

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No. .....I..... of 19<sup>90</sup>.....  
County  
of the ~~City~~ of Cayuga ..... was duly passed by Cayuga County Legislature  
~~Town~~ ..... (Name of Legislative Body)  
~~Village~~  
on 4/24/..... 19<sup>90</sup> in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the ~~City~~ of ..... was duly passed by .....  
~~Town~~ ..... (Name of Legislative Body)  
Village  
on ..... 19..... and was approved ..... by the .....  
not disapproved ..... Elective Chief Executive Officer  
repassed after disapproval  
and was deemed duly adopted on ..... 19....., in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the ~~City~~ of ..... was duly passed by the .....  
~~Town~~ ..... (Name of Legislative Body)  
Village  
on ..... 19..... and was approved ..... by the .....  
not disapproved ..... Elective Chief Executive Officer  
repassed after disapproval  
on ..... 19..... Such local law was submitted to the people by reason of a  
mandatory referendum and received the affirmative vote of a majority of the qualified electors voting  
permissive general  
thereon at the special election held on ..... 19....., in accordance with the appli-  
annual  
cable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the ~~City~~ of ..... was duly passed by the ..... on  
~~Town~~ ..... (Name of Legislative Body)  
Village  
..... 19..... and was approved ..... by the ..... on  
not disapproved ..... Elective Chief Executive Officer  
repassed after disapproval

**(Please Use this Form for Filing your Local Law with the Secretary of State)**

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County  
~~City~~ of Cayuga  
\*\*\*\*\*~~Town~~  
~~Village~~

Local Law No. ....1..... of the year 19<sup>90</sup>.....

A local law ..... to Adopt Local Law No. 1 for the Year 1990, relative to recycling in the  
County of Cayuga. (Insert title)

Be it enacted by the ..... Cayuga County Legislature ..... of the  
(Name of Legislative Body)

County  
~~City~~ of Cayuga  
~~Town~~  
~~Village~~ ..... as follows:

BE IT ENACTED by the Legislature of the County of Cayuga as follows:

SECTION 1. Legislative Intent

On May 24, 1988, by adoption of Resolution No. 211 of 1988 entitled "Authorizing the Health Department to establish a position of Solid Waste Manager for Cayuga County" the Cayuga County Legislature did commit to explore creation of a countywide recycling system.

In keeping with this charge, on June 13, 1989 by adoption of Resolution No. 259 of 1989 entitled "Establishing the County as a Solid Waste PLANNING UNIT and Authorizing the Filing of any Application for State Financial Solid Waste Planning Assistance", the Cayuga County Legislature did assume the lead role in examining all alternatives for the disposal of solid waste within Cayuga County, and accept the responsibility to develop a cost effective, environmentally safe, long-term solution for the management of solid waste in Cayuga County.

Furthermore, the City of Auburn entered into a Consent Order with the N.Y.S.D.E.C. in July 1989 requiring recycling by May 1, 1990, and the County desires to assist the City in complying with that Consent Order.

Recycling will be a new challenge for our residents, one to be learned and to be improved upon. Education, participation and cooperation are the elements of a successful recycling program operating, it will be a keystone in our County's solid waste management program.

## SECTION 2. Definition.

(A) Solid Waste - shall mean all materials or substance discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection. The term solid waste shall not include (1) hazardous waste, (2) radioactive waste, (3) sewage and other highly diluted water-carried materials or (4) waste materials in gaseous forms.

(B) Recyclables - shall mean glass jars and bottles, tin cans, aluminum, plastic containers and yard wastes. Definitions listed below are subject to change according to market conditions.

1. Glass jars and bottles - clear, amber and green - that have been washed and covers removed.
2. Tin cans - that have been cleaned, labels removed, with ends removed, if possible and safe.
3. Aluminum - which has been cleaned, for example juice cans, pie plates, dinner trays.
4. Plastic containers - such as milk bottles, detergent bottles that have been washed and covers removed.
5. Yard wastes - grass clippings, leaves, garden debris and brush.

(C) Source Separation - shall mean the segregation of recyclables from other solid waste by the waste generator.

(D) Recycling Opportunity - shall mean providing either collection service or drop-off facilities for handling recyclables.

(E) Person - shall mean any natural person, individual, individuals, association, organization, company partnership, corporation or other legal entity.

## SECTION 3. Source Separation Required.

Source separation shall be required of each and every person in the County of Cayuga producing solid waste destined for a disposal facility within Cayuga County.

## SECTION 4. Recycling Opportunities Required.

Public and private entities performing solid waste collection services shall provide recycling opportunities for residents and businesses for all source separated recyclables.

## SECTION 6. Enforcement

(A) Solid waste collectors may choose not to collect solid wastes which contain recyclables. However, such collectors shall clearly label uncollected wastes with an explanation of rejection.

(B) Solid Waste collectors shall submit a description of recycling opportunities created for their clients upon request of the Cayuga County Solid Waste Management Department.

(C) Operators of solid waste disposal facilities shall submit a preliminary plan of compliance to the Cayuga County Solid Waste Management Department by May 1, 1990, for review by the Health Committee. Operators shall report any changes in their compliance plan to the Health Committee.

(D) The County reserves the right to enter solid waste disposal facilities for the purpose of verifying compliance with this Local Law upon 24 hour prior notice to the facility operator. The operator will be given an opportunity to correct or address apparent violations.

(E) Enforcement shall be the responsibility of the Public Health Director, Cayuga County Health Department, or his duly authorized designees.

## SECTION 7. Record Keeping.

(A) Solid waste disposal facilities shall keep records to be submitted annually to the County Solid Waste Management Department on the quantities of solid waste and recyclables received.

(B) Solid waste collectors shall keep records to be submitted annually to the County Solid Waste Management Department on the quantities of recyclables collected within Cayuga County but not delivered to a solid waste disposal facility within the County. Such records shall be submitted no later than January 20th of each calendar year.

(C) All records shall be kept in a format consistent with NYSDEC reporting requirements and guidance.

## SECTION 8. Future Recyclables.

(A) Additional materials may be selected for recycling including, but not limited to residential newspapers, corrugated cardboard, Christmas trees, tires and magazines; commercial, institutional and industrial office paper, mixed paper, corrugated cardboard, scrap metals, pallets and construction/demolition debris.

(B) The Health Committee shall solicit information from solid waste collectors, disposal facility operators and other concerned parties prior to recommending additional materials for recycling. The County shall designate materials for recycling.

**SECTION 9. Penalties.**

(A) Solid waste disposal facility operators shall establish a minimum surcharge of fifty percent (50%) for solid wastes containing recyclables. Half of the monies collected from such surcharges shall be used to promote recycling in the facility's service area.

(B) A violation of any provision of this Local law shall constitute a violation punishable on conviction for a first offense by a fine not exceeding twenty-five dollars (\$25.00) and for a second offense by a fine not exceeding fifth dollars (\$50.00), and for a third or subsequent offense by a fine not exceeding one hundred dollars (\$100.00).

**SECTION 10. Severability.**

If any part of this Local Law is found to be illegal by a court of competent jurisdiction, the remaining sections shall remain in full force and effect.

**SECTION 11. Effective Date.**

This Local Law shall take effect immediately or as otherwise provided by law except that the penalties stipulated in Section 9 shall take effect upon the opening date of the City of Auburn's new sanitary landfill, which will be on or about December 1, 1990.

(City local law concerning Charter revision proposed by petition.)

5. I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on the ..... 19 ..... became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph .....1..... above.

*Emma L. Bennett*  
~~Clerk of the Board of Supervisors, City, Town or Village, Clerk or Officer designated by Local Legislative Body~~  
Clerk, Cayuga County Legislature

Date: 5/9/90

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK  
COUNTY OF .....CAYUGA.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*Raymond J. Zaito*  
~~XXXXXX OFFICE~~ COUNTY ATTORNEY

County  
City of .....CAYUGA.....  
~~Power~~  
~~Village~~