

VILLAGE OF NEW BERLIN

LOCAL LAW NO. 1 OF THE YEAR 2011

**A LOCAL LAW TO REPEAL LOCAL LAW # 1 OF 1989
OF THE VILLAGE CODE AND ENACT A LAW
ENTITLED GARBAGE AND REFUSE**

BE IT ENACTED by the Village Board of the Village of New Berlin a follows:

Section 1: Local Law #1 of 1989 entitled GARBAGE AND REFUSE is hereby repealed in its entirety, and is replaced by the new statute as follows:

Section 2:

GARBAGE AND REFUSE

1. Definitions:

Collector - That person or firm or Corporation with whom the individual owner or tenant has contracted with, for the regular weekly collection of garbage, recyclables, refuse and rubbish.

Garbage - All household vegetable, animal or other matter likely to ferment or decompose and produce noxious odors or become injurious to health, and any other materials commonly referred to and considered household garbage.

Recyclables - Includes all glass, newsprint, corrugated cardboard, magazines, aluminum, ferrous metals, non-ferrous metals and plastics.

2. Scope:

The following regulations shall be in addition to any requirements placed upon collector and or resident of the Village of New Berlin, NY, by any contract or agreement made by such parties or imposed by Refuse District #3 of Chenango County, NY.

3. Placement of receptacles at the curbside:

A. All receptacles with domestic garbage or household waste, to include recyclables, shall be transferred from a secured storage location to the curb or roadside,

not more than (12) twelve hours prior to the regularly scheduled garbage pick up day and hour, each week.

B. At all other times during the week all such domestic garbage and containers, shall be stored at a location on the owners or tenants property, away from the roadside and out of sight from the street.

4. Types of receptacles:

A. Garbage - All garbage must be placed in garbage receptacles made of materials that is not soluble in water and is designed of metal or plastic, with a cover, so that neither domestic or wild animals can enter the container and spread the garbage along the street or roadside. Such container must have a lid that firmly attaches to the can so that it will not be blown of by the wind.

B. All empty containers shall be removed from the street or roadside by the end of the regular garbage pick up day.

5. Enforcement:

The provisions of this chapter shall be enforced by the Village Board of Trustees or their designated representative. Any property owner, and or each of the tenants, of each Village residence or apartment building shall, be responsible for the safe storage and removal of all, his or her, personal weekly household garbage.

5. Penalties:

Any person committing an offense against any provisions of this chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York. It shall be punishable by a fine of not exceeding Two Hundred Fifty Dollars (\$250.00) The continuation of an offense against the provisions of this chapter shall constitute for each day, (24 hours), a separate and distinct offense hereunder.

Section 3: This local law shall take effect upon the filing with the Secretary of State of the State of New York.