ORDINANCE NO. ORD-2013-34

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE ZONING ORDINANCE FOR WASHINGTON COUNTY, MARYLAND AND TO REENACT SAID ORDINANCE WITH CHANGES RELATING TO ITS TEXT

(RZ-13-006)

RECITALS

The Board of County Commissioners of Washington County, Maryland (the "Board") adopted the Zoning Ordinance for Washington County, Maryland (the "Ordinance") on January 23, 1973, and it became effective on April 2, 1973.

The Washington County Department of Planning and Zoning filed an application requesting that an amendment be made to the text of the Ordinance. The amendment proposed amends the definition of "Sanitary Landfill" in Article 28A.

The Board believes it to be in the best interests of the citizens of Washington County for the amendments to be enacted.

The Washington County Planning Commission (the "Planning Commission") held a public meeting for the purpose of taking comments on the proposed amendments on December 2, 2013, pursuant to public notice duly given.

The Board held a public hearing for the purpose of taking testimony on the proposed amendments on December 10, 2013, pursuant to public notice duly given.

Following the hearings, the Board considered the recommendations of the Planning Commission and the Planning Department staff, and materials received, if any, as part of the public meeting and public hearing. The Board conducted this review in a public session.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that certain provisions of the Zoning Ordinance, as amended, be further amended as follows:

RZ-13-006

(1) ARTICLE 28A – DEFINITIONS, is amended as follows:

The Definition of "Sanitary Landfill" is amended and shall read as follows:

Sanitary Landfill:

A premises used primarily for the disposal of garbage, refuse or non-hazardous waste by dumping, reduction, incineration, burial or recycling including the necessary buildings, machinery or devices to alter the physical characteristics of the waste material prior to its disposal or recycling. Energy generation or recovery activities (such as but not limited to buried waste mining, electricity generation, gasification, methane recovery, solar collection, steam production, etc.) employing the byproducts of landfilling or recycling on the operating or post closure landfill site are considered accessory to the current or past

use of the site as a sanitary landfill. A Sanitary Landfill does not include any premises used as Recycling Facilities as defined elsewhere in this article.

Adopted this 17th day of December, 2013.

Effective the 27th day of December, 2013.

ATTEST:

Vicki C. Lumm, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: Terry L. Baker, President

Approved as to legal sufficiency:

Kirk C. Downey
Deputy County Attorney

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