

TOWN OF CAIRO

LOCAL LAW FOR THE CONTROL OF DUMPING AND LITTERING IN THE  
TOWN OF CAIRO

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ADOPTED: JUNE 14, 1989

LOCAL LAW NUMBER TWO FOR THE YEAR 1989

"LITTER OR DUMPING CONTROL LAW"

TOWN OF CAIRO, NEW YORK

BE IT RESOLVED AND ENACTED BY THE TOWN BOARD OF THE TOWN OF CAIRO, GREENE COUNTY, NEW YORK, AS FOLLOWS:

TITLE

SECTION 1: THIS LOCAL LAW SHALL BE KNOWN AND MAY BE CITED AS THE LITTER OR DUMPING CONTROL LAW.

LEGISLATIVE INTENT

SECTION 2: THE INTENT OF THIS LOCAL LAW IS TO SAFEGUARD THE HEALTH, SAFETY AND WELFARE OF THE INHABITANTS OF THE TOWN, WITH PARTICULAR EFFORT TO SAFEGUARD THEIR MATERIAL RIGHTS AGAINST UNWANTED DIMINISHMENT OF OPEN SPACE, AND TO MINIMIZE VISUAL AND HAZARDOUS NUISANCES.

LITTERING, DUMPING AND STORAGE PROHIBITIONS

SECTION 3: 1. NO PERSON SHALL THROW, DEPOSIT, ABANDON OR STORE LITTER OR DUMPED MATTER ON ANY PROPERTY WITHIN THE TOWN, WHETHER PRIVATE OR PUBLIC, AND WHETHER OR NOT OWNED BY SUCH PERSON; NOR SHALL ANY PROPERTY OWNER USE HIS LAND FOR DUMPING OF MATTER OR LITTER, OR PERMIT THE DUMPING OF MATTER OR LITTER OR THE ACCUMULATION OF SUCH MATTER OR LITTER ON HIS PROPERTY BY OTHERS, INCLUDING THE STORAGE OF USED AUTOMOBILE RUBBER TIRES, EXCEPT THAT THE OWNER OR PERSON IN CONTROL OF PRIVATE PROPERTY SHALL MAINTAIN PRIVATE RECEPTACLE(S) FOR THE COLLECTION OF LITTER AND DUMPED MATTER IN SUCH A MANNER THAT SUCH MATERIAL WILL NOT BE CARRIED OR DEPOSITED BY THE ELEMENTS UPON THE YARDS, YARD, OR PREMISES OF OTHERS, OR UPON STREET(S), ROAD(S), HIGHWAY(S), OR PUBLIC PLACE OR PLACES, AND IN THE CASE OF USED AUTOMOBILE RUBBER TIRES, NO PERSON SHALL ACCUMULATE MORE THAN TWENTY-FIVE (25), WHICH SHALL BE NEATLY

STACKED OR CONTAINED IN A STORAGE RECEPTACLE.  
THIS ALSO APPLIES TO RIGHTWAY ROADS.

2. LITTER AND DUMPED MATTER NOT CONTAINED IN COVERED RECEPTACLES AS AFORESAID, SHALL NOT BE STORED OR PILED ON LAND WITHIN THE TOWN, EXCEPT TO FACILITATE DELIVERY TO THE VEHICLE OF A JUNK DEALER, REFUSE COLLECTOR, SALVAGE DEALER, OR A PERSON, OR FIRM ENGAGED IN THE REMOVAL, PURCHASE, COLLECTION OR SALVAGE OF DISCARDED ARTICLES, AND IN SUCH CASE SHALL NOT BE SO STORED IN ANTICIPATION OF SUCH COLLECTION FOR A PERIOD IN EXCESS OF TWENTY-FOUR (24) CONSECUTIVE HOURS WITHOUT CONTRACT CONFIRMATION OF PROMPT PICK-UP BY A DEPENDABLE COLLECTION DEALER, PERSON OR FIRM, AND EXCEPT THAT SCRAP MATERIAL USED IN GENERAL CONSTRUCTION MAY BE DEPOSITED OR STORED ON PREMISES, INCLUDING THOSE COMMERCIAL ESTABLISHMENTS WHICH DEAL WITH NEW OR USED TIRE SALES, PROVIDED THAT SUCH STORAGE DOES NOT EXCEED TWO-HUNDRED (200) USED TIRES, WHEN SCREENED FROM PUBLIC VIEW AND PROTECTED TO PRESERVE ITS ULTIMATE USEFULNESS, OR IN THE CASE OF RUBBER TIRES, SCREENED FROM PUBLIC VIEW AND NEATLY STACKED.

3. NO PERSON SHALL THROW, DEPOSIT OR ABANDON LITTER UPON ANY OPEN OR VACANT PROPERTY WITHIN THE TOWN, REGARDLESS OF THE OWNERSHIP THEREOF.

4. NO PERSON SHALL THROW, DEPOSIT OR ABANDON LITTER IN OR ABOUT ANY STREET, HIGHWAY, WALK, PARK, RIGHT-AWAY ROADS AND PARKING AREA OR OTHER PUBLIC PLACE WITHIN THE TOWN, EXCEPT IN PUBLIC RECEPTACLES; PROVIDED, HOWEVER, THAT NO LITTER, DEFINED AS GARBAGE, SHALL AT ANY TIME BE THROWN OR DEPOSITED IN PUBLIC RECEPTACLES, UNLESS SUCH RECEPTACLES ARE SPECIFICALLY DESIGNATED AND MARKED FOR THE RECEPTION OF GARBAGE.

5. ANY ABANDONED OR JUNK MOTOR VEHICLES, MOTOR OR PARTS LOCATED ON PRIVATE PROPERTY MUST NOT BE VISIBLE FROM ANY PUBLIC OR PRIVATE HIGHWAY OR ADJOINING PROPERTY.

## PENALTIES FOR OFFENSES

SECTION 4: EACH AND EVERY WEEK A VIOLATION OF THIS LOCAL LAW CONTINUES, SHALL CONSTITUTE A SEPARATE VIOLATION AND THE PENALTIES HEREINAFTER MAY BE APPLICABLE TO EACH SUCH SEPARATE OFFENSE.

1. FOR THE FIRST VIOLATION OF SECTION 3-1, 3-2, 3-3, OR 3-5:

A PERIOD OF FOURTEEN (14) DAYS TO RECTIFY SUCH SITUATION AS STIPULATED BY AND DETERMINED SATISFACTORY BY A TOWN POLICE OFFICER; SPECIAL POLICE OFFICER; CODE ENFORCEMENT OFFICER; OR TOWN JUSTICE.

2. FOR THE FIRST VIOLATION OF SECTION 3-4 AND SUBSEQUENT VIOLATIONS OF SECTION 3, OTHER SUBSECTIONS:

A MINIMUM \$100 FINE NOT TO EXCEED \$500 SHALL APPLY TO PERSONS CONVICTED OF A VIOLATION OF THIS LOCAL LAW, AS DETERMINED BY A TOWN JUSTICE.

3. IN ADDITION TO THE ABOVE PROVIDED PENALTIES, 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 LOCAL LAW.

## ENFORCEMENT

SECTION 5: THIS LOCAL LAW SHALL BE ENFORCED BY ANY TOWN POLICE OFFICER, SPECIAL OFFICER, OR CODE ENFORCEMENT OFFICER IN THE EMPLOY OF OR UNDER CONTRACT TO, THE TOWN OF CAIRO.

## EFFECTIVE DATE

SECTION 6: THIS LOCAL LAW SHALL TAKE EFFECT AFTER IT IS FILED AS PROVIDED IN SECTION 20 OF THE MUNICIPAL HOME RULE LAW AND SHALL SUPERSEDE ANY OTHER LOCAL LAWS OR ORDINANCES CONCERNING THE CONTROL OF DUMPING OR LITTERING IN THE TOWN OF CAIRO.