

(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 89

A local law Solid Waste, Hazardous Waste and Radioactive Waste Disposal Law
(Insert title)

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

~~COUNTY~~
~~CITY~~ of Guilford as follows:
Town
~~VILLAGE~~

SECTION 1. TITLE

This law shall be known as the Solid Waste, Hazardous Waste and Radioactive Waste Disposal Law.

SECTION 2. DECLARATION OF PURPOSE

This local law is adopted for the purpose of promoting the health, safety and general welfare of the people of the Town of Guilford, including the protection and preservation of the environment and its inhabitants, in all matters related thereto, by prohibiting the importation of solid waste, hazardous waste and radioactive waste for collection, storage and/or disposal of solid waste, hazardous waste and radioactive waste within the Town of Guilford.

SECTION 3. AUTHORITY

This local law is hereby enacted pursuant to the authority granted by Section 10 of the New York State Municipal Home Rule Law.

SECTION 4. PROHIBITED ACTS

Except as otherwise provided in this Law:

The importation of solid waste, hazardous waste and/or radioactive waste for the purpose of collection, storage and/or disposal within the Town of Guilford is strictly prohibited.

Violators are to clean up at their expense to the satisfaction of the Department of Environmental Conservation.

SECTION 5. DEFINITIONS

- A. Collection. The temporary storage of any solid waste, hazardous waste, hazardous waste or radioactive waste prior to storage and/or disposal.

- B. Disposal. The burning, discharge, deposit, injection, dumping, spilling, leaking or placing of solid waste, hazardous waste and/or radioactive waste on or into the land, water or air.
- C. Importation. To bring materials into the Town of Guilford for purposes of collection, storage and/or disposal; excluding the transportation of materials through the Town of Guilford.
- D. Storage. The containment of solid waste, hazardous waste and/or radioactive waste such that it does not constitute disposal of that waste.
- E. Waste, Hazardous. Means hazardous waste as defined in Part 371 of Title 6 NYCRR.
- F. Waste, Radioactive. Includes low-level radioactive waste as in the Federal Low-Level Radioactive Waste Policy Amendments Act of 1985, 42 U.S.C., Section 2021b, et seq.; and high-level radioactive waste as in 11e(2) of the Atomic Energy Act 42 U.S.C., Sections 2011 et seq.
- G. Waste, Solid. Means solid waste as defined in Part 360 of Title 6 NYCRR.

SECTION 6. ENFORCEMENT

The Town Board of the Town of Guilford will enforce the law through its duly authorized agents to enforce the provisions of this law.

SECTION 7. PENALTIES

Any person or agent who violates this law shall be guilty of an offense and subject to a fine of up to Ten Thousand Dollars (\$10,000.00) a day and/or imprisonment for not more than ninety (90) days, or both, until clean up is completed to the satisfaction of the Department of Environmental Conservation.

SECTION 8. VALIDITY

Separability. If any section, paragraph, subdivision or provision of this local law shall be invalid, such validity shall apply only to the section, paragraph, subdivision or provision adjudged invalid and the remainder of this law shall remain valid and in full force and effect.

Effective Date. This local law shall take effect upon the filing thereof in the Office of the Secretary of State, State of New York.

(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. of 19.....
County
City
of the ~~Town~~ of Guilford..... was duly passed by Town Board
Town
Village (Name of Legislative Body)
on February 14th..... 1989 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
City
of the Town of was duly passed by
Town
Village (Name of Legislative Body)
on 19..... not disapproved
and was 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
City
of the Town of was duly passed by the
Town
Village (Name of Legislative Body)
on 19..... not disapproved
and was 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 appli-
annual
cable 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
City
of the Town of was duly passed by the On
Town
Village (Name of Legislative Body)
..... 19..... not disapproved
and was 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.