

TOWN OF NORTH CASTLE

Local Law No. 17 For the Year 2008 (Adopted October 7, 2008)

A local law to Amend Chapter 158 (Recycling) to Mandate Recycling for Businesses, Update Various Recycling Provisions and Increase Fines for Recycling Non-Compliance.

Section 1. Amend the Definition of RESIDENT in Section 158-4 of the Town Code as follows:

RESIDENT – Any person, business, organization or institution residing within the Town on a temporary or permanent basis. For the purposes of this chapter, “resident” includes all commercial, industrial and institutional establishments.

Section 2. Amend the Definition of PAPER in Section 158-4 of the Town Code as follows:

PAPER -- All high-grade office paper, fine paper, bond paper, office paper, xerographic paper, mimeo paper, duplication paper, magazines, paperback books, school paper, catalogues, junk mail, computer paper, telephone books, newspaper, and clean pizza boxes, but shall not mean, wax paper, plastic or foil-coated paper, styrofoam, wax-coated food and beverage containers, carbon paper, blueprint paper, food-contaminated paper, soiled paper and cardboard.

Section 3. Amend the Definition of PLASTIC CONTAINERS in Section 158-4 of the Town Code as follows:

PLASTIC CONTAINERS -- Containers composed of high-density polyethylenes, polyethylene terephthalate or other specific plastics as the Town Board may designate, numbered 1-6.

Section 4. Amend the Definition of SOURCE SEPARATE in Section 158-4 of the Town Code as follows:

SOURCE-SEPARATE -- To separate recyclable materials from the solid waste stream at the point of waste generation into separate containers containing 1) paper, lightweight cardboard and newsprint and labeled “paper,” 2) commingled glass, cans and plastic containers numbered 1-2 (and 3-6 if your carter is able to accept) and labeled “bottles, cans and plastics,” 3) other waste labeled “waste” and 4) tied bundles of heavyweight cardboard.

Section 5. Amend Section 158-5.C of the Town Code as follows:

Delete the words Program Expansion

Section 6. Amend Section 158-5.C(1) and (2) of the Town Code as follows:

The curbside program shall include, the collection in separate containers, bundles or packages, as appropriate, the following designated recyclable materials:

- (a) Paper, Lightweight Cardboard and Newsprint
- (b) Commingled glass, cans and plastic containers numbered 1-2 (and 3-6 if your carter is able to accept).
- (c) Heavyweight Cardboard

Newspaper, magazines, clean pizza boxes, phonebooks, and junk mail shall be commingled and placed in brown paper bags or tied with cord in bundles not higher than 10 inches. Heavyweight cardboard shall be broken down, cut, separated and bundled not higher than 10 inches and not wider than 36 inches in either direction. Glass bottles, all aluminium, tin and metal cans, clean foil, pie plates, plastic containers numbered 1-6 shall be rinsed. All items shall be placed in blue tinted or clear recycling bags or in recycle bins.

Section 7. Amend Section 158-12 of the Town Code as follows:

§ 158-12. Penalties for offences.

- A. Any person who engages in unlawful conduct as defined in this chapter may, upon conviction thereof in a proceeding before a court of competent jurisdiction, be deemed guilty of a misdemeanour punishable by a fine not to exceed \$500 and not less than \$100. A \$1,000 fine for the fourth and succeeding violation shall be required.
- B. Each continuing day of violation of this chapter shall constitute a separate offence.

Section 8. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 9. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 10. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: October 7, 2008