

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of New Lisbon
Town
Village

Local Law No. 1 of the year 19 88.....

A local law providing for the prohibition of the operation of dumps for the disposal of garbage, rubbish, demolition and waste materials.

Be it enacted by the New Lisbon Town Board of the
(Name of Legislative Body)

County
City of New Lisbon as follows:
Town
Village

Section One: Declaration of Policy

It is hereby determined by the Town Board, that the operation of dumps for the disposal of garbage, rubbish, demolition and waste materials are likely to constitute a hazard and a menace to the health and safety to the residents of the Town of New Lisbon and it is therefore the intent of this Local Law to prohibit the operation of dumps for the disposal of garbage and rubbish, demolition and waste materials in the Town of New Lisbon, pursuant to Section 130, Subdivision 6 and 15 of the Town Law of the State of New York.

Section Two: Definitions

- A. The term "person" as used in this local law shall include an individual, firm, partnership, corporation, municipality or any other organized group of people or unorganized group of people.
- B. The term "dump" as used in this Local Law shall mean a place for the disposal and leaving of paper, garbage, rubbish, demolition and waste materials of any nature by the public or by any person.
- C. The term "garbage" shall refer to raw household garbage.
- D. The term "rubbish" shall refer to tires, brush, waste wood, waste cars, material and other materials with no general useful purpose.
- E. The term "demolition" shall mean material from the destruction of any building, structure or other item generally used as fill, which would also include tree stumps and highway material such as asphalt, concrete, etc.
- F. The term "waste materials" shall mean any and all other substances not previously described, including, but not limited to, radioactive chemicals, infectious petrochemicals, animal carcass and toxic substances.

Section Three: Restrictions

The operation or maintenance of a dump for the disposal of garbage, rubbish, demolition and waste materials is hereby prohibited in the Town of New Lisbon.

Section Four: Exception

Nothing herein shall be determined to prohibit any person from disposing of garbage, rubbish, demolition and waste materials having been produced on the premises, or any product or by-product in the course of ordinary agricultural operation.

This local law in no way prohibits the operation of the landfill or any related facility by the Town of New Lisbon.

(If additional space is needed, please attach sheets of the same size as this and number each)

Section Five: Site

No demolition, fill, rubbish, garbage or waste materials shall be dumped or deposited from any site other than the site on which it was or is being produced or created without a permit from the Town of New Lisbon Town Board. The Town Board shall not deny such permit if it is demonstrated that the health, welfare and safety as well as the general good of the Town shall not be harmed by said dumping. A time limit can and shall be specified.

Section Six: Penalties

Any person violating any of the provisions of this Local Law shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine not exceeding \$1,000.00 for each offense or by imprisonment in the county Jail for not more than six months, or by both-such fine and imprisonment. The Town Board shall also have the power to bring a civil action to restrain any violation of this Local Law in a Court of competent jurisdiction. When a violation of this Local Law is continuous, each 24 hours thereof shall constitute a separate and distinct offense.

Section Seven: Enforcement

This Local Law may be enforced by the County Codes Enforcement officer, local constables, local Codes Enforcement officer, if any, State Police, Sheriff's department, Environmental Conservation officers or any other peace officer as well as a citizen's complaint. Any individual has the prerogative to file a complaint with any above mentioned enforcement agency.

Section Eight: Effect

This Local Law shall take effect immediately upon filing with the New York State Secretary of State's office.