL FOOD ESTABLISHMENT SHALL ARRANGE FOR THE RECEPTACLES REQUIRED BY SUBSECTION B OF THIS SECTION TO BE DUMPED INTO THE ESTABLISHMENT'S COMMERCIAL BULK TRASH CONTAINER AT SUCH INTERVALS AS REQUIRED TO PREVENT THE OVERFLOW OF LITTER, TRASH AND REFUSE FROM THE RECEPTACLES ONTO THE ADJACENT AND NEARBY GROUNDS.
- D. THE OWNER, OPERATOR AND MANAGER OF EACH RETAIL FOOD ESTABLISHMENT SHALL KEEP THE EXTERIOR OF ITS PREMISES AND ADJACENT PUBLIC WAYS AND ADJACENT PROPERTIES FREE FROM LITTER, TRASH AND REFUSE GENERATED BY OR FROM THE OPERATION OF THE ESTABLISHMENT.
- E. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO A FINE AS PROVIDED IN SECTION 129-7.

**SECTION 2. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that the City Clerk shall certify to the adoption of this ordinance, and cause the same to be published as required by law; and that this Ordinance shall become effective twenty (20) days following approval by the Mayor or passage by the City Council after the veto by the Mayor.

**ATTEST:**

  
\_\_\_\_\_  
Sandra A. Yates  
City Clerk

**COUNCIL OF THE CITY OF  
SEAT PLEASANT**

  
\_\_\_\_\_  
Elenora Simms  
President

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

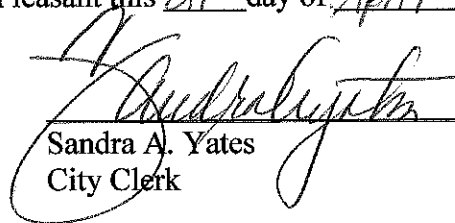
((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

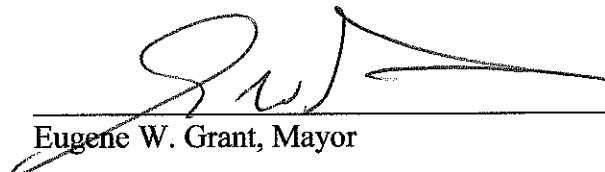
~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.

**APPROVED:**

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section C-313 of the Charter of the City of Seat Pleasant this 31 day of April, 2008.

  
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Sandra A. Yates  
City Clerk

In accordance with Section C-313 of the Charter of the City of Seat Pleasant, I hereby **APPROVE/DISAPPROVE** this Ordinance this 21<sup>st</sup> day of April, 2008.

  
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Eugene W. Grant, Mayor