

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

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County
City of Caroga
Town
Village

Local Law No. 3 of the year 19 91

A local law TO AMEND LOCAL LAW NO. 1 - 1979 ENTITLED "A LOCAL LAW TO REGULATE DISPOSAL OF GARBAGE AND RUBBISH IN THE OTWN OF CAROGA, FULTON COUNTY, NEW YORK"

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

County
City of Town of Caroga as follows:
Town
Village

- Section 1. Purpose
- Section 2. Definitions
- Section 3. Restrictions of Use
 - A. Manner of Use
 - B. Vehicles and Large Articles
 - C. Refuse
 - D. Dead Animals
 - E. Residents Only
 - F. Rules and Regulations
- Section 4. Further General Restrictions
- Section 5. Penalties
- Section 6. Other Ordinances and Local Laws
- Section 7. Separability
- Section 8. Effective Date

Section 1. Purpose. The purpose of this local law shall be to protect and promote the health, safety and welfare of the people of the Town of Caroga by controlling the storage of garbage and refuse within the Town.

Section 2. Definitions. As used in this Local Law.

- A. Person - shall mean an individual, association, partnership, corporation of any combination thereof.
- B. Refuse - shall mean and include any one (1) or more of the following: garbage, trash, rubbish and similar used or waste material.
- C. Dispose - and its derivatives shall mean to dump, deposit, throw, throw away by a person or by another with the consent or approval, active or passive of a person in a position to control or present the same.
- D. Town - shall mean the Town of Caroga.
- E. County - shall mean the County of Fulton

Section 3. Restricitons on Use

A. Manner of Use. No person shall deposit or cause to be deposited any substance of any kind at the transfer station herein designated, except at the places and in the manner directed under authority of Fulton County, whether such direction is given personally or by a sign or signs erected upon the premises by it authority. No person shall use the said transfer station at any time except during the hours set forth on a sign or signs erected at or near the principal entrance to said premises.

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

No person may use the said transfer station unless they have transfer station permit purchased from the Town of Caroga for the vehicle which they are using to transport said substance of any kind to the transfer station.

B. Vehicle and Large Articles. No person shall carry or leave or cause to be carried or left at transfer station site, any automobiles, vehicles or machine.

C. Refuse. No person shall carry or leave or cause to be carried or left at the transfer station refuse as herein defined or any other material which when left or thereafter, creates or may thereafter create a public health nuisance.

D. Dead Animals. No person shall carry or leave or cause to be carried or left at the transfer station any dead animal.

E. Residents Only. No person not a resident of or conducting an established business in the Town, shall deposit or cause to be deposited any refuse at the transfer station.

F. Rules and Regulations. The County of Fulton is hereby authorized to make and adopt such rules and regulations as may be necessary for the proper and orderly maintenance of the transfer station. A copy of such rules and regulations shall be posted at the transfer site and shall have the same force and effect as the provision of this local law.

Section 4. Further General Restrictions. A. No person shall throw or deposit, or cause to be thrown or deposited, any refuse or abandoned vehicles, machinery, appliances or parts thereof, in or upon any public highway, road, waters, streams or watercourses, or any other place within the Town, except at the transfer station and pursuant to the regulations thereof.

B. No rubbish or garbage shall be brought into the Town from outside the boundaries of the Town either for retention in such Town or deposit at transfer station.

Section 5. Penalties. Any and every violation of the provisions of this local law by any person who knowingly permits, takes part, or assists in any such violation shall be deemed to be an offense against such Local Law, punishable by a fine not exceeding Five Hundred Dollars (\$500.00) or imprisonment not exceeding six (6) months, or both. Each day's continued violation of this local law after written notice thereof shall constitute a separate additional violation. Such fines or penalties shall be collectible by and in the name of the town for each day that such violation shall continue.

Section 6. Other ordinances and local laws- All ordinances and local laws and parts thereof heretofore enacted by the Town Board of the Town are hereby declared to be superseded to the extent to which ordinances and local laws are inconsistent or in conflict with this local law.

Section 7. Separability If any clause, sentence, paragraph or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not impair or invalidate the remainder hereof, but such adjudication shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgement shall have been rendered.

Section 8. Effective Date - This local law shall take effect upon its being duly filed as provided by the Municipal Home Rule Law.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No. 3 of 1991

of the County of Caroga was duly passed by Town Board of Caroga
City of Caroga (Name of Legislative Body)
Town of Caroga
Village

on March 13 1991 in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County of the City of was duly passed by
Town of (Name of Legislative Body)
Village

on 19..... and was ~~not disapproved~~ approved by the
repassed after disapproval Elective Chief Executive Officer

and was deemed duly adopted on 19....., in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County of the City of was duly passed by the
Town of (Name of Legislative Body)
Village

on 19..... and was ~~not disapproved~~ approved by the
repassed after disapproval Elective Chief Executive Officer

on 19..... Such local law was submitted to the people by reason of a mandatory referendum and received the affirmative vote of a majority of the qualified electors voting permissive general thereon at the special election held on 19....., in accordance with the applicable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County of the City of was duly passed by the on
Town of (Name of Legislative Body)
Village

..... 19..... and was ~~not disapproved~~ approved by the on
repassed after disapproval Elective Chief Executive Officer

..... 19..... Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on 19....., in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or if there be none the chairman of the board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

(City local law concerning Charter revision proposed by petition.)

5. I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ~~general~~ special election held on the 19 became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Diane L Mac Gregor
Clerk of the Board of Supervisors, City, Town or Village Clerk or Officer
designated by Local Legislative Body

Date: 3-20-91

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF *Fulton*

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

.....
(Title of Officer)

County
City of *Caroga*
Town
Village

Dated: