

This Bill, having been approved by the Executive and returned to the Council, stands enacted on February 8, 1971.

1971 Legislative Session, Legislative Day No. 3

Council Bill No. 7

An Act to add new Sections 15.100, 15.101, and 15.102 to Title 15 of the Howard County Code, title "Natural Resources", subtitle "Environmental Control", prohibiting the sale of certain non-returnable or disposable beverage containers within Howard County, Maryland, and further providing for penalties for violations of this Act.

WHEREAS, the use of certain disposable beverage containers and their consequent disposal is producing an adverse effect upon the environment which is injurious to the health, safety, comfort, convenience, welfare and happiness of residents of this County; and

WHEREAS, the County Council deems it in the public interest to prohibit the sale of certain non-returnable or disposable containers within Howard County, Maryland, in an effort to curtail the steady degradation of the natural environment:

*Section 1. Be it enacted by the County Council of Howard County, Maryland.* That Sections 15.100, 15.101, and 15.102 be and the same are hereby added to Title 15 of the Howard County Code, title "Natural Resources", subtitle "Environmental Control", to read as follows:

**15.100—Prohibited Sales**

The sale of certain non-returnable or disposal beverage containers as herein defined is hereby prohibited within Howard County, Maryland.

**15.101—Definitions**

For the purposes of this Act, the following terms, phrases, words and their derivations shall have the meaning given herein:

(a) *Beverage(s)* shall mean carbonated and non-carbonated non-alcoholic beverages commonly known as "soft drinks", beer and malt liquors, by whatever name known.

(b) *Non-returnable or disposal beverage container* shall mean any container made of glass or metal OR PLASTIC used for the purpose of containing beverage(s) upon the sale of which the seller does not charge a deposit A MINIMUM DEPOSIT OF 5 CENTS payable upon the return of the container, but instead title thereto passes with the sale of the contents of the container.

(c) *Sale* shall mean a commercial transaction whereby beverages are exchanged for a monetary consideration.

**15.102—Penalties for Violations**

Any person found guilty of violating this Act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding One Hundred Dollars (\$100.00). Each day's violation of the provisions of this Act shall constitute a separate offense.

*Section 2. And be it further enacted by the County Council of Howard County Maryland,* That the provisions of this Act are hereby declared to be severable and if any provision, sentence, clause, section or part