

RESOLUTION NO. 111 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2015, COUNTY OF LEWIS

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on March 3, 2015, directing that a public hearing be held by said Board on April 7, 2015, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, **“LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”**; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 1, 2015, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5 – 2015), County of Lewis, being **“LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”** be and the same hereby is designated as Local Law No. 3 –2015, County of Lewis.

Section 2. That Local Law No. 3 – 2015, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted pursuant to the following roll call vote:

YEAS: Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt

NAYS: Chartrand

ABSENT: Brennan and Pepper

RESOLUTION NO. 81 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5 - 2015), COUNTY OF LEWIS

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 3, 2015, a proposed Local Law entitled "**LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.**"

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on April 7, 2015, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Brennan , seconded by Legislator Dolhof , and adopted.

**LOCAL LAW (INTRODUCTORY NO. 5-2015)
COUNTY OF LEWIS, STATE OF NEW YORK**

**A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM
SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND
DISPOSAL OF SOLID WASTE AND RECYCLABLES**

BE IT ENACTED, by the Board of Legislators of the County of Lewis, State of New York as follows:

LEGISLATIVE FINDINGS

The Board of Legislators of the County of Lewis, upon consideration and in support of the adoption of Local Law No. 5 - 2015, hereby finds and declares:

1. The safe and proper disposal of the solid wastes generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement in or about 1986 with the Development Authority of the North Country ("Authority"), to develop, construct and install a sanitary landfill located in the Town of Rodman (the "Authority landfill") for the purpose of disposing of solid waste materials that are produced or collected within the participating communities. At that time, Lewis County adopted Local law No. 2 of 1986, which provided that all solid waste generated or originated within Lewis County be delivered to the North Country Solid Waste Management Facility. The Local Law was subsequently amended in 1992 and 2008.
3. The Authority landfill has therefore become an integral component of the County's solid waste management system. Additionally, the professional resources of the Authority in the field of solid waste management are a valuable component of the County solid waste management system.
4. Following the adoption of the inter-municipal agreement with Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa, and a flow control provision directing waste generated within the County to disposal facilities operated by the County or the Authority, Since that time,

legal issues arose as to the validity of municipalities mandating that all solid waste generated or collected within their jurisdiction be disposed of in designated municipal facilities. That issue has recently been resolved in federal court and as a result, the County finds that it is appropriate to review its solid waste management program and amend the same in order to address its current needs.

5. The goal of the Regional Solid Waste management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs. The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived primarily from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, rather than from tax revenues that are based on the assessed value of properties in the County. Revenues from the sale of recyclable materials also contribute to system operating costs, however, to a lesser degree.
6. The County provides a strong economic incentive to maximize recycling and waste reduction, by changing a reduced or no fee on recyclable materials. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. Tipping fees on non-recyclable wastes are used to financially support the County's recycling programs which may not generate sufficient revenues to support themselves. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their wastes to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.
7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste within the County is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal that directs all of the non-recyclable waste generated in the County to the public facilities established for the system is the most effective means of achieving the goals of its Solid Waste Management Plan. Recent

judicial decisions in the federal courts have determined that municipal governments indeed have the power to direct the flow of waste materials to public facilities. The County remains authorized by the Laws of the State of New York to direct the flow of waste generated in the County to facilities constructed for that purpose. The County hereby declares it to be in the public interest and adopt the annexed legislation amending and restating the local laws requiring that all Solid Waste generated or collected within the County be delivered to a County-owned transfer station or other transfer station as designated by County resolution and/or directly to the Authority Landfill for disposal. The County further finds that including all such recyclable and non-recyclable waste within the integrated system is the best means of providing for the long-term benefit of all participants of the system.

SECTION I. DEFINITIONS

1. **Authority Landfill** shall mean the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators** or Board shall mean the fully elected County Board of Legislators.
3. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
4. **Commercial Waste** shall mean Solid Waste generated from commercial, business, institutional, education, or other non-residential sources in the County.
5. **Construction and Demolition Debris** shall have the meaning set forth in 6 NYCRR 360-1.2 as amended from time to time.
6. **County** shall mean Lewis County, New York a municipal corporation of the State of New York, with offices at 7660 North State Street, Lowville, New York and all of its political subdivisions.
7. **County Facility** shall mean any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities.

8. **Department** shall mean the County Solid Waste Management and Recycling Department (Lewis), (Recycling and Solid Waste Department [Jefferson]) (Solid Waste Department [St. Lawrence]) or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables** shall mean the materials, as established and described by the Department which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.
10. **Farm** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulations and/or statute.
12. **Household Hazardous Waste** shall mean household hazardous waste as defined in 6 NYCRR Part 360 of the State of New York as the same and may be amended from time to time.
13. **Industrial Waste** shall mean that portion of Commercial Waste generated by manufacturing or industrial processes which may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County or Authority Facility. Such waste may include, but is not limited to, the following: electric power generation; fertilizer/agricultural chemicals; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastic and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include oil or gas drilling, production, and water treatment. This term does not include oil or gas drilling, production, and treatment wastes (such as brines, oil, and fluids); or overburden, spoil, or trailing resulting from mining; or solution mining brine and insoluble component wastes.

14. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.
15. **Market** shall mean a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump** shall mean a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality, or any other entity.
18. **Prohibited Materials** shall mean materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables** shall mean such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to "Designated Recyclables", which under an applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse** shall mean putrescible and incident non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
21. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
22. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multi-family dwellings in the County.
23. **Solid Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.

24. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other Person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.
25. **Waste generator** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization or educational institution which produces Solid Waste and/or Recyclable Materials requiring disposal.
26. **Hearing Officers** shall mean Solid Waste Department Head and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members) to hear any violation matters.

SECTION II. ADMINISTRATION

1. The Department shall be primarily responsible for the administration and enforcement of the terms of this local law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this local law or the operation of any County Facility.
2. The Department shall administer the program of registering and permitting all Waste Collectors and other Persons collecting, transporting or disposing of Solid Waste and/or Recyclables generated within the County for disposal at Designated County facilities. This includes the issuance, renewal, and revocation of all Department permits described in this local law.
3. The Authority shall be responsible for the administration of the Authority Landfill and for promulgating such rules and regulations as the Authority, in its sole discretion, may deem to be reasonably necessary.
4. In addition to authorized representatives of the County, the administrators and personnel of the Development Authority of the North Country (Authority) shall be authorized, upon personal knowledge and/or information and belief, to issue notices of violation on behalf of the Department and pursuant to Section IV (2)(b) of this Local Law, to any person acting in violation of any provision of this Local Law. All such notices issued pursuant to this authorization shall be in a form approved by the Department and shall be returnable to the Department or their designee for prosecution pursuant to Section IV hereof.

SECTION III. STANDARDS AND REGULATIONS

1. Commercial Waste Permit Requirements

- a. No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the Department.
- b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list of all vehicles (including registration and vehicle license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department.
- c. Upon receipt of a complete application, together with an application fee as determined by the Department and proof of insurance as required by the Department, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall remain in effect, unless revoked or suspended pursuant to this local law.
- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for collection of waste within the County. Use of any vehicle for the collection of waste that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.

- g. The Commercial Waste Permit holder hereunder shall furnish the Department with a list identifying the municipalities within which collection services are provided and with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports. This list shall be updated by the Commercial Waste Permit holder at the request of the Department.
- h. The Department, pursuant to Section IV of this local law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover.
- k. All Commercial Waste Permit holders shall carry and shall provide proof of insurance as deemed appropriate by the Department.
- l. Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Department, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.

2. Disposal of Solid Waste

- a. All Waste Collectors and other Persons shall deliver all Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste generated within the County, other than Designated Recyclables or other

Recyclables separated at the point of generation for separate collection, to a County Facility, or, to the Authority landfill for disposal.

- b. All solid waste delivered in a plastic bag to a County Facility or to the Authority landfill for disposal shall be delivered in a clear or translucent bag such that the contents of the bag are easily identifiable for inspection of prohibited materials, including recyclable materials.
- c. No Waste Collector shall dispose of Solid Waste and/or recyclable at any County Facility without a Commercial Waste Permit. No Waste Collector shall dispose of Solid Waste at any other facility, excluding the Authority Landfill, without the prior authorization of and/or notification to the Department. Waste generators may transport, deliver and dispose of their own solid waste and/or recyclables at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
- d. Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- e. Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility.
- f. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- g. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.

3. Disposal of Recyclables

- a. Nothing in this local law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.

- c. Owners of facilities open to the public and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
 - 1. Deliver information about tenants' source separation obligations to all tenants; and
 - 2. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
 - 3. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.
- e. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
- f. All Waste Collectors shall provide customers that place separated Designated Recyclables at curbside, collection of those Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.
- g. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

SECTION IV. ENFORCEMENT

1. Administrative Sanctions

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law.
- b. Civil penalties shall be assessed in an amount not to exceed \$500.00 for a first offense; up to \$1,500.00 for a second offense against the same provision of this

law within twelve (12) months of the first offense; and up to \$2,500.00 and/or suspension or revocation of any permit issued pursuant to the local law for a third offense against the same provision of laws within eighteen (18) months of the first offense. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.

2. Notice and Hearing

- a. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail with certificate/confirmation of mailing sent to the residence of the offender, or in the case of a holder of any permit issued pursuant to this local law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil penalty upon the person charged. Any Person so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten (10) days of the date of service of notice. Service by ordinary mail shall be presumed delivered ten (10) days from date mailed. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.
- b. If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (a) above fails to demand a hearing within the ten (10) day notice period provided for in Section IV.2.a, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- c. Hearings shall be conducted by the Head of Solid Waste Department, and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members). In any hearing conducted pursuant to this Section, the following shall apply:
 - 1) A stenographic record shall be kept. The cost of same is to be equally borne by the County and Person requesting the hearing.
 - 2) The permit holder may be represented by counsel.
 - 3) Witnesses shall be sworn and subject to cross-examination.
 - 4) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence

shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.

- 5) Findings of fact shall be made by the Hearing Officer, in writing, upon a preponderance of the evidence.
 - 6) Upon a finding that a violation is proved, the Hearing Officer, shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Hearing Officer shall be final, and shall be subject to judicial review.
- d. Any person who shall set Designated Recyclables commingled with other solid waste out for collection shall be liable for a civil penalty of up to \$50.00 for the first violation, \$100.00 for a second violation committed within twelve (12) months of a prior violation, and \$200.00 for a third or subsequent violation committed within twelve (12) months of a prior violation.
 - e. Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay each penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Hearing Officer.
 - f. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

3. Presumptions

- a. The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b. The failure to deliver any Solid Waste to a facility designated by the Department pursuant to Section III (3)(a) within three (3) days of the collection of Solid Waste from any location within the County shall be presumptive evidence of a violation of Section III (3)(a) of this local law.

4. Enforcement Guidelines

The Department shall notify in writing each Waste Collector presently collecting, transporting and/or delivering Solid Waste generated or collected in the County of the adoption of the within local law and the effective date thereof. Such notice shall be delivered by first class mail at the last known address or business address or in person. Any such Waste Collector or Contractor so notified shall have sixty (60) days from the date of such notice to comply with the rules, regulations and requirements set forth herein. Thereafter, the Department shall implement the enforcement provisions of this local law as set forth herein.

SECTION V. EFFECTIVE DATE

This Local Law shall be effective one year upon all legal requirements being met.

SECTION VI. SEVERABILITY

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.