

Chapter 232: SOLID WASTE

[HISTORY: Adopted by the Town Board of the Town of Glenville as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Open burning — See Ch. 110.

Mobile home parks — See Ch. 184.

Parks and recreation — See Ch. 195.

Individual septic disposal systems — See Ch. 213.

Sewers — See Ch. 217.

Chapter 232: SOLID WASTE

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Article I: Garbage and Refuse

[Adopted 8-17-1971 by L.L. No. 4-1971 (Ch. 22 of the 1966 Code)]

§ 232-1 Title.

This article shall be known as "Chapter **232** of the Code of the Town of Glenville."

§ 232-2 Definitions.

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

CLEAN FILL

Consists solely of topsoil, earth, rock, gravel, quarry process or sand. "Topsoil" is the exposed layer of the earth's surface, and "earth" is the layer of soil immediately beneath the topsoil and above rock. "Rock" excludes boulders, boulders being detached and rounded or worn pieces of rock, the greatest side of which is no less than six inches. All other materials are excluded. Excluded materials include, but are not limited to, muck, peat, timber, debris, stumps and roots of trees, demolished structures, construction or any other refuse; provided, however, that said excluded items shall not have been reprocessed so as to conform with the definition of "clean fill" herein provided. "Muck" is soft silt or clay, very high in organic content, which is usually found in swampy areas. "Peat" is a soil composed principally of partially decomposed vegetable matter.

[Added 6-21-1989 by L.L. No. 2-1989]

GARBAGE

Includes waste food, dead animals or parts thereof and/or any other matter which shall be capable of fermentation or decay.

PERSON

Includes an individual, society, firm, club, partnership, corporation or association of persons and municipality other than the Town of Glenville or Village of Scotia.

RUBBISH

Includes waste material, tin cans, ashes, cinders, glass, discarded paper, cardboard, wood, lumber and all other discarded solids and/or liquids.

SANITARY LANDFILL SITE

Any lands now used or hereafter acquired or leased by the Town of Glenville for use as a sanitary landfill.

§ 232-3 Dumping restricted.

[Amended 4-5-2006 by L.L. No. 3-2006]

The use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds is hereby prohibited.

§ 232-4 Restrictions and regulations.

A.
No person, for the purpose of final disposal thereof, shall throw, deposit or cause to be thrown or deposited any garbage, rubbish or abandoned vehicles or parts thereof, in or upon any lands within said Town of Glenville.

[Amended 4-5-2006 by L.L. No. 3-2006]

B.
No person, firm or corporation shall leave or deposit any garbage or rubbish of any kind upon any street, avenue, highway, park or public place within the Town of Glenville, except that householders and business places may place garbage and rubbish in properly covered containers, in front of their premises for authorized collection and removal to a sanitary landfill site.

[Amended 4-5-2006 by L.L. No. 3-2006]

C.

The owner or his agent or the occupant of any premises within the Town of Glenville shall be responsible for the sanitary condition of the premises occupied by him. No person or persons shall store, or cause to be stored, garbage or rubbish from a business establishment upon the premises of a business establishment outside of a closed building except in solid covered containers.

§ 232-5_Requirements for vehicles. ^[1]

A.
All garbage and rubbish transported, brought and/or carried through the Town of Glenville shall be contained securely and battened down within or upon the vehicles transporting the same.

B.
All commercial vehicles used in the transportation of rubbish shall be equipped with proper tarpaulin or other type of enclosing cover, and all trucks transporting garbage, with or without rubbish, shall have watertight metal containers, which shall be kept clean when not in use. If garbage is not in watertight containers, the body of this vehicle itself must be reasonably tight. Vehicles must be kept in reasonably good mechanical and body condition. They must be kept as sanitary as the nature of the use permits. The vehicles must bear the name of the operator in letters at least six inches high.^[2]

[2]:
Editor's Note: Original § 22-6, Compliance with rules, and original § 22-7, Permits, as amended 11-16-1982 by L.L. No. 5-1982, both of which immediately followed this subsection, were deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

[1]:
Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 232-6_Licenses.

A.
A license shall be issued by the Town Clerk to each garbage and rubbish collector upon the payment by the applicant of a fee as set from time to time by resolution of the Town Board,^[1] and of a further fee as set from time to time by resolution of the Town Board for each additional truck or other conveyance owned by any person, firm or organization used by him, them or it in such removal or transportation. Rental trucks may be submitted for regularly licensed trucks without fee while the same are out of order for repair, but they must carry the same identification markings as the trucks they replace, and their use must be first reported to the Town Clerk.

[Amended 11-16-1982 by L.L. No. 5-1982^[2]]

[1]:
Editor's Note: See Ch. 139, Fees.

[2]:
Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

B.
Licensees under this section shall not collect garbage and/or rubbish on Sundays or such other days as the Town Board shall from time to time direct. No collection of garbage and/or rubbish shall be permitted in residential areas before the hour of 6:00 a.m.

C.
All licenses shall be issued on or before and effective as of January 1 of any year and shall be for the period covering January 1 to December 31 of such calendar year. Applicants for such licenses who apply at any other time shall pay a pro rata portion of the entire fee applicable from the date of issuance of the license to expiration time of December 31 of the license year.

D.

In addition to the other requirements of this article, all license and permit applications shall include a schedule of rates to be charged and services to be rendered, together with approximate hours of collection in each block or a map showing approximate hours of collection in each area shown. "Approximate" shall mean whether morning or afternoon hours and on what day. A separate schedule must be furnished for each vehicle licensed.

E.
Applications must be filed six weeks before a license expires or is to become effective, to allow for proper investigation and processing.

F.
All license applications shall be investigated under the supervision of the Superintendent of Highways, and all officers and employees of the Town shall cooperate with him in investigating applicants and inspecting equipment.^[3]

[3]:

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

G.
Licenses described in this § 232-6 are limited to collectors collecting in the Town of Glenville.

[Amended 11-16-1982 by L.L. No. 5-1982^[4]]

[4]:

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

H.
A roster of licenses shall be maintained by the Town Clerk for public inspection.^[5]

[5]:

Editor's Note: Original Subsection I, regarding distribution of rules, which immediately followed this subsection, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

I.
Each collector shall file a certificate of a \$10,000/\$20,000 public liability policy and a certificate of his vehicle liability policy with the Town Clerk.

§ 232-7 Penalties for offenses.

[Amended 6-21-1989 by L.L. No. 2-1989]

Any person, firm or corporation who shall violate any of the provisions of this article or fail to comply therewith or with any of the provisions thereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding \$500 for each offense or by imprisonment in the county jail for a term not to exceed six months, or by both such fine and imprisonment.

§ 232-8 Additional penalties.

A.
In addition to the penalties above provided, after a public hearing the Town Board may revoke any license or special permit issued pursuant to this article if the Town Board at such public hearing determines the holder of such license or special permit to be an undesirable person or incapable of or unwilling to comply with the provisions of this article. The licensee or special permittee shall have an opportunity to be heard at such public hearing, which shall be held after such licensee or special permittee shall be served by written notice of such public hearing in person or by registered mail, return receipt requested, not less than 15 days prior to the date of such hearing.

B.
The Town Board shall also have such other remedies as are provided by law.

C.

Any vehicle used in violation of this article shall be confiscated by the Town of Glenville and shall become the property of the Town of Glenville.

[Added 6-21-1989 by L.L. No. 2-1989]

§ 232-9_Inspection of trucks and carriers.

[Amended 11-16-1982 by L.L. No. 5-1982]

The Town Board shall, by resolution, designate one or more Town employees to inspect all trucks and other carriers transporting garbage and rubbish prior to issuance or renewal or during the period of time licenses or special permits are in effect and also with the enforcement of such other provisions of this article as the Town Board may designate.

§ 232-10_Complaints. ^[1]

All complaints of collectors submitted by customers, by employees of collectors or by the Town shall be investigated by the Superintendent of Highways and a report made to the Town Board before action is taken pursuant to § 232-8 or before pending license applications are issued by the Town Clerk.^[2]

[1]:

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

[2]:

Editor's Note: Original § 22-13, Fees, as amended, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 232-11_Exceptions.

[Added 6-21-1989 by L.L. No. 2-1989^[1]]

A.

The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the property owned by the County of Schenectady in the Town of Glenville and for which the County of Schenectady has obtained approval to construct and operate a compost facility.

B.

The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the disposal of septic tank wastes. The disposal of septic tank wastes is regulated by §§ 217-15 through 217-19 of the Code of the Town of Glenville.

C.

The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the depositing of clean fill upon land in the Town of Glenville for the purpose of reclaiming land to enable it to be used for construction of buildings or for the construction of septic systems.

[1]:

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 232-12_Effective date.

This article shall take effect October 1, 1971; provided, however, that no additional licensing fees shall be charged commercial collectors now licensed by the Town of Glenville prior to January 1, 1972.

Article II:_Recycling

[Adopted 4-19-1989 (Ch. 32 of the 1966 Code)]

§ 232-13_Definitions.

As used in this article, the following words are intended to include and be defined as follows:

JUNK MAIL

Any unwanted paper that comes in the mail and office papers, including writing paper, note paper, computer paper, fax paper, copy paper, other stationery and envelopes, including window envelopes, but excluding carbon paper and brown mailing envelopes or folders.

[Added 6-15-1994; amended 7-19-2000]

NEWSPAPER

Dry newspapers, including inserts.

RECYCLABLE MATERIALS

Newspapers, yard and garden waste, glass, plastics, corrugated cardboard, tin, aluminum, brown paper bags, magazines, glossy brochures, catalogs, junk mail, juice boxes and juice and milk cartons.

[Amended 9-20-1989; 4-3-1991; 5-1-1991; 6-15-1994]

SCAVENGING

The uncontrolled and unauthorized picking, sorting and removal of solid waste, either before, during or following disposal.

SOLID WASTE

All types of waste materials, including but not limited to residential, commercial, institutional and industrial waste.

UNSEPARATED RECYCLABLE MATERIALS

Recyclable materials, as specified herein, that are mixed with other solid waste.

YARD WASTE

Residential or commercial leaf waste, lawn clippings and brush.

§ 232-14 Separation of recyclable materials required.

A.
All waste generators and handlers in the Town of Glenville shall source-separate recyclable materials from all other solid wastes.
[Amended 7-19-2000]

B.
Newspaper and inserts shall be placed at the curbside only in plastic twenty-gallon or less containers having handles and lids and having the Scotia-Glenville recycling sticker affixed thereto.
[Added 8-16-1989]

C.
Yard waste shall be placed at the curbside in conformity with the requirements of the composting facility operated by the County of Schenectady or as those requirements may be amended from time to time.
[Added 8-16-1989]

D.
Residential solid waste (nonrecyclables), if packaged in plastic bags, shall be packaged in clear plastic bags.
[Added 5-1-1991]

E.
Recyclables, if packaged in plastic bags, shall be packaged in clear plastic bags.
[Added 5-1-1991]

§ 232-15 Scavenging.
[Amended 6-12-2013 by L.L. No. 4-2013]

A.
Upon placement of household waste, garbage, refuse, recyclables (including, but not limited to paper, glass, plastic and metal items), furniture, or other material out for residential curbside collection, Town bulk item pick-up or upon delivery to

any disposal location designated by the Town, it shall be a violation of this article for any person other than a Town licensed garbage and refuse collector hired by the property owner or authorized agents or employees of the Town to disturb, rummage in or sort through, remove, collect or pick up any such waste, garbage, refuse, recyclables, furniture or other material or cause the same to be disturbed, sorted through, removed, collected or picked up.

B.
Nothing in this article shall abridge the right of any person to give or sell their recyclables or unwanted personal property to any person, provided that such items have not been set out for residential curbside collection, Town bulk item pick-up or delivered to a Town designated disposal location.

§ 232-16 Penalties for offenses.

[Amended 4-5-2006 by L.L. No. 3-2006]

Any person, firm or corporation violating any provision of this article shall be guilty of a misdemeanor punishable by a fine not to exceed \$1,000 or imprisonment not to exceed six months, or by both such fine and imprisonment.

§ 232-17 Effective date.

This article shall take effect on July 1, 1989.