

types of acceptable refuse delivered to County refuse disposal facilities; to provide for the changing of such fees for succeeding fiscal years by resolution of the County Council; to set forth the manner of making such charges, the posting of collateral by refuse collection companies, for the manner of payment of service charges by dwelling units within the Refuse Collection District and within municipalities; setting forth duties of the Director of Finance; the interest and penalties on late payments; and other matters with respect to such service charges.

Be It Enacted by the County Council for Montgomery County, Maryland, that—

SEC. 1. Section 11-11, Chapter 11, title "Health and Sanitation," of the Montgomery County Code 1965, is hereby repealed and re-enacted with amendments to read as follows:

11-11. Rules and regulations for collection or disposal.

Collection or disposal of garbage, trash, junk or other refuse shall be in accordance with such rules and regulations, which may include the imposition of reasonable fees to cover the cost of inspection and licensing, as the County Executive shall, from time to time, prescribe, unless otherwise prescribed by law, in which case the law shall prevail; provided, however, that no incorporated town or special taxing area shall be required to pay any fees for inspection and licensing.

SEC. 2. Subsection 4. of Section 87-22, subtitle "Refuse Collection District," of Chapter 87, title "Garbage and Refuse," Montgomery County Code 1965 is hereby repealed and re-enacted with amendments to read as follows:

87-22. Refuse Collection District.

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4. The County Executive shall fix charges annually, for refuse collection and disposal services, so as to coincide in time with the fixing of the annual real property tax rates; said charges shall correspond as closely as practicable to the actual cost to the County to perform such services; provided that if such collection or disposal charges, together with manner of collection, are prescribed by law, the charges and manner of collection established by such law shall prevail. The County Executive is authorized to make and publish all necessary regulations for the implementation and enforcement of this Chapter, which regulations shall have the force and effect of law.

SEC. 3. A new Article II, title "Refuse Disposal Service Charges," being new Sections 87-23 through 87-29, Montgomery County Code 1965, is hereby added to read as follows: