

(b) “Hazardous Wastes” includes those wastes which may cause serious injury or disease during their normal storage, collection and disposal cycle, and pose a substantial present or potential hazard to human health or the environment, including but not limited to flammable or explosive materials, including gasoline and paint cans, propane and butane bottles and cylinders, pathological and potentially infectious wastes, radioactive materials, poisons, acids and dangerous chemicals or combination of chemicals. Those items listed as hazardous wastes under rules and regulations of the New York State Department of Environmental Conservation and identified and listed by the U.S. Environmental Protection Agency, as said regulations now exist or are hereinafter amended each of which are incorporated herein by reference. Any exemptions granted to any of the hazardous wastes as above indicated by either the New York State Environmental Conservation Laws, Rules and Regulations and policy or the Federal Resource Conservation and Recovery Act shall still be deemed a hazardous waste under this Section and not exempted.

(c) “Asbestos Waste” for the purpose of this Local Law is friable solid waste that contains more than one percent asbestos by weight and can be crumbled, pulverized, or reduced to powder when dry, by hand pressure. Asbestos waste also includes any asbestos-containing solid waste that is collected in a pollution control device designed to remove asbestos. Such waste is a hazardous waste.

(d) “Person”. Any individual, partnership of any kind, corporation of any kind, limited liability company, association, or joint venture.

(e) “Special Bulky Wastes” includes blocks of masonry in excess of 100 lbs., trees (trunk sections) in excess of 16” in diameter (trees, logs and branches less than 16” in diameter shall not exceed 8' in length).

(f) “Refuse” means anything putrescible or non-putrescible that is discarded other than items prohibited pursuant to Section 3(2) hereinbelow.

(g) “White goods” shall be household mechanisms including, but not limited to, televisions, air conditioners, refrigerators, washers, dryers, stoves, furniture and other large household items.

Section 3. Use:

(1) No person except a Town resident or a Town real property tax payer shall dispose of any solid waste or any other materials of any kind whatsoever at the Property.

(2) No person shall discard at the Property any “hazardous wastes”, “asbestos wastes”, “special bulky wastes”, or “white goods” as those terms are defined herein, or any motor vehicle or parts thereof, tires, castings/forgings of any kind.

- Section 4. Ownership: Upon delivery and disposal/discard of any permitted solid waste to the Property, the ownership of said solid waste shall vest in the Town with no person thereafter (except the Town) having any right, title or interest in and to the solid waste. Notwithstanding the foregoing and even though title passes to the Town, the person owning and/or hauling the solid waste shall be liable for the quality of said waste if it is in violation of this local law or any other federal,, state of other governmental agency.
- Section 5. Removal: Once a person discards any materials at the Property, no person, other than the Town or a person approved by the Town Supervisor, may remove from the Property any such materials whether such materials were discarded by the person delivering the materials or by any other person.
- Section 6. Days/Hours of Operation: The Property shall be open for operation on (specify days of week & hours)
The Town Board, by resolution, may change the days and/or hours of operation. No person other than a person authorized by the Town Supervisor or a law enforcement officer in the course of performing his or her duties, shall enter the Property any time the Property is closed for use. In addition to a violation of this local law any unauthorized entity shall constitute criminal trespass.
- Section 7. Fees: The Town Board may, from time to time by resolution, establish user fees for the use of the Property.
- Section 8. Any failure of any person to comply with the provisions of this Chapter shall be deemed a violation and the person shall be liable for a fine of not more than \$250.00 or imprisonment not to exceed 15 days, or both.
- Section 9. This Local Law supercedes any prior local law, rule and regulation pertaining to the Property and in the event any provision of this local law conflicts with the provisions of any other local law, rule and regulation, the provisions of this local law shall control.
- Section 10. This local law shall take effect immediately upon adoption by the Town Board and its filing with the New York State Secretary of State.