

VILLAGE OF TANNERSVILLE  
LOCAL LAW 8 OF THE YEAR 1992  
a local law to be known as  
SOLID WASTE CONTAINER LAW

BE IT ENACTED by the Village of Tannersville Board of Trustees  
as follows:

1.TITLE.

This local law shall be known as the SOLID WASTE CONTAINER  
LAW.

2.FINDINGS.

The collection of garbage and the disposal thereof from the  
village is of serious concern to the Village both from an economic  
point of view and from a sanitary point of view.The closing of the  
Town Dump and the initiation of tipping fees has confronted the  
Village with limited options for the disposal of its garbage.

3.PURPOSE.

The purpose of the law is to provide for a method of  
disposal of garbage and trash from within the Village which the  
Board deems most economical to the taxpayers yet safeguarding the  
health and safety of its residents.

4.DEFINITIONS.

As used in the law the following words have the following  
meaning:

a)" Distinctively labeled garbage bag" shall mean a  
plastic bag of such size color and design as shall from time to

time be adopted by the Village Board, with a distinctive label clearly visible on the exterior thereof, intended to be used for the containing of garbage to be collected by the Village.

b) "Person in charge" shall mean a natural person, association, partnership, firm or corporation that owns, manages or controls the premises, or to which the rents are paid.

#### 5. REQUIRED BAGS.

a) All garbage and trash which is to be collected by the Village crews must be placed in a distinctively labeled garbage bag and placed at the curb on the designated collection days. Any Village resident or temporary occupant of premises within the Village may dispose of their garbage in any other lawful way, provided however that in that case that person shall be responsible for any fees or charges associated therewith.

b) No person shall give, sell or otherwise distribute any duplication of the distinctively labeled garbage bag.

c) Official and distinctively labeled garbage bags shall be available for sale at the Village Clerk's Office during scheduled hours to be announced through a Public Notice.

d) Each such bag shall cost \$ \* which is intended as a revenue source to cover the tipping charge to the Village which it must pay when the garbage and trash are delivered by it to the Transfer Station operated by the County of Greene in the Town of Hunter for disposal.

\* \$2.00 per 33 gallon bag  
\$1.00 per 16 gallon bag

#### 6.OVERSIZED ITEMS;

Any items too large to be disposed of in the regular distinctively labeled garbage bag must be disposed by the resident, tenant or businessperson by other lawful means at their own cost and expense.

#### 7.PRESUMPTIONS.

a) In the case of single or two family residential properties, it shall be presumed that the occupant or person in charge is responsible for any unauthorized garbage bags found on the premises. Since this is a resort community and there are many seasonal rental properties, all landlords are responsible for providing the tenants with garbage bags and instructing them in their use. If the tenant does not comply, and in view of the very transitory nature of the tenancies, it shall be presumed that the landlord is equally responsible and any penalties for non compliance may also be directed at the landlord.

b) In the case of other multiple residential properties or commercial premises then it shall be presumed that the person in charge of the premises is responsible for the placement of any unauthorized garbage bags.

#### 8.VIOLATIONS.

If any unauthorized bags are put out for collection by the Village, the Village shall cause notice thereof to be given to owner, occupant and person in charge by regular mail which notice shall inform them of the law and direct them as to the options for

waste disposal. If they do not comply by the next regularly scheduled collection day then the Village for sanitary and aesthetic reasons may remove the unauthorized bags and impose a **special handling fee of \$12.00** for this service in addition to imposing the penalties for any violation of this law.

9. SPECIAL HANDLING FEE.

If the village has to impose the special handling fee provided for in 8 above it shall first be billed by the Village Clerk to the owner. If not paid within 30 day of mailing the bill to the owner then the Village Clerk shall report the failure to pay to the Village Board which may add the same to the annual tax levy on the property. The same shall be included in the tax lien on the property and shall be included in the annual levy and collected accordingly.

10. PENALTIES.

a) For the first violation of any provision of this law there shall be a fine of not to exceed \$150.00.

b) For the second violation there shall be a fine of not to exceed \$200.00.

c) For any subsequent violations of this, law if they occur with one years time, it shall be deemed an offense. There shall be imposed a fine of not to exceed \$250.00. There may also be a jail term of not to exceed 15 days if the court deems that appropriate under the circumstances of the case.

11. SEVERABILITY.

If any part of this local law shall be declared unconstitutional , the same shall be severed from the remainder of the local law which shall remain in full force and effect.

12. EFFECTIVE DATE.

This local law shall take effect immediately upon the filing thereof with the Secretary of State.