

Chapter 99

GARBAGE, RUBBISH AND REFUSE

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[HISTORY: Adopted by the Town Board of the Town of Shawangunk 7-18-85 as L.L. No. 1-1985. Section 99-6A amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

- Sewers — See Ch. 138.
- Streets and sidewalks — See Ch. 148.
- Zoning — See Ch. 177.

§ 99-1. **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

GARBAGE — Includes waste food, dead animals or parts thereof, vegetable matter of any kind or any other material which shall be capable of fermentation or decay or which shall give off an odor.

PERSON — Includes an individual, society, club, firm, partnership, corporation or association of persons, and the singular number shall include the plural number.

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REFUSE — Includes ashes, cinders, glass, pottery, paper, cardboard, rags, bottles, rubbish, wood, lumber and all other discardable substances other than garbage.

RESIDENT — Those persons having their domicile within the limits of the Town of Shawangunk, Ulster County, New York.

SCAVENGE — Includes the retrieval of any article deposited for disposal at the sanitary landfill site or other site where dumping is authorized under a permit issued under this chapter.

§ 99-2. Landfill site designated; restricted acts and substances.

A. The premises owned by the Town of Shawangunk situated at or near the former site of Geiger Sand and Gravel and adjacent to River Road, Wallkill, New York, is hereby designated as the sanitary landfill dumping grounds of this town for garbage and refuse by the residents of this town, subject to the provisions of this chapter. The regulations herein contained shall also apply to any other lands hereafter acquired or leased for the purposes of disposal of garbage and rubbish at a sanitary landfill site.

B. No person shall deposit or cause to be deposited any substance of any kind on the sanitary landfill site dumping grounds herein designated except at the places and manner directed by the person in charge of the premises under authority of the Town Board, whether such direction is given personally or by a sign or signs erected upon the premises by his

authority and/or the Town Board's direction.

C. No person shall carry or leave or cause to be carried or left upon the premises mentioned in this section the following:

- (1) Automobiles or other motor vehicles.
 - (2) Scavenger waste or sludge from septic or sewage systems.
 - (3) Apple mash or other agricultural and commercial byproducts of similar type and consistency.
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- (4) Sludge from sewage treatment plants unless the same has been treated by digestion and drying beds.
- (5) Discarded rubber tires.
- (6) Metal waste materials.
- (7) Industrial wastes with the exception of paper, wood and packaging materials.

D. No garbage, refuse or waste materials shall be deposited on the Town of Shawangunk landfill site except by residents of the Town of Shawangunk or by commercial collectors for the deposit of trash, garbage or refuse collected within the Town of Shawangunk.

§ 99-3. Fees for use of landfill site. [Amended 7-3-86 by L.L. No. 3-1986]

Residents of the Town of Shawangunk, commercial collectors doing business within the town and industries and businesses located within the town shall pay charges and fees for use of the landfill site in advance to the Town Clerk, who shall issue receipts entitling the payer to use of the landfill site. Fees are to be set by resolution of the Town Board.

§ 99-4. Prohibited dumping and scavenging.

A. The use of any lands within the Town of Shawangunk as a dump, dumping grounds, storage or disposal facility for any refuse, garbage, wastepaper, rags, scraps of any kind or description or any discarded material commonly termed "junk" or "trash" where such items originate from outside the Town of Shawangunk is hereby prohibited.

B. The use of lands other than those designated herein within the Town of Shawangunk as a sanitary landfill site is hereby prohibited.

C. To scavenge at the sanitary landfill site or other sites permitted under this chapter is prohibited.

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§ 99-5. **Private disposal of garbage.**

No provision of this chapter shall be deemed to prohibit an owner or tenant of real property from disposing of his own household refuse or garbage on his own land, provided that any such garbage or refuse shall be buried under at least six (6) inches of soil, and provided that such owner or tenant shall comply with all laws, rules and regulations of the Department of Health and Department of Environmental Conservation.

§ 99-6. **Penalties for offenses.**

A. Any violation of any provisions of this chapter shall be deemed an offense and, upon conviction thereof, shall be punishable by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than fifteen (15) days, or both, for each offense. The matter shall be heard before the Town of Shawangunk Justice Court and fines imposed and collected on every person who violates any of the foregoing requirements or provisions of this chapter.¹

B. Proceedings for the enforcement of this chapter may be commenced by the issuance of an appearance ticket pursuant to § 150.20 of the Criminal Procedure Law and a hearing before the Town of Shawangunk Justice Court.

C. The Town Board reserves the right to exclude violators of this chapter from using the Town of Shawangunk landfill site.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

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