

COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

Ordinance No. O-22-05
Introduced By City Council
Date Introduced October 11, 2021
First Reading October 11, 2021
Second Reading November 1, 2021
Date Adopted November 1, 2021
Date Effective November 29, 2021

AN ORDINANCE concerning

Retail Food Establishments AND COMMERCIAL BUSINESSES – Litter Control

FOR the purpose of requiring Commercial 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 amending

Section 129-6.1 A and B, 129-7
Chapter 129, Solid Waste
Seat Pleasant City Code (1994 Edition, as amended)

SECTION 1. BE IT ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that Section 129-6.1 A and B and 129-7 be and it hereby is amended for the Code of the City of Seat Pleasant (1994 Edition as amended), to read as follows:

**Chapter 129
SOLID WASTE**

§129-6.1 RETAIL FOOD ESTABLISHMENTS AND COMMERCIAL BUSINESSES.

- A. As used in this section, “Retail Food Establishment AND COMMERCIAL BUSINESSES” 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 AND COMMERCIAL BUSINESSES.

- B. Each Retail Food Establishment AND COMMERCIAL BUSINESS shall place and maintain on the exterior of its premises, (IF SPACE PERMITS) 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.

§ 129-7. Violations and penalties.

Any person or persons who shall violate the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, be sentenced to pay a maximum fine of \$400 FOR THE FIRST VIOLATION AND \$1,000 FOR EVERY SUBSEQUENT VIOLATION IN A SIX-MONTH PERIOD and/or six months maximum imprisonment.

SECTION 2. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED BY CITY COUNCIL OF THE CITY OF SEAT PLEASANT that all other ordinances or parts of ordinances or provisions of the Code of the City of Seat Pleasant (1994 Edition, as amended) in conflict with the provisions of this Ordinance or the property maintenance code adopted by this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. AND BE IT FURTHER ORDAINED BY CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

SECTION 5. AND BE IT FURTHER ORDAINED BY CITY COUNCIL OF THE CITY OF SEAT PLEASANT that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 6. AND BE IT FURTHER ORDAINED BY CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the City Clerk shall certify to the adoption of this Ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

COUNCIL OF THE CITY OF SEAT PLEASANT

DocuSigned by:

Monica Higgs

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Monica Higgs, Councilmember

DocuSigned by:

Hope Love

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Hope Love, Councilmember

DocuSigned by:

Kelly Porter

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Kelly Porter, Councilmember

DocuSigned by:

Gerald R. Raynor

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Gerald R. Raynor, Sr., Councilmember

DocuSigned by:

Kizzie Scott

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Kizzie Scott, Councilmember

DocuSigned by:

Gloria L. Sistrunk

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Gloria L. Sistrunk, Councilmember

ATTEST:

DocuSigned by:

Dashaun N. Lanham

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Dashaun N. Lanham, CMC
City Clerk

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 1st day of November, 2021

DocuSigned by:
Dashaun N. Lanham

Dashaun N. Lanham, CMC
City Clerk

In accordance with Section C-313 of the Charter of the City of Seat Pleasant, I hereby **APPROVE/DISAPPROVE** this Ordinance this _____ day of 11/2/2021, 2021.

DocuSigned by:
Shireka McCarthy

Shireka McCarthy, Vice Mayor

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.