

(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 Guilford  
Town  
~~Village~~  
Local Law No. 1 of the year 19 70

A local law regulating refuse disposal in the Town of Guilford  
(Insert title)

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

~~xxxxxxx~~  
~~County~~  
~~City~~ of Guilford as follows:  
Town  
~~Village~~

SECTION 1 - LEGISLATIVE DECLARATION

A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants of the Town of Guilford and the safeguarding of their material rights against unwarrantable invasion and for the protection of public health and, in addition, such an environment is deemed essential to the maintenance and continued development of the economy of the Town and the general welfare of its citizens. It is further declared that the establishment or operation of private dumps, dumping grounds, refuse disposal areas, land-fill sites or similar land uses, is a hazard to such health, safety, and welfare of the citizens of the Town, necessitating the elimination thereof. At the same time, it is recognized that the maintenance of a public dump, dumping ground, refuse disposal area or land-fill site owned or leased and operated by the Town is useful and necessary. It is hereby declared that the prohibition of private dumps, dumping grounds, refuse disposal areas or land-fill sites, or other similar use of land for the

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

deposit, burying, or disposal of, in any manner whatsoever of offal, garbage, trash, refuse, rubbish and like wastes, and that the maintenance of a public dump, dumping grounds, refuse disposal area, or land-fill site is necessary to provide a single confined area for disposal of waste which will facilitate the inspection of facilities for disposal of waste and facilitate the enforcement of sanitary regulations.

SECTION 2 - DEFINITIONS

(a) The term "person" used in this law shall include an individual, society, club, firm, partnership, corporation or association of persons, and the singular number shall include the plural number.

(b) The term "rubbish" as used in this law shall include waste metal, tin cans, ashes, cinders, glass, pottery and all discarded substances of a solid and incombustible nature.

(c) The term "garbage" as used in this law shall include waste food, papers, dead animals or parts thereof, and all waste or discarded wood, lumber or vegetable matter of any kind, or any other matter which shall be inflammable or capable of fermentation or decay.

SECTION 3 - DUMP SITE

Such premises or area purchased, acquired and/or leased by the Town Board in said township for a town dump are hereby designated as the dumping ground of this township for rubbish and garbage limited to residents, tenants or occupants of real property of the town, subject to the provisions of this law. The regulations herein contained shall apply to all and any other lands

hereafter purchased, acquired or leased for the purpose of being used as a town dump.

SECTION 4 - DUMPING PROHIBITED

(a) No lands other than lands of a public dump or dumping ground heretofore or hereafter established by this town shall be used as a dump, dumping ground, refuse disposal area or as a land-fill site in said town.

(b) The use of land as a private dump, dumping ground, refuse disposal area or land-fill site is prohibited and the use of said land for the deposit, burying, or disposal in any manner whatsoever of all offal, garbage, trash, refuse, rubbish, debris and like waste is also hereby prohibited.

(c) This section shall not prohibit the burning of waste paper provided such burning is confined to a suitable receptacle designed for such purpose.

SECTION 5 - RESTRICTIONS ON USE

(a) Only refuse, rubbish and garbage originating within the Town of Guilford shall be dumped and deposited at the Town dump site.

(b) No person shall carry or leave, or caused to be carried or left, upon the town dump, any machine, appliance, automobile, vehicle or other article, or any part thereof, unless the same shall have been dismantled and the body thereof so cut and flattened out so as to permit the same to occupy a minimum of space.

(c) No person shall carry or leave, or caused to be carried or left, upon the said premises, any trees, treetops, tree

trimmings, lumber, brush or tires.

(d) No person who is not a resident, tenant or occupant of real property in the Town of Guilford, may deposit or cause to be deposited any refuse, garbage or rubbish of any kind, on the premises established as a public dump of this town. This sub-division shall not apply to a licensee engaged in the business of collecting refuse, garbage or rubbish.

(e) Notwithstanding the definitions and designations hereinbefore set forth, no person shall carry or leave, or cause to be carried or left, upon the town dump, any material, waste, particularly the contents of or effluence from cesspools, septic tanks, or other devices for the disposal of sewage or any of the components of such contents, effluence or sewage, or animal carcasses or parts thereof or offal of any kind which shall give off any offensive odor, either when left upon the premises or thereafter, or which creates or may thereafter create a nuisance of any kind, which shall be or may become dangerous to human or animal life.

SECTION 6 - MANNER OF USE

(a) No person shall deposit or cause to be deposited any substance of any kind on the town dumping ground, except at the places and in the manner directed, whether such direction is given personally by the person in charge of the premises or by another person by his authority, or by a sign or signs erected upon the premises.

(b) Dumping, throwing, depositing or causing to be dumped, thrown or deposited any substance of any kind on or adjacent to

the dumping ground directly from the highway, whether from a vehicle of any kind or not, is hereby prohibited.

(c) No person shall deposit or cause to be deposited any burning substance of any kind nor ignite any substance deposited on the dumping ground herein designated.

(d) All refuse, garbage and rubbish deposited at the Town Dump shall be contained in a suitable bag or container to prevent the said substances from being scattered around the dump by wind or other means.

#### SECTION 7 - CARETAKER

(a) The Town Board shall have the authority to appoint one or more caretakers, who shall have the authority to supervise the town dump and to enforce the provisions of this law at the town dump site.

(b) The Town Board may provide suitable compensation and necessary and actual expenses for such persons.

#### SECTION 8 - DUMPING HOURS

(a) The Town Board, by resolution, shall establish, from time to time, the day or days of the week, and the hours of such day or days, that the town dump shall be open.

(b) Dumping in the town dump shall be limited to the day or days and hours as established by the Town Board, pursuant to subdivision (a).

(c) The Town Board shall post the provisions of this section on a sign at the entrance to the dump site.

SECTION 9 - LICENSES

(a) Any person in the business of collecting garbage, refuse or waste in the Town of Guilford and/or dumping such substances at the Town Dump, are prohibited from engaging in such business and/or dumping such substances at the Town Dump unless such person has first obtained a license from the Town Clerk of the Town of Guilford.

(b) No school, business, industry, commercial enterprise, camp, club or group shall dump garbage, refuse or waste at the Town Dump unless a license has first been obtained from the Town Clerk of the Town of Guilford.

(c) A private individual shall not dump at the Town of Guilford dump unless such person has first obtained a license from the Town Clerk of the Town of Guilford.

(d) Whenever issued, a license shall be effective from July 1 to July 1.

(e) Such person desiring a license, shall apply for the same on an application furnished by the Town Clerk, and such license shall not be issued until approved by the Town Board, and the license fee is paid.

SECTION 10 - LICENSE FEES

(a) The fee for a garbage collectors' license shall be \$75.00 per year.

(b) A school, business, commercial enterprise, industry, camp, club or group license shall be \$20.00 per year.

(c) A private license fee shall be \$10.00 per year.

SECTION 11 - REVOCATION OF LICENSE

A license issued pursuant to this Local Law may be revoked after a hearing before the Town Board for any violation of this law.

SECTION 12 - PENALTY FOR VIOLATION

(a) A violation of this Local Law is classified as a violation.

(b) The penalty for a violation of this Local Law shall be a maximum fine of \$100.00 or a maximum term of 15 days in the County Jail, or a combination of both.

SECTION 13 - INJUNCTION ACTION

The Town Board in the name of the town, or any person aggrieved, may maintain a legal or equitable action or proceeding in any court of competent jurisdiction to compel compliance with this law.

SECTION 14 - SAVING CLAUSE

In the event that any portion of this law shall be declared invalid or held unconstitutional, said invalidity or unconstitutionality shall not affect the remaining provisions which shall remain in full force and effect.

SECTION 15 - EFFECTIVE DATE

This Local Law shall become effective thirty days after it is filed as provided in section twenty-seven of the municipal home rule law.