

## Chapter 277: SOLID WASTE

Article I: Recycling

[Adopted 4-19-1988 by L.L. No. 1-1988]

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§ 277-1 Legislative intent.

### A.

In Section 1 of Chapter 773 of the 1987 Laws of the State of New York, entitled "An Act in Relation to Solid Waste Treatment and Disposal in Saratoga County," effective August 7, 1987, the New York State Legislature finds, declares and determines that "the present and existing systems for the disposal of solid waste generated or disposed of within the boundaries of the County of Saratoga threaten the present and future health, safety, welfare and environment of the people of such County... and that such situation transcends local boundaries, interests and motivations and is therefore a matter of state concern." As defined in such state law, "solid waste disposal activities" include, among other things, such activities as separation, transportation, delivery, storage, handling and the processing of solid waste.

### B.

Pursuant to Section 3 of such law, the Saratoga County Board of Supervisors is empowered to adopt and amend local laws which impose appropriate and reasonable limitations on competition with respect to, among other things, the processing or recovery of any material and requiring that all or any portion of the solid waste generated, originated or brought within the County of Saratoga be delivered to recycling centers as determined by the County of Saratoga's Board of Supervisors.

### C.

On January 19, 1988, by the adoption of Resolution No. 19 of 1988, entitled "Assuming the Lead Role Relative to Resolving the Problems of Solid Waste Disposal in Saratoga County," the Saratoga County Board of Supervisors did assume the lead role in examining all alternatives for the disposal of solid waste within Saratoga County, and the Board of Supervisors did also accept the responsibility of developing the most cost-effective and environmentally safe solution for the disposal of solid waste in Saratoga County.

### D.

In keeping with this charge, the 1988 Solid Waste Committee has recommended a staged County-wide recycling program which, in the first instance, shall require the source separation of newspapers and discarded scrap (white) metal. It is intended that an expanded recycling program of other materials shall be initiated as the County of Saratoga gains experience and formalizes its recycling procedures.

### E.

The County of Saratoga's goal is to reuse and to recycle materials such as paper, glass, yard wastes, metals and other recyclable materials which can be separated from nonrecyclable wastes at the source, i.e., at the residence or at the nonresidence where the waste is created. Such reduction and recycling of solid waste are in keeping with the expressed policy of the State of New York to save landfill space, reduce waste disposal problems, and to conserve our precious natural resources.

### F.

Recycling will be a new challenge to our residents, one to be learned and to be improved upon. Education, participation and cooperation are the elements of a successful recycling program, and when the County has a successful recycling program operating, it will be a keystone in the management of the Saratoga County Solid Waste Management Plan.

§ 277-2\_Definitions.

[Amended 9-27-1988 by L.L. No. 6-1988; 5-16-1989 by L.L. No. 2-1989; 3-20-1990 by L.L. No. 4-1990; 7-17-1990 by L.L. No. 6-1990]

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

**BULK METAL**

Large items and materials of iron, steel, aluminum, brass and copper, but shall not include tin cans, tin jar covers and similar small items.

**CLEAR GLASS**

Transparent or pellucid glass which has no tint or color; which is clean and free of any material (liquid or solid); which is without caps, lids or closures of any type; which is without plastic coating or netted covering of any kind, and which shall not include light bulbs, plate glass, cobalt glass, china or any other glass or nonglass material.

**COMMERCIAL USER**

All other individuals, firms, corporations and entities not defined as a "residential user" delivering solid waste.

**NEWSPAPERS**

Clean newspapers.

**PLASTIC BOTTLES**

Bottles composed of polyethylene terephthalate (PET No. 1), high-density polyethylene (HDPE No. 2) or polyvinyl chloride (V No. 3), clean and free of any material, liquid or solid, without any cap, lid or other type of closure and bearing the SPI code system on the bottom. This SPI code is the numeral 1, 2 or 3 in the center of a triangular figure, comprised of three curved arrows with the letters "PET," "HDPE" or "V" located at its base.

[Amended 3-19-1991 by L.L. No. 4-1991]

**RECYCLABLES**

Newspapers, scrap (white) metal, bulk metal, clear glass, plastic bottles (SPI codes PET No. 1, HDPE No. 2 and V No. 3) and tin cans, as defined herein.

[Amended 3-19-1991 by L.L. No. 4-1991; 2-15-1994 by L.L. No. 1-1994]

**RESIDENTIAL USER**

Any individual who deposits solid waste originating from a private residence who hauls such solid waste either by passenger vehicle or by pickup truck.

**SCRAP (WHITE) METAL**

Large appliances such as refrigerators, stoves, washing machines and clothes dryers.

**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.

**SOURCE SEPARATION**

Segregation of recyclables to be discarded.

**TIN CANS**

Any steel or other ferrous material container used to store food or beverage. Containers for other items, such as aerosols or household hazardous materials, are not tin cans within the meaning of this article.

[Added 2-15-1994 by L.L. No. 1-1994]

§ 277-3\_Source separation required; penalties for offenses.

[Amended 3-20-1990 by L.L. No. 4-1990; 9-25-1990 by L.L. No. 8-1990]

Source separation shall be required of each and every person in the County of Saratoga discarding recyclables as defined herein. Failure to comply shall result in the following penalties:

A.  
Residential users. Any residential user violating any provision of this article shall be guilty of a violation and, upon conviction thereof, shall be punishable by a fine not to exceed \$100 for the first offense, \$200 for the second offense and \$300 for each subsequent offense, or by imprisonment in the County jail for a term not to exceed 15 days, or by both such fine and imprisonment.

B.  
Commercial users. Any commercial user violating any provision of this article shall be guilty of a violation and, upon conviction thereof, shall be punishable by a fine not to exceed \$300 for the first offense, \$700 for the second offense and \$1,000 for each subsequent offense, or by imprisonment in the County jail for a term not to exceed 15 days, or by both such fine and imprisonment.

§ 277-4 Disposal of recyclable materials.

Recyclable materials separated in accordance with this article shall not be buried in any landfill in the County of Saratoga. Such recyclable materials shall be disposed of in accordance with the procedures promulgated by the County of Saratoga's Public Works Commissioner.

§ 277-5 Authority of Commissioner of Public Works.

In accordance with the provisions of Section 4 of Local Law No. 4 of 1980 of the County of Saratoga, which is "A Local Law Establishing the Department of Public Works for the County of Saratoga," the Commissioner of Public Works does possess such powers and duties with respect to the disposal of solid waste as determined by the Board of Supervisors. In connection therewith, the Commissioner of Public Works is hereby designated to administer the County's responsibilities pertaining to the implementation of recycling in the County of Saratoga. The Commissioner is hereby empowered to establish procedures relative to the designating of County recycling centers; the determination of the effective dates for compliance with this article, and the establishment of operational procedures designed to effectively recycle and reuse recyclables.