

(Please Use this Form for Filing your 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
City of Candor
Town
Village
Local Law No. 6 of the year 19 90

A local law Providing for the Disposal of Garbage and Refuse and For the
Licensing of Garbage Collectors Within the Town of Candor

Be it enacted by the Board of Councilmen of the
(Name of Legislative Body)

County
City of Candor as follows:
Town
Village

A LOCAL LAW PROVIDING FOR THE
DISPOSAL OF GARBAGE AND REFUSE
AND FOR THE LICENSING OF GARBAGE
COLLECTORS WITHIN THE TOWN OF
CANDOR

Be it enacted by the Board of Councilmen of the Town of
Candor, County of Tioga and State of New York as follows:

Section 1. It is the intent of this Local Law to protect and
promote the health, safety and welfare of the inhabitants of the
Town of Candor by regulating and controlling the collection and
disposal of garbage and refuse within the Town of Candor.

Section 2. This Local Law may be known as the Town of Candor
Garbage and Refuse Local Law.

Section 3. As used herein the term "garbage and refuse"
shall mean all putrescible and non-putrescible solid waste
including but not limited to garbage, rubbish, ashes, incinerator
residue, street cleaning, dead animals and solid commercial and
industrial wastes.

Section 4.

A. No person shall dump or otherwise dispose of any
garbage or refuse within the Town of Candor, except:

(1) At a sanitary landfill operated pursuant to a
permit granted by the Department of Environmental Conservation of
the State of New York; or

(2) On premises owned or occupied by him, provided that
the garbage or refuse originates at the same premises and that he
cover at least daily with at least 6" of soil all garbage and
refuse capable of fermentation or decay.

B. No garbage or refuse originating outside the Town or
Village of Candor shall be dumped or otherwise placed in any
sanitary landfill or in any other public or private location

(If additional space is needed, please attach sheets of the same size as this and number each)

fuels, radioactive or other potentially dangerous explosives or inflammable materials shall be dumped or placed at any landfill or other public or private location within the Town of Candor.

Section 5. No person shall engage in the business of the collection of garbage and refuse within the town of Candor without first obtaining a license from the Town Clerk of the Town of Candor. The term "business of collection of garbage and refuse" shall mean an operation conducted for hire on a regular basis at established rates. It does not include occasional or sporadic collection of garbage and refuse.

Section 6. Any person desiring to engage in the business of the collection of garbage and refuse shall make application with the Town Clerk of the Town of Candor setting forth his name, address, the name under which such business is to be conducted, a statement of convictions, if any, and the number and kinds of vehicles to be used in the business, together with the charges which he proposes to make for the collection and disposal of such garbage and refuse. Such charges shall not exceed the amounts which the Town Board may from time to time prescribe.

Section 7. The fee for such license shall be \$200.00 (as set by the Town Board of the Town of Candor at a regular meeting February 9, 1971) for each year or portion thereof to which said license applies, and shall accompany the application for the license.

Section 8. Such license shall be effective from the first day of January until the thirty-first day of December of the same year and may be renewed in the month of December for the succeeding year and subject to the same conditions as the original license.

Section 9. No license issued under this Local Law shall be transferrable.

Section 10. Any vehicle used in the business of the collection of garbage and refuse shall be so equipped as to be water tight, and so covered that no part of the load may blow, leak or spill, and shall be available for inspection by a duly authorized official of the Town of Candor at any reasonable time. These requirements shall not apply to a vehicle used for occasional or sporadic collection of refuse and garbage but the load must be so secured that the contents will not blow, leak or spill.

Section 11.

A. Any person who commits any act in violation of any provision of this Local Law shall be deemed to have committed an offense against this Local Law which shall constitute a violation as defined in the Penal Law of the State of New York and shall be liable for the penalties herein imposed for such violation. Each act committed in violation of any provision of this Local Law shall constitute a separate offense.

B. For every violation of any provision of this Local Law the person violating the same shall be subject to a fine of not more than \$250.00 or imprisonment not exceeding 15 days, or both.

C. Any person violating this Local Law shall be subject to a civil penalty enforceable and collectable by the Town in the amount of \$250.00 for each such offense.

D. In addition to the above provided penalties and punishment, the Town Board may also

(1) Maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of such Local Law.

(2) Take appropriate action to revoke any license issued hereunder.

Section 12. The Enforcement Officer shall have the power to issue an appearance ticket pursuant to Section 150.20 of the Criminal Procedure Law, to serve a Summons, to serve and issue any orders or process in the administration of the provisions of this Local Law. In addition, any police officer or inspector authorized by the municipality to assist in enforcement of this Local Law may serve any process, including an appearance ticket, a uniform appearance ticket and simplified information related to any proceeding either criminal or civil in nature undertaken in the enforcement of the provisions of this Local Law.

Section 13. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 14. This Local Law shall become effective upon filing with the Secretary of State of the State of New York.

Local Law Filing

(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
☐ City of Candor
☒ Town
☐ Village

Local Law No. 6 of the year 20 11

A local law (Insert Title) An Amendment of a Local Law Providing for the
Disposal of Garbage and Refuse and for the
Licensing of Garbage Collections Within the
Town of Candor

Be it enacted by the Town Board of the
(Name of Legislative Body)

- ☐ County
☐ City of Candor
☒ Town
☐ Village
- as follows:

Town of Candor Local Law No. 6 of the year 2011

A local Law amending Local Law No.1 of the year 2002

Be it enacted by the Board of Councilmen of the Town of Candor as follows:

AN AMENDMENT OF A LOCAL LAW PROVIDING FOR THE DISPOSAL OF GARBAGE AND REFUSE AND FOR THE LICENSING OF GARBAGE COLLECTIONS WITHIN THE TOWN OF CANDOR

Be it enacted by the Board of Councilmen of the Town of Candor, County of Tioga and State of New York as follows:

That Section 7 of Local Law No.2 of the year 1991 is hereby amended to read as follows:

"The fee for such license be shall be as determined by resolution of the Town Board and the Town Clerk shall maintain a schedule of this and any other fee set by the Town Board.

That all other sections of said Local Law No.2 of the year 1991 shall remain in full force and effect.

This Law shall take effect on the 1st day of January 2012

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

(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. 6 of 20 11 of the (County)(City)(Town)(Village) of Candor was duly passed by the Town Board on Dec 20 11, in accordance with the applicable provisions of law.

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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 _____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

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 _____ 20 _____, in accordance with the applicable provisions of law.

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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* 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 chairperson 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 20 _____ 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 _____ 20 _____, 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 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, 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 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 _____, above.

Connie Kulze
Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: Dec. 13, 2011

(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 Tioga

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]
Signature

Title

Town Attorney

County
City of
Town
Village

Candor

Date:

Dec. 13, 2011