

Local Law Filing

(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 Town Village
(Select one:)

of Fallsburg

Local Law No. 7 of the year 2021

A local law A
(Insert Title)
Amending Local Law # 7 of 2021 Entitled Use of Containers and Receptacles
§250-3 of Article Two of Chapter 250 of the Town of Fallsburg.

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

County City Town Village
(Select one:)

of Fallsburg as follows:

Please see attached:

This Local Law shall take effect immediately.

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

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.

Town of Fallsburg

Amending Local Law # 7 of 2021 Entitled Use of Containers and Receptacles §250-3 of Article Two of Chapter 250 of the Town of Fallsburg.

A local law to amend §250-3 of Article Two of Chapter 250 of the Town of Fallsburg Code relating to Use of containers and receptacles.

Be it enacted by the Town Board of the Town of Fallsburg that §250-3 shall be amended as follows:

A.

Garbage containers/cans.

(1)

All persons, living and/or doing business in the Town shall keep refuse and garbage within the Town in closed, sanitary, clean, leakproof containers. Garbage bags may not be stored outside without being in a container with a lid. Cans shall be kept in good condition and replaced when damaged. Cans shall be placed at curbside for pickup no sooner than the night before pickup and must be removed from curbside by 9:00 PM of pickup day. Cans must be stored to the side or rear of the dwelling to which the can is to be used and may not be stored at the front of the dwelling. A can may be left at curbside if secured inside a suitable trash box approved by the Code Enforcement Officer. Bulk items shall not be placed at curbside sooner than two days prior to scheduled pickup and must be removed promptly from curbside if pickup does not occur on scheduled date[s]. It shall be the duty of the property owner to provide garbage/trash pickup services and approved containers for the occupants of a dwelling.

(2)

Dumpsters, compactors and enclosures.

(a)

All dumpsters and compactors shall be at all times kept in a place easily accessible to private contractors and compliant with Town Code § 310-4.7 H. All dumpsters and compactors shall, at all times, be kept clean, neat, leakproof and rust-free and effectively screened from public view on all sides. Enclosure walls shall be of a height that effectively screens the dumpster from view. Enclosure doors shall be in good working condition and remain closed. Lessees of dumpsters shall be responsible for notifying the company from whom they are leasing said dumpster when they are in need of repair or if they have been damaged. Cleaning up of spilled materials or garbage shall be the responsibility of the owner or occupant of the property where the dumpster is located.

(b)

All dumpsters and compactors shall have good working lids and lids shall be kept closed at all times.

(c)

All dumpsters and compactor enclosures shall comply with Town of Fallsburg Zoning Code § 310-4.7H. Dumpsters and compactor enclosures shall at least ~~25~~ 50 feet from a public street or public right-of-way.

(d)

Dumpster and compactor enclosures documented to have extensive maintenance needed by the Code Enforcement Officer shall be fully updated to comply with § 310-4.7H.

This local law shall take effect immediately.

DRAFT

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

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20²¹ of the (County)(City)(Town)(Village) of Town of Fallsburg was duly passed by the Fallsburg Town Board on _____ 20²¹, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20²¹ of the (County)(City)(Town)(Village) of Fallsburg was duly passed by the Fallsburg Town Board on _____ 20²¹, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20²¹, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20²¹ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20²¹, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20²¹.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20²¹, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20²¹ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20²¹, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20²¹. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20²¹, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

* 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the 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 20²¹ of the City of Fallsburg having been submitted to referendum pursuant to the provisions of section (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 _____ 20²¹, 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 20²¹ of the County of Sullivan State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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.

(Seal)

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body
Donna Akerley, Town of Fallsburg Town Clerk
Date: _____

STATE OF NEW YORK
TOWN OF FALLSBURG
COUNTY OF SULLIVAN
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.

Paula Elaine Kay, Attorney for the Town of Fallsburg
Date: _____