

[Chapter 160. GARBAGE, RUBBISH AND REFUSE](#)

[HISTORY: Adopted by the Board of Trustees of the Village of Scotia as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Department of Public Works — See Ch. [72](#).

Brush, grass and weeds — See Ch. [115](#).

Junk — See Ch. [166](#).

[Article I. Collection](#)

[Adopted 8-13-1969 as Ch. 8, Art. III, of the 1969 Code of Ordinances]

[§ 160-1. Definitions.](#)

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

BULK WASTE

Includes all inorganic waste matter and discarded material, such as large appliances, couches, chairs, tables and other furniture, mattresses, carpeting, hot water tanks, toilets, sinks, tires, bicycles, large toys and household waste.

[Added 8-10-2011 by L.L. No. 7-2011]

GARBAGE

Includes all organic waste or offal of fish, fowl or animal and any fruit or vegetable matter resulting from the preparation of food or from any source.

REFUSE

Includes all inorganic waste matter and discarded material, such as glass or tin cans, paper, sweepings, yard trimmings, tree branches, etc., but not including earth, sand, brick, building blocks, stone, scrap lumber, plaster and other similar substances that may accumulate as a result of building operations.

[§ 160-2. Municipal collection service.](#)

[Amended 1-11-1995 by L.L. No. 1-1995]

The Superintendent of Public Works shall provide for the regular collection of garbage and refuse generated and originating within the Village of Scotia at least once each week from all premises in the Village of Scotia. To ensure regular and systematic collection, the Superintendent may divide the Village into collection zones and inform the residents of each zone as to the day of the week on which their collection will be made.

§ 160-3. Collectors.

[Amended 8-10-1977 by L.L. No. 6-1977]

Persons who remove for disposal any garbage or refuse from any premises within the Village shall be either Village employees or private collectors equipped with approved sanitary conveyances and authorized by the Superintendent of Public Works to collect garbage and refuse from commercial and industrial establishments and residential apartment dwellings consisting of more than four dwelling units only.

§ 160-4. Accumulation, dumping, and burying prohibited.

[Amended 9-11-1996 by L.L. No. 12-1996; 5-14-2003 by L.L. No. 6-2003; 8-10-2011 by L.L. No. 7-2011]

A. It shall be unlawful for any person to allow garbage, bulk waste or refuse to accumulate upon any premises owned or occupied by him/her. No person shall throw, dump, or bury any garbage, bulk waste or refuse upon any premises, public or private.

B. If, after due notice, the owner or occupant fails to remove the accumulation of garbage, bulk waste or refuse, the Superintendent shall cause such work to be done, and the cost thereof, plus an administrative fee equal to the greater of 15% of the cost of such work or \$200, shall be assessed against the property by the Board of Trustees.

§ 160-5. Private collection required for eating establishments, apartment structures and commercial establishments; variances.

[Added 8-10-1977 by L.L. No. 6-1977; amended 6-14-1978 by L.L. No. 2-1978; 1-11-1995 by L.L. No. 1-1995]

A. All commercial eating establishments, apartment structures consisting of more than four dwelling units and any commercial establishment generating more than the allowable material limit of garbage and refuse on a weekly basis shall provide for private collection of garbage and refuse. Such private collection shall be from secure, watertight, dumpster-type receptacles equipped with tight-fitting covers. Material limits allowed:

(1) Solid waste: 90 gallons per week.

(2) Recyclables:

(a) Corrugated cardboard: 1/3 cubic yard per week (flattened and bundled).

(b) Newspapers/paper products: 30 gallons per week.

(c) Tin, plastic and glass: 30 gallons per week.

B. The Board of Trustees is hereby designated as a board of review for the purpose of granting variances to the strict enforcement of this section where such enforcement would result in unnecessary hardship or practical difficulties. Any such variances shall be granted after a review by the Superintendent of Public Works of the circumstances involved and after assurances of a suitable alternative not inconsistent with the general purpose and intent of the Public Health Law and Sanitary Code.

§ 160-6. Receptacles.

Owners, tenants and occupants of all premises from which garbage and refuse is to be collected shall provide suitable receptacles adequate to contain all accumulations between the scheduled collection days.

A. Garbage receptacles.

(1) All receptacles used for garbage shall be watertight and supplied with tightly fitting covers. All garbage shall be drained of surplus liquids and all household garbage shall be securely wrapped in paper before being placed in the receptacle.

(2) No such receptacle shall have a bulk capacity of more than 20 gallons nor a combined weight, together with contents, of over 100 pounds.

B. Refuse receptacles. Dry refuse may be broken, cut or otherwise reduced in size and placed in weather-resistant receptacles having a total weight, including contents, of not more than 100 pounds.

C. Bundled refuse. Tree branches, grass, leaves and other similar dry waste materials may be compressed and securely tied into bundles not exceeding four feet in the greatest dimension and 100 pounds in weight.

§ 160-7. Building materials.

All refuse materials resulting from building construction or repair operations, such as earth, sand, brick, building blocks, stone, scrap lumber, plaster, etc., shall be removed from the site and disposed of by the owner or the contractor.

§ 160-8. Placement for collection.

[Amended 10-13-1993 by L.L. No. 4-1993; 10-11-1995 by L.L. No. 8-1995]

Occupants of premises from which collections are to be made shall place garbage and refuse receptacles and other waste materials to be removed at the curb in front of said premises prior to collection time and remove emptied receptacles a minimum of 10 feet from front or rear property lines or out of public view promptly after collection. Materials, however, shall not be placed at the curb prior to 3:00 p.m. of the day before collection, and emptied receptacles shall be removed before 8:00 a.m. of the day following collection.

§ 160-9. Scavenging prohibited.

No person shall overhaul, for the purpose of salvage, the contents of any receptacle or deposit of waste material placed at the curb for collection.

§ 160-10. Additional rules and regulations.

Consistent with this article, the Superintendent of Public Works may make further rules and regulations which, upon acceptance and approval by the Board of Trustees, shall become enforceable as a part of this article.

§ 160-11. Penalties for offenses.

[Added 10-13-1993 by L.L. No. 4-1993]

Any person, firm or corporation violating any provision of this article shall, upon conviction thereof, be punishable by a fine of not more than \$250 or imprisonment for a term not exceeding 15 days, or both.

Article II. Recycling

[Adopted 1-13-1993 by L.L. No. 1-1993]

§ 160-12. Definitions.

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

NEWSPAPERS

Dry newspapers, including inserts.

RECYCLABLE MATERIALS

Newspapers, yard and garden waste, glass and plastic containers, tin, aluminum and corrugated cardboard.

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.

§ 160-13. Separation and collection of recyclables.

[Amended 5-11-1994 by L.L. No. 1-1994]

A. It shall be the responsibility of all residents of the Village, prior to placement of solid waste for collection and removal, to separate recyclable materials from all residential solid waste and place them out for collection in the following manner:

(1) Glass and tin containers shall be clean and all contents shall be removed therefrom in the following manner: caps shall be removed; paper labels shall be removed from the tin containers; and cans must be flattened with ends cut off, if possible, and inserted inside.

(2) Newspapers for collection shall be placed in containers or secured in such a manner as to be clean and dry.

(3) Plastic containers shall be clean and all contents shall be removed therefrom, including the caps.

(4) Recyclables shall not be placed in the same container as or otherwise mixed with other forms of solid waste which consists of recyclable materials combined with other forms of solid waste.

B. On or after July 1, 1994, it shall be the responsibility of all residents of the Village, prior to placement of solid waste for collection and removal, to separate the following additional recyclable materials from all residential solid waste and place them out for collection in the following manner:

(1) Corrugated cardboard, junk mail, brown paper bags and magazines for collection shall be placed in containers or secured in such manner as to be clean and dry.

(2) Aseptic packaging, which includes milk cartons and juice boxes, must be clean, and all contents shall be removed therefrom.

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.

D. All persons owning or otherwise responsible for the management of nonresidences and multiple residences shall provide for the separate collection of recyclables and distinguish the same from other forms of solid waste.

§ 160-14. Enforcement.

A. Village of Scotia personnel or their agents are hereby authorized to randomly inspect incoming loads of solid waste to determine if unseparated recyclable materials are contained therein.

B. Village of Scotia personnel or their agents are hereby authorized to turn away and deny access to any carrier delivering a load that contains unseparated recyclable materials.

C. In the event that the Village of Scotia personnel or their agents determine that a load of solid waste contains unseparated recyclable materials, the carrier delivering said load shall be directed and required to remove said load of solid waste from the applicable landfill.

§ 160-15. Scavenging.

Scavenging in the streets of the Village of Scotia is prohibited.

§ 160-16. Penalties for offenses.

Any person, firm or corporation violating any provision of this article shall be guilty of a misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed six months, or by both such fine and imprisonment.