

Warren County Board of Supervisors

RESOLUTION NO. 211 OF 1991

Resolution introduced by Supervisors Olson, E. Baker, Tessier,
O'Connor, Robertson, Borgos, Thomas,
Grant and O'Neill

TO ENACT LOCAL LAW NO. 2 OF 1991

WHEREAS, a proposed local law was duly presented to the Board of Supervisors and considered by them, said proposed local law being entitled, "A Local Law Requiring the Source Separation and Segregation of Recyclable or Reusable Materials From the Solid Waste Stream in Warren County", and

WHEREAS, the Board of Supervisors adopted Resolution No. 145 on February 15, 1991, authorizing a public hearing to be held by the Board of Supervisors on the 15th day of March, 1991, at the Supervisors' Rooms in the Warren County Municipal Center on the matter of the proposed local law, and notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing desiring to be heard, having been heard, now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Warren, New York, on this 15th day of March, 1991, does hereby enact and adopt Local Law No. 2 of 1991 as set forth in Schedule "A" annexed hereto.

SCHEDULE "A"
COUNTY OF WARREN, NEW YORK
LOCAL LAW NO. 2 OF 1991

A LOCAL LAW REQUIRING THE SOURCE SEPARATION AND
SEGREGATION OF RECYCLABLE OR REUSABLE MATERIALS
FROM THE SOLID WASTE STREAM IN WARREN COUNTY

BE IT ENACTED, by the Board of Supervisors of the County of
Warren, New York, as follows:

SECTION 1. GENERAL STATEMENT

1. Declaration of Policy.

The policy of this Local Law is to require the source separation and segregation of recyclable or reusable materials from solid waste and to require that solid waste which has been left for collection or which is delivered by the generator of such solid waste to a solid waste management facility shall be separated into recyclable, reusable or other components for which economic markets for alternative uses exist.

2. Definitions.

a. "Solid Waste" - all materials or substances discarded or rejected as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection.

b. "Collector" - any individual, association, partnership, firm or corporation in the business of collecting solid waste, other than their own solid waste, within Warren County.

c. "Contractor" - any individual, association, partnership, firm or corporation in any business dealing with construction or collection of junk; and any individual, association,

partnership, firm or corporation which owns a packer truck and is not a collector.

d. "Individual Hauler" - any person that hauls with a car, van or pickup truck, his own solid waste.

e. "Sanitary Landfill" - a facility which includes types of operations in which solid waste is deposited by plan on a specified portion of open land, is compacted by force applied by mechanical equipment, and then is covered by a layer of earth, all in accordance with or intended to be in accordance with Part 360 of the New York State Environmental Conservation Law.

f. "Transfer Station" - a facility where solid waste is transferred by a collector, contractor or individual hauler, to a container for transport to a sanitary landfill, recycling facility or resource recovery facility, material market or construction and debris landfill.

g. "Resource Recovery Facility" - any facility defined in § 27-0701 (2) of the Environmental Conservation Law.

h. "Recyclables" - those materials designated by this Local Law and/or by order of the Warren County Superintendent of Public Works as recyclable, reusable or other components for which economic markets exist for alternative uses.

i. "Components" - paper, glass, metals, plastics, garden and yard waste and such other items as may be designated by the Superintendent.

j. "County" - County of Warren.

k. "Superintendent" - the Warren County Superintendent of Public Works.

SECTION II. ADMINISTRATION

1. The Warren County Superintendent of Public Works is hereby authorized to and shall promulgate, amend and repeal rules and regulations in furtherance of this Local Law and shall enforce the provisions of this Local Law and the rules and regulations authorized by this Local Law.

2. The Superintendent of Public Works shall administer the provisions of this Local Law and the rules and regulations in furtherance thereof.

SECTION III. SOURCE SEPARATION REQUIRED

a. Effective April 1, 1991, source separation and segregation of recyclable or reusable materials from solid waste shall be required by every person and business generating such waste in Warren County.

b. Solid waste which has been left for collection or which is delivered by the generator of such wastes to a solid waste management facility, shall be separated into recyclable, reusable or other components as described and directed by the rules and regulations promulgated by the Superintendent.

c. Each town, city and village within the County shall be responsible for the separation, segregation and storage on site for disposal, the material described in the orders, rules and regulations promulgated by the Superintendent and shall adopt such uniform local laws or ordinances to accomplish the objectives of this Local Law.

d. Each municipality in the County shall be responsible for the operation of a recycling/solid waste transfer station. Any municipality may join with one or more municipalities in establishing and operating a joint recycling/solid waste transfer station.

e. Each municipality shall pay one-half of the cost of all recycling equipment eligible under the rules and regulations of the New York State Grant funds used or required to be used in the operation of its recycling/solid waste transfer station.

f. Each municipality shall have full responsibility for:

- i) having all materials segregated and ready for loading in the manner designated by the Superintendent;
- ii) maintaining on site equipment such as compactors and total maintenance of the transfer station and landfill area;
- iii) receiving applications for and issuing permits required by such municipality for access to any recycling or solid waste transfer station; and
- iv) adopting such local laws and ordinances required to implement the source separation, segregation and recycling effort.

SECTION IV. POWERS DELEGATED TO THE SUPERINTENDENT

The Superintendent of the Public Works of Warren County is hereby empowered with such powers and duties required to cooperate with and assist each municipality in the County to implement the separation and segregation of recyclable materials from solid waste generated or existing in Warren County. The Superintendent is empowered to establish rules and procedures

relating to the segregation and separation of recyclables from non-usable solid waste and to designate the sites for transfer stations and recycling centers in cooperation with the town boards in the County.

SECTION V. ENFORCEMENT

Each town, city or village within the County shall be responsible for the adoption, implementation and enforcement of local laws, rules and regulations adopted by such municipality relating to the source separation and segregation of recyclables or reusable material from solid waste.

SECTION VI. EFFECTIVE DATE

1. This Local Law shall take effect upon adoption by the Board of Supervisors of Warren County and upon its filing in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.