(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 of Saratoga
~~City~~
~~Town~~ **of** Stillwater
Village

Local Law No. 1 **of the year** 1990

Prohibiting the Dumping, Storing or Placing of Solid or Liquid Waste Material in the Village of Stillwater

A local law
(Insert title)

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

County Saratoga
~~City~~
~~Town~~ **of** Stillwater **as follows:**
Village

A Local Law Prohibiting the Dumping, Storing or Placing of Solid or Liquid Waste Material in the Village of Stillwater.

Section 1: Legislative Intent.

The intent of this Local Law is to regulate, control or prohibit the dumping, storing, or placing of certain kinds of solid or liquid waste materials originating from inside or outside the boundaries of the Village of Stillwater, or creating a dump or dumping ground of such materials withing the Village.

Section 2: Definition.

The term solid or liquid waste mean, all putrescible and nonputrescible solid wastes including garbage, human sewage, rubbish, ashes, incinerator residue, street and building demolition and construction debris, metals, abandoned vehicles, offal, commercial and industrial wastes, and hazardous and toxic wastes as defined by D.E.C. and the E.P.A.

The term "person" shall include an individual, firm, partnership, corporation, municipality or association of individuals.

The term "dump" shall mean a place used for the disposal and leaving of solid or liquid waste by the public or by any person.

Section 3: Prohibition.

A. The dumping, storing, or placing of any kind of solid or liquid waste material within the Village of Stillwater which is picked up, brought or transported from inside or outside the Village of Stillwater is hereby prohibited.

B. The creation and/or operation of sanitary landfills, dumps or dumping grounds within the Village of Stillwater for solid or liquid waste coming from inside or outside the boundaries of the Village of Stillwater is prohibited.

C. There shall be no prohibition against the normal garbage and refuse collection and disposal currently sanctioned by the Village.

Section 4. Penalties.

Any person violating any of the provisions of this Local Law shall be quilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $1,000.00 for each offense or by imprisonment for not more than six months, or by both such fine and imprisonment. The Village Board shall also have the power to bring Civil action to restrain any violation of this Local Law in a Court of competent jurisdiction. When a violation of this Local Law is continuous, each 24 hours thereof shall constitute a separate and distinct offense.

Section 5. Severability.

If any section, paragraph, subdivision, or provision of the Local Law shall be

CONTINUED: SEE NEXT PAGE

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

adjudged invalid or held unconstitutional, the same shall not effect the validity of this Local Law as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

Section 6. Repealer.

All prior ordinances, local laws, or resolutions or parts or ordinances, local laws or resolution of the Village of Stillwater inconsistent with the provisions of this Local Law are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency, and in all respects this Local Law shall be in addition to other legislation regulating and governing the subject matter covered by this Local Law.

Section 7. Effective Date.

This Local Law shall take effect immediately.

(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.)

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

I hereby certify that the local law annexed hereto, designated as local law No. ..1..... of 19 90..... of the County of Saratoga / City / Town / Village of ..Stillwater... was duly passed by the .....Board of Trustees..... (Name of Legislative Body) on ...February...12,..... 19 90..... in accordance with the applicable provisions of law.

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

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 ..... (Name of Legislative Body) on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

and was deemed duly adopted on ..... 19 ....., 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 19 ..... of the County / City / Town / Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

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.

4. **(Subject to permissive referendum, and final adoption because no valid petition filed requesting 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 ..... (Name of Legislative Body) on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

on ..... 19 ..... Such local law was subject to a permissive referendum and no valid petition requesting such referendum was filed as of ..... 19 ....., in accordance with the applicable provisions of law.

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*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 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 §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 ..... above.

Tammy A. Russell

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

TAMMY A. RUSSELL
Deputy Village Clerk

Date: March 2, 1990

(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 .....Saratoga.....

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.

John H. Ciulla, Jr.

JOHN H. CIULLA, JR. Signature

.....Village Attorney.....
Title

Date: March 2, 1990

County of Saratoga
City / Town of Stillwater.....
Village

DOS 239-4 8

TRUSTEES
FLORENCE E. HANEHAN
MICHAEL J. HANEHAN
JOHN F. HERRICK
ERNEST W. MARTIN

VILLAGE OF STILLWATER

INCORPORATED 1816
STILLWATER, NEW YORK

DAVID L. RATHBUN, MAYOR

JOHN H. CUILLA, JR.
Village Attorney
ALICE M. SIMMONS
Village Clerk & Treasurer
MICHAEL SIMONCAVAGE
Supt. of Public Works

March 7, 1990

VILLAGE OF STILLWATER
David L. Rathbun, Mayor
P.O. Box 507
Stillwater, New York 12170

RE: Local Law No. 1 1990 - Resubmited

Dear Dave:

Enclosed please find copy of Local Law No. 1 that has been forwarded to the Department of State Records and Law Bureau corrected and to be now filed.

Very truly yours,

John H. Ciulla, Jr.

JHC:rbl
file copy

enclosure - copy