

Proposed Local Law Number 3 Of 2019

County Of Ulster

A Local Law Amending Chapter 304, Article I Of The Code Of The County Of Ulster

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. LEGISLATIVE INTENT.

Chapter 304 Solid Waste, Article I Use of Disposal Sites, of the Code of the County of Ulster was written to prevent out of County refuse from entering and being landfilled in Ulster County.

The definition of “refuse” in Article I, Section 304-2 was amended by Local Law No. 4 of 1997 to read “garbage, rubbish, industrial waste and dredge material.”

The Towns of Rochester and Saugerties have suffered diverse environmental impacts by receiving out of County materials that were used as “clean fill” and permanently landfilled in Ulster County.

Ulster County desires to amend the definition of refuse to include regulated waste and construction and demolition debris and prohibit these materials from being landfilled within the county borders.

SECTION 2. DEFFINITIONS.

- A. Chapter 304 Solid Waste, Article I Use of Disposal Sites, Section 304-2 Definitions shall be amended to include new definitions to read as follows:

Regulated Waste – shall mean concrete, brick, asphalt, asbestos, drywall, plaster, roofing materials, wood, metal, tiles, paint chips, ash, slag, coal, pieces of particle board, carpet, petroleum contaminated soil, and other contaminate materials.

Construction and Demolition debris – shall mean uncontaminated solid waste resulting from construction, remodeling, repair and demolition of utilities, structures and roads; and uncontaminated solid waste resulting from land clearing.

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- B. The definition of refuse in Chapter 304 Solid Waste, Article I Use of Disposal Sites, Section 304-2 Definitions shall be amended to read as follows:

Refuse – shall mean regulated waste, construction and demolition debris, garbage, rubbish, industrial waste and dredge material.

SECTION 3. SEVERABILITY.

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Code of the County of Ulster which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the Secretary of State.