

(Use this form to file a 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 Cohocton, New York
~~TOWNSHIP~~
Village

Local Law No. 1 of the year 19 96.

A local law Regulating Open Burning in the Village of Cohocton, New York
(Insert Title)

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

~~COUNTY~~
~~CITY~~ of Cohocton, New York as follows:
~~TOWNSHIP~~
Village

SECTION I - POLICY:

It is hereby declared that the prevention and control of air pollution in the Village of Cohocton, New York, is deemed expedient and desirable for the good and welfare of the Village of Cohocton and for the protection of its property and the property of its inhabitants and also for the safety, health, comfort and general welfare of its inhabitants and it is hereby declared and determined that unrestricted open burning of any material is a hazard to the health, safety and welfare of the inhabitants of the Village of Cohocton, New York.

SECTION II - DEFINITIONS:

- a) GARBAGE: The animal or vegetable waste resulting from the handling, preparation, cooking and serving of food.
- b) REFUSE: All waste material, including but not limited to, garbage, rubbish, incinerator residue, street sweepings, dead animals and offal.
- c) RUBBISH: Solid or liquid waste material, including but not limited to, paper and paper products, rags, trees or leaves, needles, branches, vines, lawn and garden debris, furniture, cans, crockery, plastic, cartons, chemicals, paint, grease, sludge, oils and other petroleum products, wood, sawdust, demolition materials, tires, automobiles and other vehicles and equipment and parts for junk, salvage or disposal. Rubbish shall not include garbage, incinerator residue, street sweepings, dead animals or offal.
- d) OPEN FIRE: Any open fire or outdoor smoke producing process from which air contaminants are emitted directly into the outdoor atmosphere.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION III - PERMITTED AND PROHIBITED BURNING:

a) **PERMISSIBLE BURNING:** When not prohibited by other law, rule, regulation or order, the following types of open burning are permissible:

1) Fire in outdoor fireplaces only for the purpose of preparing food, provided a nuisance or dangerous condition is not created;

2) Campfires and fires used solely for recreational purposes where such fires are properly controlled and a nuisance or dangerous condition is not created.

b) **PROHIBITED BURNING:** No person, firm, organization or other entity shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, or rubbish within the geographic limits of the Village of Cohocton, New York, except as permitted by the Department of Environmental Conservation pursuant to Title 6 NYCRR, Part 215, or any subsequent rule or regulation which may in the future be adopted to replace or amend Title 6 NYCRR, Part 215.

SECTION IV - VIOLATION:

Any person, firm, organization or other entity convicted of violation any provision of this Local Law shall be guilty of a violation as that term is defined in the Penal Law of the State of New York.

SECTION V - PENALTY:

Any person, firm, organization or other entity found guilty of a violation of this Local Law shall be subject to a fine not to exceed \$250.00 for each violation. Each day that a violation of this Local Law shall continue shall be considered a separate violation thereof.

SECTION VI - EFFECTIVE DATE:

This Local Law shall take effect upon filing with the Secretary of State of the State of New York.