

## Chapter 103

### SOLID WASTE

**[HISTORY: Adopted by the Town Board of the Town of Canadice: Art. I, 7-9-1980. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Junkyards — See Ch. 73.  
Sewage disposal — See Ch. 92.

#### ARTICLE I

##### Disposal

**[Adopted 7-9-1980]**

#### **§ 103-1. Definitions.**

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

ASHES — The residue from fires.

BOARD OF HEALTH — The Town Board and the Health Officer of the Town of Canadice.

GARBAGE — Any and all solid and liquid wastes from the preparation and dispensing of foods, any and all residential or commercial solid and liquid animal and vegetable wastes and any and all offal.

MOTOR VEHICLE — Any vehicle, operated or driven upon a public highway, roadway or street, designed to be operated or driven upon a highway, roadway or street and propelled by any power other than muscular power.

PERSON — Includes one (1) or more natural persons of either sex, corporations, partnerships, associations, joint stock companies, societies, clubs and any and all other entities capable of being sued.

REFUSE — Includes but shall not be limited to combustible trash, ashes, paper, cartons, boxes, barrels, wood, excelsior, yard trimmings, grass, wooden furniture, bedding, tin cans, bottles, plastic, glass, crockery, tin, small quantities of rock and pieces of concrete and metal mixtures, but excludes trees, tree stumps, junked or dismantled motor vehicles or parts of such motor vehicles.

TOWN BOARD — The duly and lawfully elected governing body of the Town of Canadice, Ontario County, New York, together with its duly authorized agents, servants, employees or representatives.

#### **§ 103-2. Garbage and refuse disposal areas; regulations.**

- A. No person not a resident of or conducting an established business within the Town of Canadice shall be permitted to use the garbage and refuse disposal areas hereinafter designated, unless such person is a resident of a town whose Town Board shall then have a contract with the Town of Canadice whereby such use shall be permitted or unless express permission shall have been granted by the Town Board.
- B. The premises owned or leased by the Town of Canadice on the east side of West Road, is hereby designated as the "Town of Canadice garbage and refuse disposal area," the use of which shall be subject to the provisions of this Article. The rules and regulations herein contained shall also apply to any other lands hereafter acquired or leased by the Town of Canadice for the purpose of a garbage and refuse disposal area.
- C. No person shall deposit, leave or place any garbage or refuse in or upon the town garbage and refuse disposal area, except during the hours and upon the terms and conditions as it, by regulation of the Town Board, from time to time, shall hereafter determine, publish and post in at least three (3) public places within the Town of Canadice, one of which shall be at the entrance of the garbage and refuse disposal area.
- D. All such garbage or refuse shall be deposited in and upon said garbage and refuse disposal area only in such manner and place and places as shall be designated by the Town Board of the Town of Canadice, New York, or its duly authorized agents, servants and employees.
- E. No person shall set afire or cause to be set afire any material deposited in or upon said disposal area, except as designated and permitted by said Town Board or its duly authorized agents.
- F. No person shall, at any time, for any purpose, discharge a firearm while upon said garbage and refuse disposal area, except as designated and permitted by said Town Board or its duly authorized agents and except for police officers in the discharge of their official duties.<sup>1</sup>
- G. No person shall, at any time, deposit or cause to be deposited or dispose of or cause to be disposed of any garbage or refuse in any place within the Town of Canadice except within the garbage and refuse disposal area, or areas, provided by the Town of Canadice, unless permission shall have been granted by the Town Board.
- H. No garbage shall be placed or deposited within said disposal area except in a suitable container, and no refuse shall be placed or deposited therein unless it is securely bundled or in a suitable container.

**§ 103-3. Inspection; compliance.**

The Town Board of the Town of Canadice and its duly authorized agents, servants and employees shall have charge and be permitted to enter upon any and all property designated as a garbage and refuse disposal area or areas for the purpose of inspection, observation, sampling and testing, to ensure full compliance with the provisions of this Article.

**§ 103-4. Penalties for offenses.**

<sup>1</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- A. Any person who commits or permits any act or acts in violation of any of the provisions of this Article shall be guilty of a violation and shall, upon conviction thereof, be liable to a penalty or fine of not more than two hundred fifty dollars (\$250.) or imprisonment for not more than fifteen (15) days, or both such fine and imprisonment, for each and every offense. Each day such violation shall continue or be permitted to exist shall constitute a separate violation or offense.
- B. Any person who commits or permits any act or acts in violation of any of the provisions of this Article shall, in addition to the criminal penalty hereinbefore set forth, be liable to a civil penalty enforceable and collectible by the town in the amount of one hundred dollars (\$100.) for each such offense. Such penalty shall be collectible by and in the name of the town for each day that such violation continues.
- C. In addition to the above-provided penalties and punishment, the Town Board may also maintain a 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.

## ARTICLE II

### **Recycling**

**[Recycling regulations promulgated by Ontario County are currently in effect in the Town of Canadice.]**