

ORDINANCE NO. 86-20

AN ORDINANCE ESTABLISHING TOWN OF LEROY GARBAGE DISPOSAL AREA

THE BOARD OF SUPERVISORS OF THE TOWN OF LEROY DO ORDAIN:

Section 1: The Board of Supervisors of the Town of Leroy shall operate a disposal area for the disposal of garbage, trash, rubbish and other waste products. The disposal area shall be operated according to the following regulations.

Section 2: The disposal area may be utilized by residents of the Town of Leroy, and by the managers and occupants of any one-family, two-family or multiple-family residence or residential unit in the Town of Leroy, and by the owners, managers, and operators of any business, commercial enterprise or industry located in said Town. No person shall utilize the disposal area who is not one of the above listed persons. No person shall hire, request or contract with another person to deliver any items or articles to the disposal area for him or her unless both such persons are within the categories as set forth above. No person shall deliver to the disposal area any articles or items of another, unless the person from whom such articles or items were obtained is also one of the persons listed in the classifications above.

Section 3: The disposal area shall be open from 9:00 a.m. to 1:00 p.m. on Saturdays only. No disposal of items on the site is allowed at any other time. The disposal area may be opened on additional days, but only on such days and at such times as are published in advance by the Town Board in the official newspaper of the Town of Leroy.

Section 4: The attendant hired by the Board of Supervisors to supervise said disposal area shall be an employee of the Town, and his duties shall be supervised by the Board of Supervisors. The attendant may designate separate locations for the deposit of various items brought to the disposal area, and no person shall deposit any item anywhere except the proper location. Where receptacles are provided, they must be used.

Section 5: All items or materials brought to the disposal area shall become the property of the Town, and no person shall remove any item or material from the disposal area without the express consent of the attendant or the Board of Supervisors. The Board of Supervisors may award franchise rights for the removal of any items or materials having salvage value.

Section 6: The following items shall not be brought into or deposited in the disposal area:

- (a) demolished buildings or portions thereof;
- (b) tree limbs, branches or trunks;
- (c) major appliances, including but not limited to white goods, such as refrigerators, dishwashers, stoves, ovens, ranges, microwave ovens, washers, dryers and freezers, as well as televisions and computer monitors;
- (d) hazardous wastes;
- (e) the attendant and the Board of Supervisors each reserves the right to refuse any and all refuse, garbage or other items brought for disposal for any reason from any person at any time.

Section 7: All garbage, refuse and other waste products of any type whatsoever shall be enclosed in a disposable plastic container which shall be tied.

Section 8: Enforcement. The disposal area attendant is authorized to enforce these provisions and shall possess limited police powers to deny access to any persons violating or intending to violate any of these provisions.

Section 9: Penalty Provisions. Any person who shall violate any provisions under this chapter shall be subject to a penalty which shall be as follows:

- (a) **First Offense Penalty:** Any person who shall violate any provision of this code shall upon conviction thereof forfeit not less than \$25.00 nor more than \$200.00 together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisonment in the county jail until such forfeiture and costs are paid, but not exceeding thirty (30) days.

- (b) **Second and Subsequent Penalty:** Any person found guilty of violating any provision of this code who shall previously have been convicted of a violation of the same code within one year thereof shall upon conviction thereof forfeit not less than \$100.00 nor more than \$300.00 for each such offense, together with costs of prosecution, and in default of payment of such forfeiture and costs shall be imprisonment in the county jail until such forfeiture and costs of prosecution are paid but not exceeding ninety (90) days.

Section 10: That this ordinance shall be in full force and effect upon its passage and publication as provided by law.

Dated this _____ day of _____, 200____.

Town Chairman

Supervisor

Supervisor

Attest:

Town Clerk