

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

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 14 of 19 92 of the (County) of WYOMING was duly passed by the BOARD OF SUPERVISORS on AUGUST 11 1992, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

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

3. (Final adoption by referendum.)

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

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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

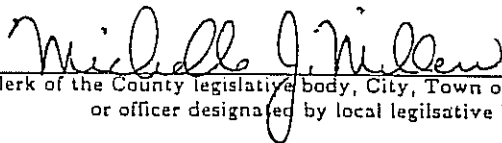
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, 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.


Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body


(Seal)

Date: AUGUST 13, 1992

(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 WYOMING

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.



Signature

COUNTY ATTORNEY

Title

County _____
of WYOMING

Date: AUGUST 13, 1992

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of WYOMING

Local Law No. 14 of the year 19 92

A local law ESTABLISHING SOURCE SEPARATION AND RECYCLING (Insert Title)

Be it enacted by the BOARD OF SUPERVISORS of the (Name of Legislative Body)

County of WYOMING as follows:

SECTION 1: Purpose

a. The County finds that the removal of certain materials from the Solid Waste stream will decrease the amount of Solid Waste disposed in landfills and aid in the conservation of valuable resources.

b. The County finds that the New York Solid Waste Management Act of 1988 requires all municipalities to adopt a Local Law by September 1, 1992, requiring separation of recyclable and reusable material from Solid Waste.

c. The County finds that, in order to protect the health, safety and welfare of the people of the County, it is necessary for the County to enact this Local Law in order to encourage and facilitate the maximum recycling practicable on the part of every residence, and every commercial, industrial and institutional enterprise.

d. The County declares that the purpose of this local law is to establish, implement and enforce recycling-related practices and procedures to be applicable to all waste generators within the County and to all waste haulers which operate within the County.

SECTION 2: Definitions

a. Authorized Facility shall mean a public or private facility or facilities where Recyclables may be delivered for disposal, including, but not limited to, drop-off centers, materials recovery facilities, or other such public or private facilities designated by the County.

b. County shall mean the County of Wyoming, New York.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

c. Economic Market shall mean when the full cost of proper collection, transportation and disposal of a component of Solid Waste is equal to or greater than the cost of the sale of the component.

d. GLOW Recycling Administrator shall mean that staff member of the GLOW Region Solid Waste Management Committee.

e. Recyclables shall mean paper, glass, metal, plastic, garden and yard waste, and any other component of Solid Waste for which an economic market exists; or any component so designated by the County.

f. Solid Waste shall mean all putrescible and nonputrescible solid waste, including, but not limited to, 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, or are being accumulated, stored, or physically, chemically, or biologically treated prior to being discarded or rejected, having served their intended use; or as industrial, commercial, and agricultural waste; sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly-diluted water-carried materials or substances and those in gaseous form, special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended; or waste which appears on the list or satisfies the characteristics of hazardous waste promulgated by the New York Commissioner of Environmental Conservation.

g. Source Separation shall mean the segregation of recyclable material from the Solid Waste stream at the point of generation for separate collection, sale, or other disposition.

h. Waste Generator shall mean any person, household, business, governmental agency, municipality or other legal entity which produces Solid Waste requiring off-site disposal.

i. Waste Hauler shall mean all persons engaged in the commercial collection, transportation and/or disposal of Solid Waste and/or Recyclables generated, originated, or brought within the County.

SECTION 3: ADMINISTRATION

To the extent necessary and consistent with other municipal enactments of a similar nature, the County shall be primarily responsible for all ministerial and administrative duties described or reasonably required by the terms of this Local Law.

SECTION 4: PREPARATION OF Recyclables FOR COLLECTION

a. Each waste generator in the County shall provide for the removal of Recyclables from the property on which they are

generated either through a service provided by a municipality, or a private hauler, or by direct haul by the individual waste generator to an Authorized Facility.

b. Nothing in this Local Law is intended to prevent any waste generator from making arrangements for the reuse, private collection, sale or donation of Recyclables.

SECTION 5: WASTE HAULERS

a. All Waste Haulers in the County shall offer or cause to be offered to their customers collection, transportation and disposal services for Recyclables to the same extent any such waste hauler offers collection, transportation and disposal services for solid waste. Such services shall be provided on the same day(s) as Solid Waste collection, transportation and disposal services are provided.

b. No Waste Hauler shall be required to accept for collection Solid Waste which has not been source-separated or is hazardous waste.

c. Waste Haulers shall recycle, or cause to be recycled, no less than eighty-five percent (85%) by weight of the Recyclables collected in the County.

d. All Waste Haulers must maintain all records and supply the GLOW Recycling Administrator with a quarterly report of its activities. Such quarterly report shall indicate: the tonnage of Solid Waste collected in the County; the location of disposal of Solid Waste collected in the County; the tonnage of Recyclables collected in the County; and the market(s) for the Recyclables collected in the County.

e. Quarterly reports shall be provided no later than thirty (30) days after the end of the quarter with the first quarter being January, February and March; the second quarter being April, May and June; the third quarter being July, August and September; and the fourth quarter being October, November and December.

SECTION 6: ENFORCEMENT

a. The County may inspect all portions of vehicles and/or containers used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables, including, but not limited to, containers placed at the curbside of residences, to ascertain compliance with the terms and conditions of this Local Law.

b. Any Waste Generator or any Waste Hauler not in compliance with this Local Law shall be subject to enforcement proceedings not inconsistent with the provisions of any local law providing for enforcement of mandated Source-Separation and recycling.

c. Violation of this Local Law shall be a violation as defined in Article 10, Subdivision 3, of the Penal Law and

punishable by a minimum fine of Fifty Dollars (\$50.00) and not to exceed One hundred Dollars (\$100.00) and/or imprisonment for a period of fifteen (15) days.

d. An action or proceeding may also be maintained in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this section.

SECTION 7: REGULATIONS

The County is authorized to further implement the purposes of this Local Law by promulgating regulations from time to time as necessary.

SECTION 8: SEVERABILITY

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Local Law is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Local Law.

SECTION 9: EFFECTIVE DATE

This Local Law shall become effective upon the filing with the Secretary of State.