

THE GARBAGE AND REFUSE DUMPING ORDINANCE

OF THE

TOWN OF KNOX.

Section 1. TITLE. This ordinance shall be known as

"The Garbage and Refuse Dumping Ordinance of the Town of Knox".

Section 2. LEGISLATIVE INTENT. By the adoption of this ordinance, the Town Board of the Town of Knox declares its intent in so doing to be to regulate, control and license collectors of garbage and to regulate and control the dumping of garbage and refuse within the said Town. Said Town Board declares hereby that improper and uncontrolled collection, storage and dumping of refuse and garbage can endanger the health, safety and welfare of the people of the Town of Knox.

Section 3. DEFINITIONS. As used in this ordinance:

(a) The term "Town" shall mean the Town of Knox.

(b). The term "garbage" shall mean any refuse, rubbish or waste matter whatsoever, including, but not limited to, discarded metal, tin cans, waste foots, papers, hay, waste vegetable matter, dead animals or parts thereof, discarded wood or lumber, ashes, newspapers, rags, rubber, leather, bedsprings, discarded auto parts or discarded autos.

(c). The term "person" shall mean an individual, an association, a partnership, or a corporation and the singular number shall denote the plural number.

(d). The term "Town Dump" shall mean an area of land herein or hereinafter designated by the Town Board as a dumping place.

(e). The term "garbage collector" shall mean any person who engages in the business of collecting garbage.

or parts thereof, discarded autos, papers, newspapers, discarded lumber or wood, hay, waste vegetable matter, or any other inflammable material. No person shall start a fire or burn garbage upon the Town Dump unless authorized by the Town Board.

Section 5. REGULATION OF USE OF THE DUMP. The Town Board hereby directs and authorizes the Town Superintendent of Highways to prepare and establish regulations from time to time concerning the hours of use of the Town Dump and the manner of its use, and to post said regulations at said Dump, and once so posted such regulations shall have the same force and effect as if specifically set forth in this ordinance. Such regulations shall promote, in the opinion of the Town Superintendent of Highways, the convenience and health of the residents of the Town and the orderly administration of dumping and shall also comply with the regulations of Part 19 of the State Sanitary Code (10NYCRR 19.1 et seq.) as modified by such exemptions as may be obtained from time to time thereunder. Such regulations may set forth different procedures and times for licensed garbage collectors than for residents not engaged in such business. Any resident of the Town or licensed garbage collector aggrieved by such regulation may make written protest of such regulation to the Town Board within thirty (30) days after its posting; and the Town Board, at its next regular meeting, shall affirm, amend or rescind such regulations after a hearing thereon.

Section 6. LICENSING OF GARBAGE COLLECTORS.

(a). No person shall be a garbage collector without first obtaining a license therefor as hereinafter provided.

(b). Each applicant for a license to be a garbage collector shall execute under oath an application therefor in form to be prescribed by the Town Clerk, which shall contain the following

(c). In the application the applicant shall state that if granted the license applied for he will conduct his business pursuant to the provisions of this ordinance and all regulations issued under its authority.

(d). The fee for the license is hereby fixed in the sum of \$25.00 which sum not only covers the cost of issuing the license, but also the cost of making the necessary inspections to ascertain compliance with this ordinance and the regulations issued under its authority.

(e). Such license shall be effective for one year from the date of its issuance after which a renewal license may be obtained without formal application by payment of a fee of \$15.00.

(f). Such license is personal to the licensee, and may not be sold, assigned, transferred or disposed of.

Section 7. FEE FOR DUMPING PRIVILEGES. No garbage collector who collects garbage from without the town shall dump such garbage in the Town Dump unless he is a resident of the town or has his principal place of business within the town and also pays a fee of \$75.00 per year therefor to the Town Clerk at the time of payment of his annual license fee.

Section 8. NO DUMPING EXCEPT IN THE TOWN DUMP. No person shall throw or deposit or cause to be thrown or deposited any garbage in, upon or along any public highway in the town or on any land within the town except in the Town Dump and such private dumps as may be established from time to time under permit issued by the Town Board and under regulations and conditions which may be established by the Town Board, and by the State Sanitary Code. This section shall not be construed to prevent the use of land for the depositing of garbage from a family, a member of which

Section 9. GARBAGE VEHICLES. All vehicles used by garbage collectors within the Town to collector dump garbage shall be so constructed that no garbage contained therein shall blow, leak or spill.

Section 10. TOWN BUMP. The Town Board designates as and for a Town Bump the following area: The property owned by the Town on Street Road concurrently in use as a dumping ground.

Section 11. PENALTIES.

(a) Any person who violates any provisions of this ordinance, or of the regulations duly made and posted thereunder, shall be guilty of the offense of disorderly conduct and be a disorderly person and upon conviction thereof shall be subject to a fine of not more than fifty dollars and to imprisonment as provided by law for disorderly conduct or to both such fine and said imprisonment, and in addition thereto, if the holder of a garbage collector license such license shall be revoked without notice and no new license shall be issued thereafter to such person except by special action of the Town Board.

(b) In addition to the above described penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of such ordinance.

Section 12. REPEAL. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.

Section 13. SAVING CLAUSE. If any clause, sentence, paragraph, section or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof.

Section 14. EFFECTIVE DATE. This ordinance shall take effect ten days after publication and posting or immediately upon personal service as provided by Section 133 of the Town Law.

Dated, June 9, 1964.



Bernard White  
Town Clerk

STATE OF NEW YORK )  
COUNTY OF ALBANY ) SS.:

BERNARD WHITE, being duly sworn, deposes and says:

That he resides in the Town of Knox, Albany County, New York; that he is the Town Clerk of said town; that on the <sup>19<sup>th</sup></sup> day of June, 1964 he posted on the Bulletin Board at <sup>Room</sup> ~~Room~~ Town of Knox, County of Albany, New York a copy of a Notice of Adoption of Ordinance entitled "THE GARBAGE & REFUSE DUMPING ORDINANCE OF THE TOWN OF KNOX".

Bernard White  
Town Clerk

Sworn to before me this

<sup>19<sup>th</sup></sup> day of June, 1964.

Charles W. White  
Notary Public