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April 8, 2014

**VIA E-MAIL**

George Richter, Town Supervisor  
Town of Chemung  
48 Rotary Road Ext.  
Chemung, NY 14825

**RE: Solid Waste Disposal Law**

Dear George:

Please see enclosed the most recent draft of the Waste Disposal Law.

I have attempted to keep this as simple as possible, however if there is any language which you would like to include/exclude, please advise, or we can discuss further at the upcoming meeting.

**I. Legislative Intent**

This Law is adopted to restrict illegal dumping of garbage and solid waste, as well as to prevent the spillage of garbage by the negligence of the individual placing out the garbage and/or the individual or agencies transporting garbage to the Landfill. It is the intent of the Town to regulate garbage and solid waste disposal in a manner consistent with the interests of the Town of Chemung and in accordance with State and Local Laws in order to promote the health, safety, and general welfare of individuals and property within the Town of Chemung.

**II. Definitions**

Garbage - Includes, but is not limited to,

- a) food waste of all kinds, whether for human or animal consumption.
- b) used food containers or parts thereof.

- c) paper materials used in food packaging.
- d) dead animal parts.
- e) any other matter, liquid or solid, likely to ferment or decompose.

Solid Waste - Any discarded materials which can be solid, liquid, semi-solid or containerized gaseous material, including but not limited to the following:

- a) Waste tires, septage, scrap metal, latex paints, furniture and toys, domestic refuse (garbage), discarded appliances and vehicles, uncontaminated used oil and anti-freeze, empty aerosol cans, paint cans and compressed gas cylinders, and construction and demolition debris, asbestos.
- b) Solid Waste is also addressed by Chemung County Local Law No. 2 for the year 1999 as amended or Title 6 NYCRR Part 360.

### III. **Spillage**

No occupant, person, or their agent shall place, fill, cause, or permit to be placed or fill any container in such a manner as such container shall rupture, overflow, spill, or scatter any part of its contents. Any spillage or scattering of garbage out of a container, caused by any means other than the fault or neglect of the collector, shall be collected by the person who set out such container and lawfully disposed of by that person.

### IV. **Regulations Regarding Covering During Transportation**


- A. The driver of any vehicle engaged in the collection, transportation or disposal of garbage, shall fully cover all such garbage, while loaded on such vehicle with a suitable covering material and shall not permit any part of such load to fall from such vehicle, except upon its lawful disposal.
- B. Any collector who shall have caused spillage of the contents of a container or from whose vehicle, garbage, shall have fallen shall gather up such spillage or fallen material and place it properly in such vehicle.

- V. All Ordinances, Local Laws and parts thereof inconsistent with this Chapter are hereby repealed.

I have also received the documents regarding the sidewalk, and I will be reviewing that and following up with you under separate cover.

If you have any questions, please feel free to contact our office.

Very truly yours,



Timothy J. Bocek

TJB/fm

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