

Chapter 163: RECYCLING

[HISTORY: Adopted by the Town Board of the Town of Niskayuna 6-6-1989 as L.L. No. 3-1989. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 69.

Garbage, rubbish and refuse — See Ch. 129.

Chapter 163: RECYCLING

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§ 163-1 Purpose.

[Amended 3-15-1994 by L.L. No. 1-1994]

The purpose of this chapter is to facilitate the disposal of solid waste generated within the Town of Niskayuna in the most environmentally acceptable manner possible, to facilitate and encourage the recovery of all recyclable materials which can be marketed or used for secondary purposes and to conserve sanitary landfill space.

§ 163-2 Definitions.

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

BOARD

The Town Board of the Town of Niskayuna.

MULTIPLE RESIDENCE

A building or parcel of land having four or more dwelling units.

NEWSPAPERS

Newspapers, including inserts.

NONRESIDENCE

Any building or parcel of land not used as a residence or a multiple residence.

PERSON

Any individual, partnership, association, firm, corporation, company or any and all combinations acting in concert.

RECYCLABLE MATERIALS

[Amended 7-18-1989 by L.L. No. 5-1989; 9-19-1989 by L.L. No. 10-1989; 3-20-1990 by L.L. No. 4-1990]

Solid waste consisting of:

A.

Newspapers.

B.

White goods.

C.

Tires.

D.

Yard waste.

E.

Aluminum.

F.

Tin and bimetallic containers.

G.

Corrugated cardboard.

H.

Glass containers.

I.

Soft plastic.

J.

Waste oil.

[Added 2-9-1993 by L.L. No. 1-1993]

K.

Car batteries.

[Added 2-9-1993 by L.L. No. 1-1993]

L.

Magazines.

[Added 3-15-1994 by L.L. No. 1-1994]

M.

Junk mail.

[Added 3-15-1994 by L.L. No. 1-1994]

N.

Kraft paper or brown paper bags.

[Added 3-15-1994 by L.L. No. 1-1994]

O.

Milk cartons and juice cartons (rinsed).

[Added 7-19-1994 by L.L. No. 6-1994]

P.

Juice boxes (tops cut off; rinsed; straws excluded).

[Added 7-19-1994 by L.L. No. 6-1994]

RESIDENCE

A building or parcel of land having three or fewer dwelling units.

RESIDENT

A person residing in a residence.

SCAVENGING

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

SOLID WASTE

All materials or substances discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection, including but not limited to garbage, refuse, industrial and commercial waste, yard waste, agricultural waste, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris, discarded automobiles, offal and sludges from air or water control facilities, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form.

UNSEPARATED RECYCLABLE MATERIALS

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

WHITE GOODS

Any of the following items: stoves, microwave ovens, refrigerators, freezers, dishwashers, clothes washers, clothes dryers, hot-water heaters, range boilers, space heaters, cast-iron sinks, metal cabinets and benches, metal tanks, furnaces, boilers, radiators, metal desks, duct work, air conditioners and swing sets.

[Added 7-18-1989 by L.L. No. 5-1989]

YARD WASTE

Residential or commercial leaf waste, lawn clippings and brush.

§ 163-3 Separation and disposal.

A.

Recyclable material. It shall be the responsibility of all persons in the Town to source-separate recyclable materials from all other solid waste.

[Amended 4-1-1997 by L.L. No. 1-1997]

B.

Nonresidential recyclable material. All persons owning or otherwise responsible for the management of nonresidences and multiple residences shall provide for the separate collection of recyclables as distinguished from other forms of solid waste.

C.

It shall be unlawful for any person to collect and dispose of solid waste which consists of recyclable materials combined with other forms of solid waste.

[1]:

Editor's Note: Former Subsection C, regarding disposal of recyclables at the sanitary landfill, was repealed 3-15-1994 by L.L. No. 1-1994, which local law also provided for the renumbering of subsequent subsections.

D.

The Commissioner of Public Works shall designate the day of the week on which recyclable materials shall be collected and removed from a particular area. Recyclables shall not be collected or removed from any area except on the day of the week designated by the Commissioner of Public Works.

[Amended 3-15-1994 by L.L. No. 1-1994]

E.

All recyclables brought to the Niskayuna Recycling Center and Transfer Station shall be separated by item deposited in the appropriate bin or container for such item. Recyclables shall be loose or packaged in clear plastic bags.

[Added 9-1-1992 by L.L. No. 3-1992; amended 3-15-1994 by L.L. No. 1-1994]

F.

Collection container placement. All containers used for private collection of garbage, rubbish, refuse and recyclables that are required to be placed at curbside shall be placed at the curb no earlier than 6:00 a.m. on the day prior to the day of collection and shall be removed from the curb no later than 6:00 p.m. on the day following the day of collection.

[Added 9-5-2000 by L.L. No. 4-2000]

§ 163-4 Scavenging.

Scavenging within the Town of Niskayuna is prohibited.

§ 163-5 Enforcement.

[Amended 3-15-1994 by L.L. No. 1-1994]

A.

The Commissioner of Public Works and any other person designated by the Board shall be authorized to inspect, for the purpose of determining if any person has failed to comply with provisions of any section of this chapter, the following:

(1)

Solid waste left for collection.

(2)

Loads of solid waste being transported within the Town of Niskayuna.

(3)

Solid waste being disposed of at the Town's Recycling Center and Transfer Station.

B.

The Commissioner of Public Works and any other person designated by the Board shall be authorized to turn away and deny access to any person delivering a load of solid waste which includes or contains recyclable materials to the Town's Recycling Center and Transfer Station.

§ 163-6 Penalties for offenses.

Violation of §§ 163-3 and 163-4 of this chapter shall be designated as a violation and shall be punishable as follows:

A.

For a first conviction within one year: a fine of not more than \$25.

B.

For a second conviction within one year: by a fine of not less than \$25 nor more than \$75.

C.

For a third conviction within one year: by a fine of not less than \$75 nor more than \$150.