

Chapter 79

DUMPS AND DUMPING

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[HISTORY: Adopted by the Town Board of the Town of Patterson: Art. I, 5-12-76 as L.L. No. 1-1976; Art. II, 10-10-73. (readopted 4-13-2005 by L.L. No. 9-2005) Amendments noted where applicable.]

GENERAL REFERENCES

Garbage, rubbish and refuse - See Ch. 97.
Littering - See Ch. 103.

ARTICLE I
Sanitary Landfill Regulations
[Adopted 5-12-76 as L.L. No. 1-1976]

§ 79-1. Legislative intent.

The Town Board of the Town of Patterson finds it necessary for the preservation of the health, safety, good conduct and appearance of the town and the convenience and financial well-being of the citizenry to regulate the use of the sanitary landfill. These rules and regulations are intended to maintain prompt, efficient, clean and courteous service in the use of the sanitary landfill and in the removal of garbage and refuse in the Town of Patterson.

§ 79-2. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

LANDFILL OPERATOR - The person who shall operate the Town of Patterson sanitary landfill site.

PERSON - Any individual, firm, trust, partnership, public or private association or corporation or other entity.

REFUSE - Any one (1) or more of the following: garbage, trash, rubbish and similar used or waste material.

SANITARY LANDFILL - That facility maintained and operated by the Town of Patterson.

§ 79-3. Hours of use.

The sanitary landfill shall be opened on such days and times as the Town Board shall provide for by resolution, which days and times shall be posted at the entrance to the sanitary landfill. No person shall deposit waste, garbage or refuse at any other day or time than as provided for herein.

§ 79-4. Acceptable refuse. [Amended 4-27-1994 by L.L. No. 1-1994]

Only that refuse, garbage, trash, rubbish and similar used and/or waste material originated and collected in the Town of Patterson shall be accepted in the sanitary landfill, with the exception that the town may temporarily accept beneficial use materials and other New York State Department of Environmental Conservation approved materials from duly licensed haulers located inside or outside the Town of Patterson for the sole purpose of bringing the Patterson landfill up to proper grade levels in accordance with the approved closure plan.

§ 79-5. Prerequisites for use of landfill.

A. No person, firm or corporation shall deposit refuse of any kind at the landfill who is not a resident of the Town of Patterson or who has not secured permission to do the same from or who has not entered into a written contract with the Town Board. No person shall deposit refuse in the landfill without first having received an identification sticker from the Town Clerk, which shall be valid to January 1, annually.

B. The Town Board may hereafter provide by resolution for rates to be charged for vehicle loads or wastes deposited in the sanitary landfill, and no person shall deposit waste in the landfill without first having paid the Town Clerk the charges required by the Town Board for such load or loads.

C. No firm shall engage in the business of collecting waste, refuse or garbage in the Town of Patterson without first having complied with Subsection A-

§ 79-6. Collection vehicles.

Anyone collecting or hauling refuse or garbage in the Town of Patterson or using the sanitary landfill for the disposal of refuse or garbage shall henceforth cover all such vehicles with a covering to prevent such refuse or garbage from being strewn on the road.

§ 79-7. Compliance with regulations.

No person shall deposit refuse in the sanitary landfill except in conformity with these rules and regulations, and no person shall engage in conduct adversely affecting the quiet, efficient operation of the landfill.

§ 79-8. Promulgation of rules; penalties for offenses. [Amended 9-10-1980 by L.L. No. 3-1980; 10-10-1984 by L.L. No. 3-1984]

A. The Town Board shall appoint a Landfill Operator to conduct the operation of the landfill. The Landfill Operator may make such rules and regulations as are not inconsistent with these and as are necessary to the efficient operation of the landfill. He shall post such rules and regulations at the entrance of the landfill and shall provide a copy of the same to the Town Clerk, who shall maintain them in the Town Clerk's files.

B. The Landfill Operator, in addition to any other remedies he may have by these regulations and at law, may exclude any person from the use of the landfill who has violated the law or these regulations or whose intention it is, in the opinion of the Landfill Operator, to violate these regulations or other applicable law.

C. Any person committing an offense against any of the provisions of this chapter or Article, as the case may be, shall be guilty of a violation under the Penal law and, upon conviction thereof, shall be punishable for each offense by a fine of not more than one thousand dollars (\$1,000.) or by imprisonment for not more than fifteen (15) days, or both.

§ 79-9. Interpretation.

Nothing in this Article shall be construed to supersede the standards contained in the State Sanitary Code or the County Sanitary Code. In the event of any dispute regarding which standards shall be applicable between these rules and regulations and any other applicable rules and regulations, this Article shall be interpreted by any court of competent jurisdiction so that the more strict shall prevail. It is the intention of these rules and regulations that standards of performance in the sanitary landfill shall comply with the requirements of the State and County Sanitary Codes.

§ 79-10. Noncontractual provision; reservations

Nothing contained in this Article shall be construed or interpreted to mean that the town is a party to any contract for refuse removal. The Town of Patterson reserves the right to bring an action or proceeding for injunctive relief to enjoin violation of any of the provisions of this Article.

**ARTICLE II
Private Dumps
[Adopted 10-10-73]**

**§ 79-11. Private dumps prohibited; permit required for placement of fill; prohibited refuse.
[Amended 2-24-88 by L.L. No. 3-1988]**

- A. The use of any land within the Town of Patterson as a dump or dumping ground other than the public dump or dumping ground maintained by the town is hereby prohibited.
- B. The placement of any fill consisting of any material, including but not limited to soil and other natural products, on any land in the Town of Patterson is hereby prohibited unless a permit for such placement is obtained by the property owner from the Town of Patterson Planning Board in accordance with rules and regulations adopted by the Town Board of the Town of Patterson.
- C. Dumping of garbage, refuse or other material collected from outside the Town of Patterson is similarly prohibited.

79-12. Penalties for offenses. [Amended 9-10-80 by L.L. No. 3-1980; 10-10-84 by L.L. No. 3-1984]

Any person committing an offense against any of the provisions of this chapter or Article, as the case may be, shall be guilty of a violation under the Penal Law and, upon conviction thereof, shall be punishable for each offense by a fine of not more than one thousand dollars (\$1,000.) or by imprisonment for not more than fifteen (15) days, or both.