

[Handwritten Signature]
Secretary of State

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do NOT include matter being eliminated and do ~~not~~ use italics or underlining to indicate new matter.

~~County~~
~~City~~ of HAMPTON
Town
~~Village~~

Local Law No. 1 of the year 19 87

A local law Regulating the Dumping of Waste, Refuse and/or Garbage
(Insert title)
in the Town of Hampton

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Hampton as follows:
Town
~~Village~~

Section 1. Declaration of policy.

It is hereby determined by the Town Board that the operation of dumps and facilities for the disposal of garbage and rubbish unless under proper control are likely to constitute a hazard and ~~menace to the health and safety of the residents of the Town of Hampton~~ and it is the intent of this Local Law to prohibit the operation of dumps and facilities for the disposal of garbage and rubbish in the Town of Hampton.

Section 2. Definitions.

The term "person" as used in this local law shall include an individual, firm, partnership, corporations, municipalities or municipal corporations or associations of persons, and the singular shall include the plural number.

The term "dump" as used in this local law means a place used for disposal and leaving of paper, rubbish and waste material of any nature by the public or by any person as hereinabove defined.

The term "facilities" for the disposal of garbage and rubbish as used in this local law means an incinerator or any place where waste food material, cans, bottles and containers for food, dead animals or parts thereof, vegetable matter of any kind, or any other matter which shall be inflammable or capable of fermentation or decay, including sewage waste, may be placed or left for disposal by the public or any persons other than the owners of the property on which the same is located.

The term "rubbish" shall include any waste material, whether composed of wood, paper, cloth, cardboard, plastic, metal, ~~stone~~, cement, concrete or otherwise, and also including ashes.

All other terms, phrases, and words used herein shall be as defined in the New York State Sanitary Code or if not defined therein shall have the meaning ordinarily given thereto. They shall be given the construction provided for in the General Construction Law of the State of New York.

(If additional space is needed, please attach sheets of the same size as this and number each)

Section 3. Restrictions.

The operation or maintenance of a dump or facility for the disposal of garbage and rubbish, as the same are herein defined, is hereby prohibited in the Town of Hampton, except any landfill or refuse disposal area operated by the Town of Hampton, a joint municipal landfill commission or a landfill commission duly appointed or authorized by the County of Washington.

Section 4. Exception.

Nothing herein contained shall be deemed to prohibit any person from disposing of rubbish, waste material, and garbage on property upon which such rubbish, waste material and garbage is produced. Furthermore, the accumulation or placing of organic waste materials intended solely for agricultural or horticultural purposes shall be exempted from the provisions of this law.

Section 5. Removal and Transportation.

No person or governmental agency shall remove, transport or permit the removal or transportation of any offensive or toxic materials within the Town of Hampton, except in such manner or by such conveyance as will prevent the creation of a nuisance or the loss or discharge of such material in a public place.

Section 6. Penalties.

Any person violating any of the provisions of this local law may, upon conviction, be penalized by a fine not exceeding Two hundred fifty dollars (\$250.00). A second or subsequent violation of this law may, upon conviction, subject such violator to a fine not exceeding Two hundred fifty dollars (\$250.00) or a term in jail not exceeding fifteen (15) days. Each day such violation shall continue shall constitute a separate violation. In addition to the penalties herein provided, the Town Board may also maintain an action or proceeding in the name of the Town in a Court of competent jurisdiction to compel compliance with or restrain by injunction the violation of this local law.

Section 7. Effective Date.

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

Be it enacted this 12th day of May, 1987 by the Town Board of the Town of Hampton, Washington County, New York, to be effective immediately.

SEAL:

Walter C. Perry Jr.
Supervisor

Donald F. Mercier
Councilman

Thomas W. [Signature]
Councilman

[Signature]
Councilman

Arthur Pratt
Councilman

ATTEST:

Walter [Signature]
Town Clerk

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No. 1 of 19 87

~~County~~
of the ~~City~~ Town of Hampton was duly passed by Town Board
~~Village~~ (Name of Legislative Body)
on May 12 19 87 in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____

County
of the City of _____ was duly passed by _____
Town (Name of Legislative Body)
Village
on _____ 19 _____ and was approved _____ by the _____
not disapproved Elective Chief Executive Officer
repassed after disapproval
and was deemed duly adopted on _____ 19 _____, in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____

County
of the City of _____ was duly passed by the _____
Town (Name of Legislative Body)
Village
on _____ 19 _____ and was approved _____ by the _____
not disapproved Elective Chief Executive Officer
repassed after disapproval
on _____ 19 _____ Such local law was submitted to the people by reason of a
mandatory referendum and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on _____ 19 _____, in accordance with the appli-
annual
cable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____

County
of the City of _____ was duly passed by the _____ on _____
Town (Name of Legislative Body)
Village
_____ 19 _____ and was approved _____ by the _____
not disapproved Elective Chief Executive Officer
repassed after disapproval
_____ 19 _____. Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
_____ 19 _____, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or if there be none the chairman of the board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of § 36 § 37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special general election held on _____ 19____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. ____ of 19____ of the County of _____, State of New York, having been submitted to the Electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.



County Clerk
XXXXXX

Date: May 13, 1987

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF WASHINGTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Town Attorney

Date: May 13, 1987

County
City of Hampton
Town
XXXXXX