

VILLAGE OF ASHAROKEN

LOCAL LAW NO. # 2-2022

**A LOCAL LAW AMENDING CHAPTER 80 OF THE CODE
OF THE VILLAGE OF ASHAROKEN ENTITLED “GARBAGE AND RECYCLING”**

BE IT ENACTED by the Board of Trustees of the Village of Asharoken as follows:

Section One.

Chapter 80 of the Code of the Village of Asharoken entitled “GARBAGE AND RECYCLING” is repealed in its entirety.

Section Two.

A new Chapter 80 of the Code of the Village of Asharoken entitled “SOLID WASTE MANAGEMENT” is enacted to provide as follows:

Chapter 80

SOLID WASTE MANAGEMENT

§80-1 Title.

This chapter shall be known as the “Solid Waste Management Code of the Village of Asharoken”.

§80-2 Legislative Intent.

The Board of Trustees of the Village of Asharoken finds that the proper management and disposal of solid waste materials is necessary to protect the public health, safety, and general welfare of the Village of Asharoken. The purpose of this legislation is to provide for a mandatory program for the collection of solid waste generated by residents of the Village and to require the separation and segregation of recyclable materials from solid waste in accordance with NYS General Municipal Law 120-aa.

§80-3 Definitions.

For the purpose of this chapter, the terms used herein are defined as follows:

Bulk Waste

Items larger than 2 feet x 2 feet x 4 feet or weighing more than (50) pounds. The weight and size of each item of bulk waste shall not exceed the capability of being picked up by two (2) workers

of average physique and must fit in the hopper of the garbage truck. Some examples of bulk items are furniture, homeowner's do-it-yourself construction debris, mattress, carpet/rugs/padding in 4' length sections, wood fencing, burnable items.

E-Waste

Electronic waste including all items of electrical and electrical equipment such as computers, televisions, mobile phones, VCRs, stereos, copiers, fax machines, modems. E-Waste will not be collected by the Village.

Hazardous Wastes:

Any chemical, compound, mixture, substance, or article that is defined as a hazardous substance pursuant to 6 NYCRR 371 et seq., and subject to special generation and handling regulations at the point of collection by the New York State Department of Environmental Conservation, the Suffolk County Department of Health Services or the Town of Huntington. Hazardous waste will not be collected by the Village.

Recyclables

Mixed paper including newspapers, cardboard, magazines, junk mail, glass jars, glass bottles, all plastic food, soap and beverage containers with Resin Codes 1-5 and 7, metal food and beverage cans, aerosol cans from kitchen, bathroom or laundry area (no automotive or paint aerosol cans).

Scrap Metal

Metal items including but not limited to household appliances such as stoves, refrigerators, freezers, dehumidifiers, washing machines, dishwashers, lawn mowers, hot water heaters, bicycles, air conditioners, metal barbecue grills without propane tank.

Solid Waste

All materials designated and set out for collection including trash, bulk waste, scrap metal items, recyclables and yard waste, but excluding hazardous and E-waste materials.

Trash: All solid waste generated by residences excluding recyclables, bulk waste, scrap metal items, yard waste, hazardous waste and E-waste.

Yard Waste

Bundles of bags or vegetation generated by landscaping activities, consisting of leaves, branches, weeds, shrubs, twigs, live Christmas trees and other similar materials generated by the maintenance of residential property. Grass clippings are not yard waste and will not be collected by the Village.

Village

Village of Asharoken.

§80-4. Requirements and Schedule for Collection

- A. All solid waste must be placed curbside by 8am on scheduled day of collection.
- B. Solid Waste cannot be placed curbside the night before scheduled day of collection due to the possibility of it being spilled or strewn about by the animal life and winds. If solid waste is spilled or strewn about it is the responsibility of the resident to pick it up. Solid waste containers must be removed from curbside within twelve (12) hours of collection.
- C. Trash and Recyclables must be placed in secure containers with tightly covered lids and cannot weigh more than 50 pounds. Recyclables must be cleaned and separated from all other solid waste in containers readily identifiable as Recyclables.
- D. Bulk waste and scrap metal items are limited to 4 items combined per week. Scrap metal items will be picked up no later than one week after being placed curbside.
- E. Yard waste must be bagged, bundled or placed in waste containers. Tree branches must not exceed 6 inches in diameter and must be tied in bundles not to exceed 2 feet x 2 feet x 4 feet and must weigh less than 50 pounds. Live Christmas trees do not have to be tied if whole.
- F. Grass clippings will not be collected by the Village. It is the responsibility of the resident to properly dispose of them.
- G. Solid waste from move outs or evictions will not be collected by the village. It is the responsibility of the resident to properly dispose of it.
- H. Hazardous waste or E-Waste materials will not be collected by the Village. It is the responsibility of the resident to properly dispose of said materials at an authorized facility.
- I. Collections of solid waste shall be made on such days as the Board of Trustees may designate, which designations shall be mailed to each property owner on the Village's tax roll and posted on the Village's website.

§80-5 Back-door Service.

A resident may contract for back-door service directly with the company with whom the Village has a contract for the collection of solid waste, which company must provide such service upon request at the cost specified in the contract. Back-door service consists of the company collecting solid waste from a residential dwelling at a location other than the curbside immediately adjacent to the front or side of the dwelling.

§80-6 Enforcement and Penalties

- A. The Village shall be under no obligation to collect any solid waste that has not been placed curbside in accordance with the provisions of this chapter. A resident's failure to comply with the provisions of this chapter can result in the Village suspending or terminating the resident's collection service.

B. It shall be the duty of the Asharoken Police Department to enforce the provisions of this chapter.

C. Any person or entity, or their agents or representatives, who violates any section of this chapter shall be deemed guilty of a violation and, upon conviction thereof, shall be punished by a fine not to exceed \$500 for the first violation, and by a fine not less than \$500.00 nor more than \$750.00 for a second violation, and by a fine not less than \$750.00 nor more than \$1,000 for a third or succeeding violations

§80-7 Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three.

This local law shall take effect immediately upon filing with the Secretary of State.