



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Patty Bubar
Acting Director

April 16, 2018

Dear Solid Waste Collector/Hauler:

The Montgomery County Department of Environmental Protection (DEP) is receiving an increasing number of complaints concerning the early morning collection of solid waste containers. As the County's traditional commercial centers transition to mixed-use areas, they are becoming increasingly more residential. Therefore, solid waste haulers need to adjust their routes to accommodate their customers and comply with Montgomery County Code.

Montgomery County Code, Section 48-21(b) states "licensees and their employees shall not collect solid wastes in Montgomery County prior to 7:00 a.m. (9:00 a.m. on federal holidays and Sundays) nor collect solid wastes after 9:00 p.m. on any weekday (Monday through Sunday, including federal holidays); except that collections may be made at any time from business establishments such as commercial, industrial, institutional or other nonresidential use structures ***provided that there is no residential structure(s) within five hundred (500) feet of the solid wastes collection point.***"

With the emphasis on smart growth development, we will continue to see construction of new residential structures within the traditional core central business district areas of Montgomery County. Solid waste haulers will have to adjust their routes when a residential structure is built within 500 feet of a solid waste collection point.

Due to the noise associated with the collection of solid waste from metal containers, additional precautions should be taken on Saturdays before 9:00 a.m. The Montgomery County Code, Section 31B-5(b) provides that "a person may not cause or permit noise that creates a noise disturbance." A noise disturbance is defined by the Montgomery County Code, Section 31B-2(m) as a sound that is:

- 1) unpleasant, annoying, offensive, loud or obnoxious
- 2) unusual for the time of day or location when it is produced or heard; or
- 3) detrimental to the health, comfort, or safety of any individual or the reasonable enjoyment of property or the lawful conduct of business because of the loudness, duration or character of the noise.

DEP developed an interactive online map showing the required 500 feet buffer to residential properties as a reference tool. Simply enter the address of collection locations to

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determine if there are residences located within 500 feet. The new interactive map can be found on the DEP website at the following link: <https://www.montgomerycountymd.gov/sws/haulers/>

DEP is asking for the help of all licensed haulers to reduce the number of complaints from residents due to early morning collection. Please contact DEP for additional assistance.

Sincerely,

A handwritten signature in black ink that reads "Patty Bubar". The signature is written in a cursive style with a large, looping initial "P".

Patty Bubar
Acting Director