

MONTGOMERY COUNTY

CLEANING AND REPAIRING AS A MUNICIPAL SERVICE AND IN WHICH COUNTY STREET CLEANING AND REPAIRING SERVICE IS NOT PROVIDED SHALL RECEIVE AN ANNUAL CREDIT TOWARDS REFUSE DISPOSAL CHARGES OTHERWISE PAYABLE HEREUNDER OR REFUND OF CHARGES PAID, AS THE CASE MAY BE, UPON APPLICATION, FOR THE COLLECTION AND DELIVERY OF REFUSE AS DEFINED IN THIS SUBSECTION TO COUNTY DISPOSAL FACILITIES, CONSISTING OF THE COMPUTED COUNTY AVERAGE NUMBER OF TONS OF REFUSE COLLECTED PER MILE FROM ALL STREETS AND ROADS OPEN AND USED BY THE GENERAL PUBLIC RECEIVING STREET CLEANING SERVICE. THE STATE, OR ANY FEDERAL AGENCY HAVING PROPERTY WITHIN THE COUNTY PROVIDING STREET CLEANING AND REPAIR SERVICE FOR STREETS, ROADS, OR OTHER RIGHTS-OF-WAY WHICH ARE OPEN TO AND USED BY THE GENERAL PUBLIC, SHALL ALSO RECEIVE SUCH CREDIT OR REFUND, UPON APPLICATION.

(2) THE ANNUAL COUNTY AVERAGE NUMBER OF TONS OF REFUSE SHALL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO JULY 1 OF EACH FISCAL YEAR AND SHALL BE APPLICABLE FOR THE ENTIRE SUCCEEDING FISCAL YEAR. EFFECTIVE JULY 1, 1971 FOR THE FISCAL YEAR 1971-1972 THE ANNUAL AVERAGE NUMBER OF TONS AS DETERMINED BY THE DEPARTMENT SHALL BE TWENTY (20) TONS PER MILE FOR EACH MILE OF SUCH PUBLIC ROADS AND STREETS RECEIVING STREET CLEANING SERVICE.

(3) AN APPLICANT FOR A CREDIT OR REFUND MUST COMPLETE AND FILE WITH THE DEPARTMENT OF FINANCE AN ANNUAL REPORT ON OR BEFORE THE FIFTEENTH DAY OF JULY COVERING THE PRECEDING FISCAL YEAR, IN SUCH FORM, AND VERIFIED IN SUCH MANNER, AND CONTAINING SUCH INFORMATION AS MAY BE PRESCRIBED BY THE DIRECTOR OF FINANCE. THE DEPARTMENT OF FINANCE SHALL COMPUTE SUCH CREDIT OR REFUND AFTER RECEIPT OF SUCH ANNUAL REPORT AND SHALL FURNISH SUCH CREDIT OR REFUND PROMPTLY TO THE APPLICANT.

(4) REFUSE FOR THE PURPOSE OF COMPUTATION OF THE ANNUAL CREDIT OR REFUND UNDER THIS SUBSECTION SHALL INCLUDE ONLY LEAVES, STREET SWEEPINGS, TREE PARTS AND TRIMMINGS, PAPER, BOTTLES, CANS, CARDBOARD, DEBRIS FROM STREET REPAIRS, DIRT AND DEAD ANIMALS. REFUSE SHALL NOT INCLUDE ANY OF THE FOREGOING ITEMS OR ARTICLES WHICH HAVE BEEN REMOVED FROM ADJACENT PROPERTY AND HAVE BEEN DEPOSITED OR PLACED BY ANY PERSON UPON ANY SUCH PAVED STREET OR ROAD FOR COLLECTION. THIS CREDIT OR REFUND IS BASED ON THE DIRECT BENEFIT OF SUCH CLEANING ACCRUING TO THE GENERAL PUBLIC USING PUBLIC STREETS AND ROADS.