

Chapter 97

**GARBAGE, RUBBISH AND REFUSE**

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**[HISTORY: Adopted by the Town Board of the Town of Patterson 3-9-77 as L.L. No. 1-1977. (readopted 4-13-2005 by L.L. No. 9-2005) Amendments noted where applicable.]**

**GENERAL REFERENCES**

- Burning permits - See Ch. 68.**
- Dumps and dumping - See Ch. 79.**
- Littering - See Ch. 103.**

### **§ 97-1. Legislative intent.**

It is the purpose of this chapter to protect and enhance the public health and welfare of the Town of Patterson by providing for the storage, collection and transportation for disposal of solid waste within the Town of Patterson, including the licensing and regulation of persons and vehicles engaged in such collection and transportation.

### **§ 97-2. Definitions.**

For the purpose of this chapter, the following terms, phrases and words shall have the meanings given herein:

**GARBAGE** - All putrescible animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food or the storage and sale of produce.

**HAZARDOUS WASTE** - Those wastes that can cause serious injury or disease during the normal storage, collection and disposal cycle, including but not limited to explosives, flammables, pathological and infectious wastes, radioactive materials, poisons, acids and dangerous chemicals or combinations of chemicals.

**PERSON** - An individual, group of individuals, partnership, firm, corporation or association.

**REFUSE** - All putrescible and nonputrescible solid waste, including garbage, rubbish, rubble, trash, small dead animals, ashes, tree limbs, yard clippings, grass cuttings, yard cleanings, leaves, solid commercial and industrial waste, but not including human or rendering waste, junk motor vehicles, dirt or rocks.

**REFUSE COLLECTOR OR HAULER** - Any person duly licensed or authorized pursuant to this chapter to engage in the business of collecting, storing, hauling or transporting of refuse in the Town of Patterson.

**RUBBISH** - All nonputrescible solid waste, consisting of both combustible and noncombustible, including but not limited to paper, ashes, plastics, cardboard, tin cans, yard clippings, wood, glass, rags, discarded clothes or wearing apparel of any kind or any other discarded object or thing not exceeding three (3) feet in length.

**SOLID WASTE** - All matter of useless, unwanted or discarded solid or semisolid domestic, commercial, industrial, institutional, construction and demolition waste material, including garbage and refuse but excepting human or rendering waste.

### **§ 97-3. Storage.**

A. Except as otherwise provided, all garbage and/or refuse shall be stored in containers commercially manufactured for that purpose, equipped with suitable handles and tightfitting covers

and which shall be watertight and capable of being properly cleaned and sanitized. Such containers shall not exceed forty (40) gallons in capacity and shall not be filled to exceed seventy-five (75) pounds in weight.

B. Plastic (polyurethane) bags may be used for storage of all refuse, provided such bags are securely tied or otherwise fastened at the top, are free from holes, rips or tears and are of sufficient strength to permit normal handling without rupture. Maximum size bag for garbage shall be thirty (30) gallons; maximum size bag for leaves or refuse not containing garbage shall be fifty-five (55) gallons.

C. Metal containers larger than those permitted in Subsection A may be used on commercial properties where the type of collection equipment and/or collection methods permit the handling of such containers without endangering health or safety. All metal containers pursuant to this subsection shall have self-closing lids or be closed at all times.

D. Any waste material other than garbage which cannot readily be deposited in containers may be compacted and securely bundled, tied or packed so as not likely to be spilled or scattered, and when so packed and secured said bundle shall not exceed seventy-five (75) pounds in weight nor two by four (2 x 4) feet in dimensions.

E. Hazardous waste shall not be stored, placed for collection nor collected except on special permission by the Town of Patterson and only in conformance with the regulations applicable thereto.

#### **§ 97-4. Point of collection.**

Where collection is provided at the curb, containers shall be placed in a visible and accessible area so as not to interfere with sidewalk or vehicular traffic or parking.

#### **§ 97-5. Schedule of collection.**

A. Collection for refuse shall be provided at least one (1) time each week on regularly scheduled days. Collection shall be restricted to the hours of 6:00 a.m. to 6:30 p.m., Monday through Saturday, on scheduled days. No refuse shall be placed for collection prior to 7:00 p.m. on the day prior to collection day.

B. Any changes in schedules shall be subject to the prior written approval of the Town of Patterson.

#### **§ 97-6. Collection vehicles.**

A. All vehicles used to collect, haul or transport refuse shall be of metal or other impervious

material, shall be constructed and maintained to prevent refuse from accumulating in or on the body, shall be capable of being completely emptied and shall be generally kept in a clean and sanitary condition.

B. Any vehicle used to collect, haul or transport garbage or refuse containing garbage shall be of the packer type with fully enclosed body or other approved type to minimize the escape of any noxious or disagreeable odors or the escape of any of the vehicle's contents, either liquid or solid.

C. Any vehicle used to collect, haul or transport dry waste such as rubbish, refuse (not including garbage) and similar material may be of open-body type but shall be equipped with a tarpaulin or other suitable cover, cleats or other fastenings which, when properly secured, will prevent blowing off, spilling or scattering of contents when said vehicle is in motion. Such cover shall be kept properly secured whenever such vehicle is in motion, except when actually engaged in collection.

D. All vehicles used by any refuse collector or hauler shall display the name of the collector, license number and vehicle number clearly printed and readily visible on each side of the vehicle, with figures and letters at least three (3) inches in height.

E. All vehicles used to collect, haul or transport refuse shall be subject to inspection by such persons as the Town Board may designate by resolution.

#### **§ 97-7. Additional rules and regulations.**

The Town Board of the Town of Patterson may adopt such further rules and regulations as it may deem necessary or expedient in the implementation and administration of this chapter.

#### **§ 97-8. Penalties for offenses. [Amended 9-10-80 by L.L. No. 3-1980; 10-10-84 by L.L. No. 3-1984]**

Any person committing an offense against any of the provisions of this chapter or Article, as the case may be, shall be guilty of a violation under the Penal Law and, upon conviction thereof, shall be punishable for each offense by a fine of not more than one thousand dollars (\$1,000.) or by imprisonment for not more than fifteen (15) days, or both.